

**Athens City Planning Commission  
Minutes of Regular Meeting  
Wednesday, May 1, 2024, 12:00 p.m.**

A regular meeting of the Athens City Planning Commission was held in City Council Chambers, third floor of City Hall, on May 1, 2024.

Attendees: John Anderson, Solveig Spjeldnes, Robert Delach

**1. Call to Order**

John Kotowski called the regular meeting of the Planning Commission to order at 12:00 p.m. and administered the oath to those in the audience intending to speak before the commission. Quorum established with all members present.

**PLANNING COMMISSION MEMBERS:**

|                                     |         |
|-------------------------------------|---------|
| Chris Knisely                       | Present |
| John Kotowski, Chair                | Present |
| Steve Patterson, Mayor              | Present |
| Austin Phillips, Vice-Chair         | Present |
| Andy Stone, Service-Safety Director | Present |

**STAFF:**

|                                        |         |
|----------------------------------------|---------|
| David Riggs, Code Enforcement Director | Present |
| Meghan Jennings, City Planner          | Present |

**2. Disposition of Minutes**

*Austin P. moved to approve the April 3, 2024 minutes. Andy S. seconded. Motion passed 5:0.*

**3. Cases**

**Case #24-03 Changes to Athens City Code Title 21 & Title 23**

Meghan Jennings/Presentation

The Title 21 updates (subdivisions) have been discussed at prior meetings and are summarized in the attached document. The presentation today addresses the proposed changes to Title 23 (bulk controls).

Meghan J. reviewed her "Addressing Athens Housing: Bulk Controls" slide presentation (attached for reference).

**Key points:**

- Main goal of these proposed changes is to begin addressing housing affordability issues.
- Covering only the bulk control changes to the residential zones in this presentation.
- Changes allow for more dense development and efficient use of existing infrastructure.
- Changes relating to city zoning in Title 21.04 Table 1 are included.
- The minimum hillside requirements table is no longer necessary with the proposed changes.

- Title 23 Table A changes have been researched and refined and now include business and industrial zones. Proposed changes in general reduce the minimum lot sizes and adjust the yard setbacks.
- The proposal includes gentle increases in density and brings more viability and compatibility between the residential zones.
- Examples outside of Athens, in SC and KY, were included for insight on how Athens' neighborhoods could look with the proposed changes.
- American Structurepoint's Stimson Avenue Corridor Plan bulk requirements recommendations were utilized because they are applicable across all of Athens.
- The proposal will allow duplexes to be a more viable option in Athens.
- The majority of our bulk controls are minimum standards.
- Not proposing new uses, only updating dimensions for what exists.
- Gentle increases in density as you go up in zoning categories.
- Redevelopment of existing lots: Two 60' width lots in an R-1 you could build 3 new homes, three 60' width lots - 4 ½ new homes, and four 60' width lots - 6 new homes.
- Yard Regulations - added language regarding averaging front yard setbacks, so the structures will be compatible.

#### Discussion:

- Steve P: suggested that in the R-3 multifamily proposal, to allow greater density, to consider increasing the height from 3 ½ stories to 4 ½ stories. The obstruction of a four-story building is not noticeable. In our community it is the 5-6+ story buildings that are noticeable.
  - Meghan J: the ½ story activates a gable pitch, but the maximum height can be adjusted and increased to 4 ½ stories.
  - David R.: the idea for only increasing to 3 ½ stories was to be respectful of the surrounding structures, especially single-story structures.
- Austin P: suggested that in Table A for R-1 to consider getting rid of the maximum front yard setback so that folks in non-downtown lots can be allowed to set their structure farther back from the road.
  - Meghan J: the averaging provision of front yard setbacks mentioned earlier will help prevent disparity in front setbacks between lots.
- Chris K: asked for clarification on the 5 ft. side yard setbacks, the hillside requirements, and the required parking. Clarifying comments:
  - The minimum side yard setback combined is 10 ft. between structures, 5 ft. set back each lot. Eaves and bay windows can be built into the set back.
  - The slope table is no longer needed because with these proposed changes to the bulk controls, building closer to the road will be allowed. The hillside development requirement was established to protect the slope and to allow a variance to the setback in order to build structures closer to the road, away from the hillside. With these proposed changes the hillside development requirement will not be necessary as it will be duplicative.
  - The Comprehensive Plan calls for us to revise our parking regulations, which is a big task. The required parking is mentioned here to acknowledge that parking requirements do exist even though we are looking to revise them.
  - The lot comparison slide was discussed regarding where a garage or driveway could be situated on a lot.
- Chris K: asked about percentage of allowable square footage and how building an accessory structure would fit in.

- David R: lot coverage would not restrict that enough. People do that anyway regardless of the total lot coverage.
- John K: asked about hillside development and what protections exist.
  - David R: they are not removing all the hillside requirements for development. This is just for the front yard setback.
- Steve P: shared the letter of support that was received for these changes, from a member of the Affordable Housing Commission.
- Rob Delach/124 Morris Avenue: expressed support for these changes. Would like changes to go even farther. Consider revisiting the front yard setback because in addition to porches, porch steps are included in the calculations.
  - David R: porch steps and stoops are in a different section of code, so that section could be changed, which he would recommend instead of further changes to the bulk controls changes proposed today.

*Andy Stone moved to accept Case #24-03 as presented with these exceptions as discussed: Strike front yard maximum requirement in the R-1 one family; Remove uncovered steps from front yard setback requirement; Increase height maximum in R-3 zones from forty-five ft. 3 ½ stories to fifty-five ft. 4 ½ stories. Steve Patterson seconded the motion. All present voted aye, motion passed 5:0.*

#### **Case #24-04 Title 41 Review/Southeast Beverage Warehouse Addition**

*Austin Phillips recused himself from the discussion and voting as he is the owner.*

##### David Riggs/Summary

This is a site plan review for a warehouse addition for Southeast Beverage. No staff comments or concerns have been submitted. The Shade Tree Commission recommended that the Planning Commission approve the landscape plan that the applicant submitted.

*Steve Patterson moved to approve Case #24-04 as presented. Chris Knisely seconded. All present voted aye, motion passed 4:0 (Austin P. recused).*

#### **4. Communications**

##### **Tobacco Zoning and Marijuana Dispensary Zoning**

##### Meghan Jennings/Summary

This proposal (see attached for reference) has been refined from the original communication that was presented several weeks ago.

Summary of changes:

- Listing the use as cannabis establishments. Within the proposal these establishments are included as principal permitted uses.
- A limit on the number of establishments per zone is included.
- A distance requirement, and uses of which to buffer from, is included (carried over from ORC medical marijuana distancing). At least 500 ft. from a school, public library, public playground, public park, or any other cannabis establishment.
- The zones that they are allowing as principal permitted uses are B-2/max 2 establishments, B-2D/max 5 establishments, B-3/max 12 establishments, and M/max 5 establishments.

Discussion:

- John K: asked why they are proposing different numbers than the current number of licensed tobacco locations in the zones.
  - David R: they also looked at the number of vape stores and added those to the number of tobacco stores, so the numbers match up.
- Steve P: appreciates the distance limits that they carried over from the medical marijuana dispensary legislation and that they added other cannabis establishments to the list.
- Andy S: suggested that the commission set a similar number of limits for state tobacco licensed establishments and send these simultaneously to City Council as a recommendation for changes to the zoning code.
- Austin P: requested clarification regarding the B-3 zone with twelve establishments, and if those could be concentrated in one area.
  - David R: there is a distance requirement, so they could not be any closer than a block apart, about 500 ft.
- Chris K: regarding Andy's suggestion, asked if the same distancing limits on the tobacco establishments were imposed, because currently there are establishments that are closer than 500 ft.
  - David R: the current establishments would be legal non-conforming. Permitting will be done on a first come first served basis. Existing tobacco establishments could also add cannabis, the distance limit would not apply. Applicants can request variances as well if there is a special situation.

*John Kotowski commented that this will come forward as a single case at the next meeting with the suggested tobacco component changes included with the cannabis components discussed today.*

5. **Reports from Director of Development & Code Enforcement and City Planner**

David Riggs/Code Enforcement Director

- No report

Meghan Jennings/City Planner

- No report

6. **Opportunity for Citizens to Speak**

None

7. **Announcements & Other Business**

- Steve Patterson shared that Governor DeWine announced this morning the second round of Implementation Funding within southern Ohio. Recipients included the City of Athens (6.5 million), Mt. Zion Church (7 million), SE Ohio History Center (2.5 million), and Chauncey.
- Next meeting May 15, 2024.

8. **Adjournment**

*The meeting adjourned at 1:09 p.m.*