

**Athens City Planning Commission
Minutes of Regular Meeting
Wednesday, September 18, 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 September 18, 2024.

Attendees: Ginger Schmalenberg, Eric Lee, Russell Chamberlain, Andy Vogt, Michele Papai, David Cornwell, Laurie Deal

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 three members present.

PLANNING COMMISSION MEMBERS:

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

STAFF:

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

2. Disposition of Minutes

John Kotowski moved to approve the July 3, 2024 minutes. Chris Knisely seconded. All present voted aye. Motion passed 3:0.

3. Cases

None

4. Communications

Conestoga Hut Safe Spot Site/510 W. Union Street

David Riggs/Code Enforcement Director

- Conestoga Huts are not regulated in Athens City Code. This is a request for conditional use to install four huts at 510 W. Union St. and construct a 6 ft. fence, with porta potty on site and access to County was removal.
- A special use 1-year permit was granted by the BZA just before the pandemic.
- The site is owned by Athens County. The city does not have jurisdiction so cannot put any restrictions on this project.

- They are coming to the Planning Commission for informational purposes only. The city will hear it and issue a zoning certificate.

Ginger Schmalenberg/The Gathering Place

- The Gathering Place has been in operation for 48 years serving the homeless.
- Before the pandemic they began researching housing needs and worked with a group in Eugene OR who utilize Conestoga Huts.
- They have been working with about forty agencies in the area on the plan.
- These huts are a step up from just using a tent, it would be a designated place for shelter. This would offer interim housing while they utilize the Gathering Place services, which includes assistance in finding permanent housing.
- They wanted to find a place on the bus route, so they selected the parking lot at 510 W. Union Street, which is owned by Athens County. The County Commissioners have written a letter of support (attached for reference).
- Athens County has a governmental exemption to the zoning code (ACC 23.03.19).
- Plan to install four huts beginning this November.

Commission Discussion

- There are other safe spots like they are proposing that exist in Ohio, like Aurora. Many are located in church parking lots.
- Maximum number of huts at this site is 10.
- The site will be fenced and locked.
- There are established rules to participate.
- Porta potty and garbage collection will be provided.
- Huts are well insulated.
- No electricity or water.
- Security cameras will be monitored.
- Residents leave at 10 a.m. for the Gathering Place for services and return at 7 p.m.
- The Planning Commission does not vote on this because the county is exempt. A certificate must be issued by the city.

Audience Discussion

- Several audience members spoke with questions and concerns: Eric Lee, Russell Chamberlain, Andy Vogt, David Cornwell, and Laurie Deal.
- Ginger S. & Michele P. with the Gathering Place and City Code Enforcement Director David R. answered questions and spoke to their concerns.
- Questions and comments included: purpose of safe spot, number of huts for the pilot, number of people accommodated/hut, proximity to the Sandlot ball fields, attracting homeless to Athens because of this safe spot, metrics to gauge the success/failure of the pilot, complaint process, dimensions and amenities of the huts and supporting structures, adjacent property owner notification, budget, clarification of why the County does not have to comply and why

city has to issue permit, location selection process, safety and security measures being put in place, dangers to kids at the ballfields.

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

David Riggs/Code Enforcement Director

- No updates

Meghan Jennings/City Planner

- Legislation moving through City Council regarding the PC recommended changes to ACC Title 21 and 23.

6. **Opportunity for Citizens to Speak**

None

7. **Announcements & Other Business**

- Next meeting October 2, 2024

8. **Adjournment**

The meeting adjourned at 1:10 p.m.

Athens County Commissioners



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August 24, 2024

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To: Athens City Planning Commission

Project and Property Owner: Athens County Commissioners, Athens Ohio

Owner's Address: 15 South Court Street, 2nd Floor, Athens, Ohio 45701

RE: Conestoga Hut Safe Spot Site : Location: 510 W. Union St. Athens, Ohio 45701

Description of Proposed Use: Proto-Type Conestoga Hut Safe Spot Site: Building a Conestoga Huts, a "micro-shelter" that provides a person with roughly sixty square feet of lockable, dry, and safe space to temporarily live while working to improve their life situation. It uses minimal materials to keep cost down per shelter while providing stability to its user. If a Hut is abused or damaged, its design enables it to be disassembled, refurbished, and put back together to help another person in need, all with ease. These are not permanent structures and can be easily moved to other sites and look nice in a community space such as a parking lot or greenspace. We are requesting on behalf of Athens Mental Health Inc., dba The Gathering Place "Conestoga Hut Project" to place four 12ftx6ft huts surrounded by 224 ft of privacy fencing that will be 6ft high-materials vinyl and chain link-lockable and a 7.5ft high x4ft wide and 4ft deep porto-potty.

Request for Conditional Use: Referring to 23.07.02 (D) Temporary structures and uses, and ACC.23.03.24, and ACC 23.03.19

1. Standards- The BZA may permit the temporary use of structures or premises in any zone for a purpose that does not conform to the regulations prescribed elsewhere in the zoning code for the zone in which it is located, provided that the BZA finds such use to be of a temporary nature, not to involved the erection of a substantial structure, and to be unlikely to cause substantial detriment to the public. Any such temporary certificate shall be granted subject to such conditions as will safeguard the public health, safety, morals and general welfare.
2. In addition: Under ACC 23.03.24 all zones prohibit trailers as living units except in a trailer park. The county property at the Ohio Means Jobs located at 510 W. Union is in a B-3 zone, and as a trailer park is a conditionality permitted use in a B-3 zone, with certain conditions laid out in ACC 23.04.07 (C), which normally one would go before the BZA to gain a conditional permit. However, it is not necessary in this incidence because of ACC 23.03.19, which has the government exemption to the zoning code.



- *This states: 23.03.19. - Government property exemptions.*

The administrative authority of all governmental units (including city, township, county, state, and federal units) must make a reasonable attempt to ensure that their buildings and grounds conform to the regulations of the zoning code. When such authorities find, they cannot conform to these regulations, they shall inform the planning commission in writing, outlining the nature of and reasons for such nonconformance.

The Athens County Commissioners (ACC) observe the hardship for some of our community members who are currently unhoused and living out of doors, due to a variety of social issues of economic hardship, mental, intellectual or physical disability, those entering recovery from a substance use disorder or re-entry from the judicial system, and scarce access to affordable housing units that meet the HUD fair market rate for our county, or no access to limited governmental housing vouchers.

The ACC support interim solutions that the Athens County Housing Security Co-Create Coalition (Co-Create) have developed. Co-Create is representing 32 city/county agencies that can offer wrap-around supports and advocacy and fund development expertise for housing security in Athens County- the “safe spot” community of Conestoga Huts as an interim solution while an individual community member works toward secure housing, employment or income, and other health services while awaiting housing opportunities.

The Athens County Commissioners feel that there is an exception in this case of use due to the affordability of these micro-structures and necessity of emergency housing for community members. These structures can be rapidly constructed and dismantled and moved and can be anchored for safety to concrete blocks, as is common with sheds or trailers throughout the city and county. These micro-shelters help to fill the needed shelter space for our community, as our city/county does not yet have a city-run shelter, only a privately run shelter with limited shelter beds.

Requested Variance: To build a proto-type model of four Conestoga Huts at 510 West Union, Ohio Means Jobs. The project will also be constructing a fence (6ft.) for safety and privacy and respect for public image and site will have sanitation with a Porto-potty on site and access to County waste removal.

Reasoning for variance request:

- Homelessness is a huge issue in our community, especially considering not enough affordable housing stock available for individuals who may not currently have income or be involved with services that can help them obtain that resource.
- Even when an individual obtains a HUD voucher for subsidized housing, there is not enough housing stock that meets the requirements of cost using the voucher.
- Many are sleeping in tents hidden around our city without appropriate hygiene facilities in which to use the restroom, wash hands, or shower, or tents are not providing enough shelter and warmth in the winter months. This also causes undue public health concerns when human waste and other trash waste are littered around the city.

- This safe-spot micro-shelter community is to be used as a Proto-Type project for our community members, city and county officials, health and wellness agencies, recovery agencies, and area churches and nonprofits to learn more about the possibilities of Conestoga Hut communities and how they can change lives and reach our community members in need, with shelter and other needed services until a city/county non-congregate low-barrier shelter can be acquired through Co-Create's larger on-going activities to be responsive towards our unhoused neighbors.
- AMHInc.dba The Gathering Place is perfectly positioned to take on the role of oversight for this project, as their mission is to serve marginalized populations who may be experiencing homelessness due to other factors. They provide linkage services (mental health, social services, housing, and food security) and access to basic needs such as a shower, food, laundry services, and other recovery supports and programming at their location, 7 North Congress Street, Athens, Ohio.

Practical Difficulty: The city of Athens only has one privately run homeless shelter and there are far too few beds to serve all our community members who are homeless. This is a strategy that has been quite successful in other communities, such as Eugene, Oregon and "Community Shelters" model. Some community members do not have an income or access to a means to gain housing.

Preservation of Equal Property Rights:

The location of 510 West Union is located on county property, adjacent to the city bike path and there are already individuals camping in the woods a few yards away. By providing a fence for privacy and safety and access to sanitation and waste removal, and uniform shelters that have materials sturdier and more visually appealing, the current city/county property can be better maintained and a sanctioned space can be more appealing to our community as a specific structure is developed and unhoused community members are involved in a program and a living space and the individuals served are part of a wrap-around service project, monitored by AMHINC, dba The Gathering Place.

Minimum Variance:

This variance requests that only the minimum amount of space be used at 510 West Union, the visual impact does not impact the look of the neighborhood and they are neat and appealing structures, even more appealing than a shed. A privacy fence will also be a part of the site.

Absence of Detriment:

- This structure does not increase the occupant load of this area of the city, it is among a large amount of green space, there will be no extra vehicles in the adjacent parking lot.
- This location was specifically chosen for the benefits of the bus line for transportation, being feet away from Ohio Means Jobs (JFS) and close approximate to mental health and recovery supports services. These shelters are meant to be temporary dwellings for individuals experiencing homelessness, evidence-based to reduce an individual's time being homeless, as they provide more safety, security and comfort for an individual to connect with services with goals of permanent housing and other needed health and mental health/recovery services.

- These structures are meant to be sober living sites.
- Individuals will be vetted and have daily contact with case managers, will be required to be in services and working towards goal of permanent supportive housing.

Not of General Nature:

AMHINC, dba The Gathering Place is a member operated peer recovery organization that serves adults with a lived experience of a mental health or co-occurring substance use disorder. Staff and members work together to provide peer support, linkage services, advocacy, mental health education, recreational and wellness activities, access to healthy food, access to housing opportunities, and community integration opportunities, all in a welcoming home-like environment. They have been serving Athens County since 1976 and operate a 5-bedroom sober living home for men, called Mike's Bridge House.

AMHINC, dba The Gathering Place has the support of Sister's Health Foundation to fund this project and also support from the Co-Create Coalition which Athens Foundation facilitates the partnership of 32 city/county agencies working together to address the issue of Housing Security in Athens County.

A concrete best practice plan of case management/structure and oversight of the proposed site will be in written format and a 1-year lease and other needed documents will be outlined with the Athens County Commissioners and re-evaluated annually for any needed improvements, and to note documented outcomes and if goals are being met and if project can be advanced to other sites.

Sincerely,



Lenny Elason, President



Charlie Adkins, Vice-President



Chris Chmiel

ACC:js