

PLANNING COMMISSION MEETING MINUTES

Tuesday, June 14, 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
Bruce Ennen	Member
Brian Morehead	City Engineer

Absent:

Jeff Hall	Mayor
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1. **CALL TO ORDER-** Director David Rhodes called the Tuesday, June 14, 2022 Newark City Planning Commission Meeting to order.
2. **APPROVAL OF MINUTES FOR THE May 10, 2022 PLANNING COMMISSION MEETING-** Motion by Ms. Floyd, second by Mr. Ennen , passed by acclamation

PUBLIC HEARING

3. ZONING CHANGE FOR 137 N. VERNON AVE

Application Number : PC-22-17

Owner: Phillip Warner

Applicant: City of Newark

Current Zoning: Newton Township

Proposed Zoning: Single-Family Residence, RL – Low Density

Brian Morehead, City Engineer – The previous zoning was in Newton Township for this newly annexed property , so we feel that it should be established as Single Family Residence – Low Density in the City of Newark zoning code.

Phillip Warner, 137 Newton Ave. – I am the property owner if there are any questions at all. I just annexed in and this is just the process to get the zoning for the City of Newark.

Mr. Ennen – There is actually a residence there now?

Mr. Warner – Yes, it was built back in 1934, so it's been there for a while.

Director Rhodes – What happens now is we look at it and put an opinion together for the next Planning Commission meeting which will be July 12th . At that point the opinion will be read, this group will vote on it, from there it goes to Newark City Council for one more public hearing and a final vote. That will be on August 1st.

4. ZONING CHANGE FOR 91-92 CLINTON STREET

Application Number : PC-22-15

Owner: Urban Development Co. of Ohio Ltd.

Applicant: Robert Reames - Manager

Current Zoning: TFR – Two-Family Residence

Proposed Zoning: MFR – Multi-Family Residence

Robert Reames, 91 Clinton Street Owner – We plan to renovate the property, top to bottom and convert it over to 4 family. So we're switching from a duplex to a 4 family, 2 bedrooms each up and down.

Director Rhodes – The process will be the same as the previous one. It will come back here next month for an opinion and then go to City Council for a public hearing and a vote on August 1st.

OLD BUSINESS

There was none this meeting

NEW BUSINESS

5. SITE PLAN REVIEW FOR PROPOSED ENERGY STORAGE BATTERY FACILITY

Application Number : PC-22-19

Owner: Lee Zazworsky, 1984 Coffman Rd. LLC, 1984 Coffman Rd., Newark, Oh 43055

Applicant: Pine Gate Renewables, 130 Roberts Street, Asheville, NC., 28801

Ben Roberts, Development Project Manager, Pine Gate Renewables – Mr. Roberts gave a presentation to the Planning Commission. This project is a storage facility called Heath Storage LLC. He explained who Pine Gate is and what they do. He explained they are a turn gate developer who works specifically on the utility side of things with companies like AEP in this region. They work on the bigger types of solar farms and storage facilities. Pine Gate currently has 88 solar farms operating in over 20 States. Heath Storage LLC is the project and Pine Gate is the developer of that project. We look to connect the solar farms and storage facilities to the utility grids to provide excess energy so the local utilities can collect that and then disperse it among their customer base. We tend to be a part of tax programs within the local areas and we plan to do that with Heath Storage as well to help provide some tax dollars to the local economy here. The main reason we're proposing this project is to help with excess energy that gets lost and also to help flatten some peak times where energy may be needed, like at 5pm when everyone goes home and turns on their ovens and their showers and there is a big need for energy at those times. We currently only operate in the United States and are based out of Asheville, NC. Mr. Roberts explained the site plan and how the batteries will be stored and how they will connect to a substation that is directly across the street. He explained they are working very closely with the local utility, AEP and the Regional Transmission Operator, PJM, to operate this facility.

Mr. Morehead – There will be numerous units like that, correct?

Mr. Roberts – Correct. That unit houses several different batteries within it. I think there are a couple rows on the northern end and then four rows of those at the southern end. He pointed out the restrictions they are adhering to such as the height of the units, the landscape buffers and the setbacks. He pointed out that their plans meet the requirements of the current zoning.

Mr. Morehead – It was helpful that we had a meeting with Pine Gate a couple months ago prior to submittal. The NFD commented that the plan will need to comply with Ohio Fire Code Section 608, so as more details are developed we'll kick that to the Fire Department. As we move forward we'll need to see elevations of what the actual heights of the structures will be. There should be no issues with the lot split and combination. It looks like the lot split will take in part of the drainage ditch on the east side of the property so, we'd like to see what type of easement or agreement there is to maintain that. The area is very flat out there and I know there have been some drainage issues, so we want to just be able to ensure that still remains and functions as well as it does now. The only other thing is we need some dimensions for the landscaping and green space areas. There is no water or sanitary sewers proposed so, there are no utility needs. We recommend contingent approval upon resolution of those 6 items we have listed in the report.

Motion by Mr. Ennen to approve based on the contingencies, second by Ms. Floyd

Mr. Gebhart will abstain

Motion passed 3-0 with one abstention

6. SITE PLAN REVIEW FOR NEW OFFICE AND MAINTENANCE BUILDINGS, 161 UNION ST.

Application Number : PC-22-21

Owner: Lee Hope Timber Companies, Tom Harvey, 141 Union St., Newark, Oh. 43055

Applicant: ADR & Associates – Ryan Badger, 88 West Church St., Newark, Oh. 43055

Ryan Badger, ADR Associates, 88 W. Church St. – This is for a new office building for Hope Timber in front of their pallet facility and for a maintenance building for their trucks they use on site. 3600 sq ft office and 7600 sq ft maintenance building. We have a variance approved for setbacks at the last BZA.

This is all on top of the existing concrete floor of the previous business. There will be some new grass area with the office building, so we are working on a storm water narrative and our approach there. Otherwise, we did read the Staff comments and shouldn't have any problem meeting with the Fire Department and addressing the sewer and storm water issues.

Mr. Morehead – As Ryan mentioned there are a few items that came up as we reviewed it. The NFD had comments about access around the buildings and the water supply to make sure it meets the Fire Code requirements. We'd like to see structure elevations when they are available. You already mentioned the BZA variance for setbacks and the landscaping plan being developed. Otherwise, the water and sanitary sewer and storm water plans will be coming along with construction plans. We recommend approval contingent on those items listed in the report.

Motion by Mr. Ennen to approve subject to conditions, second by Mr. Gebhart, motion passed 4-0

7. SITE PLAN REVIEW FOR NEW INDUSTRIAL BUILDING FOR RECYCLING OPERATION, 55 BUILDERS DR.

Application Number : PC-22-22

Owner: Environmental Specialists – Brian Johnson, 55 builders Circle, Newark, Oh. 43055

Applicant: ADR & Associates – Ryan Badger, 88 West Church St., Newark, Oh. 43055

Ryan Badger, ADR Associates – This is for the addition to Mr. Johnson's property, it will be just shy of 12,000 sq ft. addition to his existing 12,000 sq ft current facility. There will be improved circulation around the building, so the Fire Department should be happy with that. We have storm water management to wrap up and we did receive a variance for our gravel drive at the last BZA meeting.

Mr. Morehead – The Fire Department commented on the plans so we'll want to ensure they have a look before we finalize things. We need to see the elevations for the building. You mentioned the variance for the gravel parking and a lot combination that you are working on. We recommend approval contingent on items listed in the report.

Motion by Ms. Floyd to approve contingent on plans, second by Mr. Gebhart, motion passed 4-0

8. SITE PLAN REVIEW FOR LOG POND DRIVE –THE LP APARTMENTS, PHASE 2 – 96 APARTMENT UNITS IN FOUR BUILDINGS

Application Number : PC-22-23

Owner: Log Pond Investments LLC – John Roush, 13375 National Rd., Reynoldsburg, Oh 43068

Applicant: ADR & Associates – Ryan Badger, 88 West Church St., Newark, Oh. 43055

Ryan Badger, ADR Associates – This is an extension of Phase 1 site plan that were approved back in February. We've gone through a rezoning for this second phase and I believe that was approved by Council at the last meeting. We do have a couple items for the BZA.

Mr. Morehead – Most of this property is in the 100 year flood plain, so all developments will have to meet the regulations of the flood insurance ordinance. NPD has no concerns. NFD commented the driveways appear to meet the Fire specifications and the water supply will need to meet the Ohio Fire Code Section 507 requirements. We are assuming the building would be of the same configuration as the first phase. If that's the case then the proposed 36.5 feet height would meet the requirements of the district. The first phase is not constructed yet, so we sort of backed up and considered phase I and II as far as lot area goes and density. The density is over what is permitted in the zoning code, so that is one of the items you need to go to the BZA for. The BZA can grant a variance up to a certain amount, I think it's 5%. From our calculations this is about 6.3% over, so there may need to be a reduction in the number of units. The density is based on the number of bedrooms, so there may be some kind of reconfiguration that could make that work. Parking will also require a BZA variance. The landscaping plan that was submitted just needs some more details and area calculations for us to confirm it meets the code. We recommend a lot combination be done between the 1st and 2nd phase to combine it all into one parcel so it will smooth out the density requirements. On the first parcel there's a large pond and open area that in the end the entire development will see benefit of. We recommend approval based on the conditions.

Motion to approve by Mr. Ennen subject to conditions in Staff Report, second by Mr. Gebhart, motion passed 4-0

MISCELLANEOUS – ADMINISTRATIVE APPROVALS

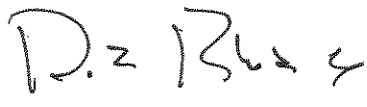
THE NEXT SCHEDULED PLANNING COMMISSION MEETING WILL BE HELD ON TUESDAY, JULY 12, 2022, 6:00 P.M. THE DEADLINE FOR AGENDA ITEM SUBMITTAL IS TUESDAY JUNE 21, 2022 4:30 P.M.

Motion to adjourn

ADJOURNMENT

Meeting stands adjourned

Mayor  Jeff Hall


Planning Director David Rhodes