

PLANNING COMMISSION MEETING MINUTES

Tuesday, June 13, 2023 6:00pm

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

Present:

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

Absent:

Joe Gebhart	Member
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1. **CALL TO ORDER-** Mayor Hall called the Tuesday, June 13, 2023 Newark City Planning Commission Meeting to order.
2. **APPROVAL OF MINUTES FOR The May 9, 2023 PLANNING COMMISSION MEETING-** Motion by Mr. Ennen, second by Ms. Floyd passed by acclamation

Mayor Hall - We will be going into a public hearing for two items this evening, just to explain to everyone, a land owner has the right to submit an application for a potential zoning change. It's brought into City Hall, we notify people within a certain distance of that property. This Public Hearing is a time for anyone to come up and speak for or against the zoning change or make any kind of comment they like. We listen to that, and that's what that is for. Zoning changes are one of the more complicated things as we have citizens input. I'd like everybody to know there will be no decisions tonight on the two items that are new for the Public Hearing tonight. We listen to the public, the 11th of July is the next Planning Commission meeting, we will render an opinion on the 11th of July, that's a notification to go to Council, because of time frames for advertising it will come to Council on the 7th of August at 7pm in this same room and there will be another Public Hearing similar to this. You're welcome to come to that and give your opinions at that time, then they will do the voting on it. You can always call in if you have any questions on that.

PUBLIC HEARING

3. **ZONING CHANGE FOR 1339 WEST MAIN ST., NEWARK OHIO**

Application Number : PC-23-14

Owner: Brewers Real Estate

Applicant: Steven Brewer

Current Zoning: GO -General Office

Proposed Zoning: MB - Medium Intensity Business

Gregory Brewer, 228 East Main St. - I'm here to represent Brewers Real Estate, Steven is my son. I'm here to look at West Main, what we're attempting to do there is, it was a dentist office and we have restructured it to become hopefully offices where we can have a hair salon, nail salon, cosmetology. We have a young lady that's willing to move her company from downtown, I guess she's actually going to have two. All we're asking is that we could possibly do this. Next to us is a daycare, there are several small businesses there on that side of the street. This is directly across from the hospital. So, I think it's a good area that we can kind of help out, the building was heading the wrong way, so we've tried to pick it

up, clean it up and make it a nice environment, which we try to do in all the cases when we buy properties.

Mr. Ennen - Is it a single use building, will you have more room for something other than just the cosmetologist? You're not going to have more than one business in there?

Mr. Brewer - No. No other businesses. There is a small one bedroom apartment up above.

Jack Patterson, 93 Marjory Dr. - I own the property at 27 S. 35th Street, my understanding is if we change that to Medium Density there is also the possibility of having a laundromat, furniture store, quick lube, tire stores, car washes, muffler shop, funeral homes, pawn shops and the area, there's just not the parking. The building, all the parking is on 36th Street and it's a dead end road. There is a daycare there and the daycare used to have to cut through the Doctor's office to get to 35th Street where there is a light to enable the people to get out because it is very difficult to get out with no traffic light and being a dead end street on 36th Street. I just don't see how you could have another business like that in that amount of area, then what also worries me is all these other things it could be, once you change that zoning there is no guarantee that will change what business it is now. Can they change if they get this passed, could they put a muffler shop in there? Say this place doesn't turn out like a year or two down the road, with the daycare there, the traffic, dead end street, no light, I'm just against that, my personal opinion, nothing against anybody or anything else, it just doesn't seem like a good idea to me.

Mayor Hall - There are other requirements when you put a business in. Zoning is a first step, if I might say that, because the zoning will allow alternate uses potentially in the future, doesn't necessarily say that it would pass building code or requirements or proper parking spaces. Each different type of businesses have different requirements to them. I'm just going to say there are other requirements, you can't make just anything there.

Mr. Ennen - I guess we can't say never, but it doesn't strike me as the kind of building that would be suitable for some of those other uses, so it's difficult to be speculative about it. I know it's not impossible but it's not likely.

Jennifer Csubak, 37 S. 35th Street - I'm opposed to it because our street is very busy, to turn left we have a lot of people that cut through our neighborhood to go down to wherever they work at the Doctor's offices or hospital, so the traffic is very busy on our street and I could just see it making it worse, so I oppose it for that reason. Plus the change in business, if that opened it up to another type of business in the future. No offense Mr. Brewer.

Mayor Hall - We have closed the public hearing for this item, thank you to those who have come, you don't have to stay but are surely welcome to. I just want to remind you though that at the next meeting, second Tuesday, 6pm same room our recommendation will come forward that goes to Council. It's not a vote, it's a recommendation and then August 7th there will be another public hearing at 7pm and you would have an opportunity to speak again if you would like to.

4. ZONING CHANGE FOR MORRIS STREET., NEWARK OHIO

Application Number : PC-23-15

Owner: Brewers Real Estate

Applicant: Steven Brewer

Current Zoning: Single-Family-Residence, RH-High Density District and MB - Medium Intensity Business

Proposed Zoning: GC - General Commercial

Citizen - Excuse me, am I allowed to record, I'm asking permission to record.

Mayor Hall - Yes, it's all in the minutes, you can record, it's in the minutes completely and being transcribed.

Mr. Brewer - Basically what we're asking here is down on East Main. Currently my family has owned DorMar Heating on East Main Street for 50 years. One of the things I've strived to do since I've been there is clean up the area as much as I can to make it nicer for the residents of the area and to make it a more homey place and a place where people can feel comfortable there and that type of thing. What we're doing there is we're buying currently we have bought up several of the homes that the homeless has been into and this one proposed actual item is a building that we are going to go ahead and tear down and actually look to build another building there, a store front and give it a business look. Behind that property sets a couple acres of land behind it which is the area that we're concerned about and talking about because the homes do butt up against this area. We felt like, in my personal opinion, my son wanted to actually wanted to put an apartment complex in there and I kind of shot that down, years

ago I was part of the Community Development which helped clean up the whole east end and tried to build nice homes and make the area really nice, we got rid of a lot of old trashy homes and I think we did a nice job in that, but it still needs to go a little farther. We've done such a wonderful job downtown making it look beautiful, I think it would be nice to continue that out east. So, what we'd like to do is create a business district that feeds off of East Main Street, not off of Morris Street, and this building would actually face at an angle toward the County Jail in that area, there's a lot of trees and railroad tracks down through there and brush and it's basically homeless tents. When we went in here we cleaned up a tremendous amount of trash, the same thing is going on with the railroad, and I think they've probably spoke up, they're spending thousands of dollars trying to clean this up also. It's been an ongoing battle and hopefully we can make a difference with this property just as we've done with the other properties, giving it a nice facelift, giving it a nice look to make people want to come to the east end and do business. The type of businesses we're hoping to put in there, basically I have some pictures I'd like to share with you. This is the drawing of the area, all of the blue areas are the areas that DorMar or Brewers Real Estate owns, this is a page of the building which are facing the tracks, this is East Main out here, we're trying to put the buildings in a manner to face the jail, this is the type of structures we're hoping to build, something to this affect, we currently own the one across the street from DorMar, which is Owens Collision Center and we took that and renovated that and made it look nice and clean, these are just the proposed areas, the fields and up against the railroad tracks and basically what we'd like to try to do is make this a situation where we can cut out some of this homeless in there and all the trash and all the buildings and we're willing to take on some of the cost of this to take down trees and clean up brush. All of it's not owned by us, some of it's owned by the City, but we're willing to make that attempt, so we bought the house across the street, we're hoping to turn into parking to alleviate some of the parking problems out on East Main and to make that nicer for all the people that live on Morris and that area trying to get out of that area. Basically, it's just an attempt to make it nicer, get some of this area out of there that has become homeless tents, we did a tremendous amount of cleanup but it's already coming back. Like today, I just called Salvation Army because they were putting tents behind their little small building in the back of Salvation Army and we've been fighting that and we put up fence around my company, but Brewer's Real Estate is a separate entity from DorMar, it's an LLC, but it's kind of a way I feel I can do something nice in the east end to help make it nicer and to bring it to what we all would like to see.

Sharon Talkington, 202 Monroe St. - This is my husband David in the wheel chair. First of all, I want to say that my husband David and I generally don't have issues with business in the area. Our concerns are possibly increased traffic, will we be land locked. In case you're not familiar South Morris comes off of East Main and Monroe comes off of South Morris and it is a dead end street. Emergency response for us, our neighbors, both residential, business and the railroad, which is the street behind us. Could South Morris be blocked off from an emergency response, therefore impacting access for others, maintenance of roads in the neighborhood due to increased traffic possibly, you've kind of cleared that up for me, I spoke with your son earlier, he was very kind, I appreciate that time. Director Rhodes has been wonderful, he met with us as well. It's been very educational for us. There are upgrades just in general that are needed for South Morris and Monroe, just generally speaking. I'm not quite sure how a parking lot would be and if water might run that direction, the drains have not been upgraded since Habitat from what I understand and it's something that I have flagged, so it's not just about this issue but it could have bearing on things that you want to look at going forward. I'm not sure about race Street which also comes off of South Morris. General Commercial is any type of business as they stated on the previous property as well. Should Mr. Brewer change his mind I think it opens it wide open as to what could be on that corner there, so that's a concern to my husband and I. The plans that you have right now I think are amazing, I told your son today that sound like a lot of light and hope, I appreciate, my husband does as well, the positive influence, you're the primary reason we were able to purchase the home that we live in, thank you for that. Many of us have seen great potential in the east side of Newark and that includes us, our neighbors and Mr. Brewer and your son. Our prayer is that the developments whether this or others will grow and create positive things and hope for today and tomorrow for those who live, work and commute to the east side of Newark.

Mr. Ennen - Motion that both public hearings be closed, that the matters be referred to the Planning Director for his recommendation and brought back to us at the next meeting. Second by Ms. Floyd, Motion passed 4-0

OLD BUSINESS

5. **RECOMMENDATION FOR ZONING CHANGE FOR 882 WEIANT AVE., NEWARK OHIO**

Application Number : PC-23-08

Owner: James Hunt

Applicant: James Hunt

Current Zoning: Single-Family-Residence, RH-High Density District

Proposed Zoning: MFR Multi-Family Residence

Janine Paul, Planning Commission Clerk - Upon consideration of the information presented, the following actions are recommended: The zoning classification for the parcel at 882 Weiant Avenue shall remain Single Family Residence RH- High Density District. Ordinance 23-07 is not recommended for passage and approval by Council.

Motion by Mr. Ennen to accept the recommendation of the Planning Director and be approved by Planning Commission and forwarded on to Council, Second by Ms. Floyd, Motion passed 4-0

6. **RECOMMENDATION FOR ZONING CHANGE FOR 281 ELMWOOD AVE., NEWARK OHIO**

Application Number : PC-23-09

Owner: Angus and Mac Property Solutions LLC

Applicant: Jason Angus

Current Zoning: Single-Family-Residence, RH-High Density District

Proposed Zoning: TFR Two-Family Residence

Janine Paul, Planning Commission Clerk - Upon consideration of the information presented, the following actions are recommended: The zoning classification for the parcels at 281 Elmwood Avenue shall be changed to TFR Two-Family Residence. Ordinance 23-08 is recommended for passage and approval by Council.

Motion by Mr. Ennen to accept the recommendation of the Planning Director and be approved by Planning Commission and forwarded on to Council, Second by Ms. Floyd, Motion passed 4-0

NEW BUSINESS

7. **SITE PLAN REVIEW FOR MOULL STREET, APARTMENT DEVELOPMENT CREATING 24-2 BEDROOM UNITS**

Application Number : PC-23-10

Owner: Bryan McAnally, 35 South Park Place, Newark, Ohio 43055

Applicant: Elmasian Engineering LLC, PO Box 626, Pataskala, Ohio 43062

Bryan McAnally, 35 S. Park Place - Representing the owner. Twenty four new apartments, no less exciting than those that went before us, everything should meet zoning and I feel like it should be a great project for the community. All new construction two 6 family buildings, two 4 family buildings, two duplexes, all new, nice new finishes, should be a great project.

Brian Morehead, City Engineer - We sent this to all the City Departments for their review. A couple of comments, basically, it's one single lot right now, the office building fronting on Sharon Valley and the old car wash site, we recommend that be split off and George has talked to you about doing the temporary board, to deal with the existing buildings that are there, so that's on the move, no comments from police or fire divisions, they didn't have any issues. Parking could require 60 parking spaces and from what we count this will be short of that so it would require a variance from the BZA. Landscaping plan was not submitted, I understand that's underway and some of our comments on the construction plan, we'd like to talk about if there is any option to the 5 driveway access points on Moull Street, if there is any way to combine those in anyway, so, we'll deal with that on the construction plan side of things. There was a comment about making the sidewalk 5 foot wide as opposed to 4 foot that we have been putting in to comply with ADA regulations. Basically, everything else seems to be in order, we're going through the construction plan right now so we'll have comments on that and the storm water management. We recommend conditional approval on the condition we deal with the BZA variances, the lot split, TBZ adjustment, landscaping plan and storm water management.

Mr. Ennen - No questions, but let me throw in that I'm not real thrilled with 5 curb cuts for this too. I looked at the drawing, I think it's going to be a tight fit, but I think there needs to be a way to find a way around that.

Motion by Mr. Ennen to approve this plan subject to the conditions outlined, second by Ms. Floyd, motion passed 4-0

8. SITE PLAN REVIEW FOR 169 DAYTON ROAD, OFFICE ADDITION TO EXISTING COMMERCIAL BUILDING
Application Number : PC-23-21

Owner: Layton Excavating Inc., 169 Dayton Rd, Newark, Oh 43055

Applicant: Northpoint Ohio LLC, 19 N. 4th St, Newark, Ohio 43055, Phil Claggett

Phil Claggett, Northpoint Ohio LLC, 19N. 4th St - Representing Layton Excavating. They have a proposed office addition. Layton Excavating has been in business for 25 years and they're growing, so it's time for some new office space. Here is a rendering of the proposed new building. I guess one of the items that didn't get addressed is landscaping, they are going to do some new landscaping, one of the comments was that the existing landscaping would be sufficient, but he wants to dress up the front of the new addition a little more. No additional signage, he has his monument sign and just a few more parking spaces to align with the new addition.

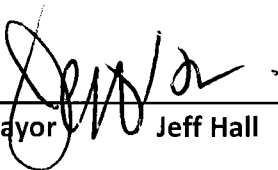
Brian Morehead, City Engineer - This one is pretty simple. There are no comments from police or fire divisions. Basically meets all the requirements for parking. We'll deal with Phil for the landscaping part of it. There is no storm water plan, there's no public storm sewer nearby, so they just need to manage the storm water on their own site, which they do at this time. We recommend approval of the site plan to move forward on this one, no contingencies.

Motion by Mr. Ennen to approve the site plan, second by Ms. Floyd, motion passed 4-0

9. MISCELLANEOUS – ADMINISTRATIVE APPROVALS

There are none this meeting

THE NEXT SCHEDULED PLANNING COMMISSION MEETING WILL BE HELD ON TUESDAY, JULY 11, 2023, 6:00 P.M. THE DEADLINE FOR AGENDA ITEM SUBMITTAL IS TUESDAY JUNE 20, 2023 4:30 P.M.



Mayor Jeff Hall



Planning Director David Rhodes