Planning & Zoning Commission
Tuesday, September 10, 2024 - 6:30 PM
MINUTES

1. Call to Order/Roll Call

Chairman Jesse Coppel called to order the Planning and Zoning Commission meeting for September 10, 2024 at 6:35 p.m.

Present - Jesse Coppel, Ryan Green, Steve Dyer, Benjamin Lee, Kristen Hurst
Absent - None

Staff present - Sean Staneart - City Manager, Trevor Traphagen - City Planner/MKSK, Teresa Monroe - Clerk of Council

Public present - Paul Chealdikas, George Scherdlowsky, Joel Hatfield, Rodney Johnson, Justin Fox, Steve Rice

2. Pledge of Allegiance

3. Public Comments on Items Not on the Agenda

No comments

4. Public Hearing - Rezoning Request; 670 W. Coshocton St.

Sean Staneart said that the Planning Commission previously passed a resolution initiating this rezoning process, the property is split between zoning jurisdictions, it actually splits a building in half. He said staff has received confirmation from the property owner that he is agreeable to this consideration for his property and reviewed the process. Tonight they will hold a public hearing, they can make a recommendation to council tonight or could wait thirty days. The recommendation will either be for approval, denial or approval with conditions. That recommendation goes to council, who will then hold a public hearing after thirty days, then at the next regular council meeting they will vote on whether or not to change the zoning map.

Planner Trevor Traphagen provided his staff report in the packet and reviewed it with the board. He said that in order to clean this up and avoid future issues of a similar nature, it is recommended to have consistent zoning applied to the entirety of the property, in this case, the GCC-2 zoning district which allows generally for a wide variety of commercial uses within the city. He said he does not see any issues with the request based on the criteria in the code, the adoptive ordinances don't establish any criteria specifically for rezoning review, however he did review the request based on the Comprehensive Plan and on the surrounding zoning and did not find any inconsistencies with the request.

Chairman Coppel opened the public hearing. There were no comments.

Board comments; Kristen Hurst said she thinks this makes sense, it is already being used as commercial, Ryan Green said he believes this is concurrent with the historical use of the property and it falls within all of their planning. Ben Lee said the only thing he would say is to follow up with his initial request for access easement for the residential properties behind this parcel. He does think this needs to be cleaned up and that they shouldn't have split zoning, especially when it splits a building in half, this is housekeeping. As a matter of record, he said he wants to make sure, for the benefit of the homes back there, there is still an access easement for them. Mr. Lee said at the end of the day, 1137.06 criteria for review and the staff report outline those and just as a matter of record, said that 1137.06 A-E for him, as he went through the application, nothing stood out as inhibiting the passage of this to allow for the rezoning to happen.

ACTION:	Jesse Coppel moved to pass as written; Kristen Hurst seconded and the vote was as follows:
AYES:	Jesse Coppel, Benjamin Lee, Kristen Hurst, Steve Dyer, Ryan Green
NOES:	None
ABSTAIN:	None

Passed 5 – 0

5. Application # 8-14-5 Conditional Use Permit; Curaleaf 150 Commerce Blvd.

Sean Staneart said that the current conditional use approved is for medical marijuana which is highlighted in our zoning classification, he won't dive into the recreational, it is grandfathered because state law will supersede our law, there is no question or issue there. He said this is a conditional use for an expansion, he emphasized using the conditional use requirements for approval consideration. The site plan and all other requirements in the LM district will be submitted and reviewed by staff on a separate zoning certificate application, they will have to address a variety of things such as street trees, setbacks, green space etc.

Planner Trevor Traphagen provided his staff report, included in the packet, and said the existing building will be expanded to the northeast, additional parking will be provided, along with some expanded storm water retention areas as well, he reviewed the site plan with the board. After reviewing criteria in Chapter 1131.03 and for compliance with the Comprehensive Plan, he said he did not see any concerns from a planning standpoint in terms of impacts or proposed use or the facility expansion. He said he did recommend two conditions; the gravel drives illustrated within the setback areas on the site plan be removed once the overall facility expansion is complete and that an air filtration system, similar to the existing filtration systems are used in this expansion to minimize any off site odors.

Steve Rice was present on behalf of the applicant Curaleaf OGT Inc. and presented current images of the facility and the plan for the expansion. He told the board that as mentioned, they were planning to remove the gravel drive once construction was done and return it to green space. The building is a pre-engineered metal/steel building, the expansion will all blend and look like one building when they are done. He said he has been involved with this since 2014 and this has always been a phased expansion, he provided some history. He added that in 2018 they met with the fire department and were told that with this expansion, they would have to put a fire lane around the building, which they are showing along with a fire line and four hydrants. He said they have met with the power coop about the power requirements and are working through that. He also shared their plan for the storm water pond expansion.

Ben Lee asked about the roof line height and if that would match, Mr. Rice said it would, he said there would be some equipment up on the roof but it is still within the requirement. Further discussion on the fire lane and requirement for a paved surface. Mr. Lee inquired on the air ventilation system. Mr. Rice said from what he understands, the new system will actually be an upgrade, he deferred to an accompanying colleague who said they would be deploying pretty advanced technology for odor mitigation and they can supply a description of the equipment and submit it for the record. Mr. Green said that would make them more comfortable, it is something that neighboring properties have mentioned, under certain wind conditions, there is definitely an odor, an upgrade in the facility is definitely merited. Further questions and discussion on facility security and expansion traffic impact. They said traffic impact would be mainly from additional employees, they currently have 60 employees, anticipating up to 150. Discussion on water and sewer usage of the facility. Discussion on requirements in 1187 of the code for sidewalks, street trees and landscaping. Discussion on buffering, Mr. Staneart said that buffering would be minimal as it abuts other LM zoning.

Public Comments: None

ACTION:	Ben Lee moved to approve Application 8-14-5 with the condition of usage of air filtration systems similar to the existing equipment being used at the current facility to mitigate any off-site odors and should be used in the facility expansion, as well as the submission by the applicant of the system being used for the public record; Steve Dyer seconded and the vote was as follows:
AYES:	Ben Lee, Kristen Hurst, Steve Dyer, Ryan Green, Jesse Coppel
NOES:	None
ABSTAIN:	None
	Passed 5 - 0

Ben Lee thanked the applicant for their preparedness and level of detail with the application.

Jesse Coppel inquired what the public notice requirements were for this application. Mr. Staneart said the only requirement was to publish the notice of public hearing on the website, property owners may be notified by certified mail seven days prior, and believed the Zoning Inspector did sent those out. Mr. Coppel said he would like to make a recommendation that the "may" be changed to "shall" in the requirements. Mr. Green said they should take a look at the notification processes across the board to make sure they are good with all of them. Mr. Coppel said they could start with making a recommendation to council on this section 1131.09 on the may/shall and also take out the certified mail requirement. Mr. Staneart said that he would make the edits and vet with the Law Director.

ACTION:	Jesse Coppel moved to recommend to council as discussed; Steve Dyer seconded and the vote was as follows:
AYES:	Jesse Coppel, Kristen Hurst, Steve Dyer, Ryan Green
NOES:	Ben Lee
ABSTAIN:	None
	Passed 4 - 1

6. Zoning Inspector

   a. August 2024 Report
      Report included with the packet materials for review.

      Mr. Green said the grass is knee-high on undeveloped lots in Concord Crossing East and Raccoon Creek Estates. Mr. Staneart said he would ask the Zoning Inspector to take a look.

      Mr. Green also asked if there was a schedule for construction in Leafy Dell, the new apartments, unsure when they will do the curb cut and take out the sidewalk out, kids are walking down that sidewalk. Mr. Staneart said they do not have a timeline on specific infrastructure dates.

7. Other Business
   Updates given; sign request coming from a jewelry store and Yarnologist, a record store coming to the old ACE Hardware location.

8. Adjourn
   With no further business, Mr. Coppel moved to adjourn, Ms. Hurst seconded and a motion passed 5-0 in favor.

   The meeting ended at 7:53 pm.