Planning & Zoning Commission
Tuesday, February 25, 2025 - 6:30 PM
MINUTES

1. Call to Order

   Chairman Steve Dyer called to order the Planning and Zoning Commission meeting for February 25, 2025 at 6:35 p.m.

2. Roll Call

   Present - Chairman Steve Dyer, Kristen Hurst, Kyle Cook, Mark Zolendziewski
   Absent - Ryan Green

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

   Public present - Brian Bauer, Byan Scribner, Scott Bickley, Zak Keesee

3. Pledge of Allegiance

4. Public Comment on items not on the agenda

   No comments

5. Approval of Minutes

   a. January 28, 2025

   ACTION: Steve Dyer moved to approve as written; Kyle Cook seconded and the vote was as follows:
   AYES: Steve Dyer, Kyle Cook, Mark Zolendziewski, Kristen Hurst
   NOES: None
   ABSTAIN: None

   Passed 4 - 0

   b. February 11, 2025

   ACTION: Steve Dyer moved to approve; Mark Zolendziewski seconded and the vote was as follows:
   AYES: Steve Dyer, Kyle Cook, Mark Zolendziewski
   NOES: None
   ABSTAIN: Kristen Hurst - absent

   Passed 3 - 0

6. TABLED - Application # 12-23-20 Conditional Use; 383 W. Coshocton Street

   a. Application & Staff Report

   ACTION: Steve Dyer moved to remove from the table; Kyle Cook seconded and all were in favor.
   AYES: Steve Dyer, Kristen Hurst, Kyle Cook, Mark Zolendziewski
   NOES: None
   ABSTAIN: None

Passed 4 - 0

Trevor Traphagen highlighted items in the staff report reviewed at the last meeting. Sean Staneart reviewed additional conditions he would recommend and answered board member questions. Brian Bauer and Scott Bickley attended. As requested, the applicant has submitted the letter from the Fire Department as well as the lighting and landscape plans and has applied for the variance on setback as recommended. Mr. Bauer said they do not have a preference for the fire lane surface but the Fire Department was very concerned about it being grass covered because of significant changes in grade around the building. Board members complimented the landscape plan and addressed a few questions on the lighting plan. Sean Staneart said that he has had conversations on his recommended conditions with Mr. Bickley over the last week, the only one he had not come to a conclusion on was the traffic study, but after consulting city engineers, he would request one as a cautionary provision. He said they don't feel like an additional lane would be warranted but need statistical data to support that. He noted that they will actually be removing three curb cuts on US 62 and filtering them into one, an added bonus which will probably improve safety specifically on that hillside, however, out of an abundance of caution for the city, we will do our due diligence. He said they also discussed payments in lieu of work; they proposed $50,000 for the sanitary and $24,000 for curb installation, countering to $30,000. This would be a one-time payment that they would be responsible to make to the city and that would absolve them from any further responsibility for the project. The board asked the applicant if they had any concerns with the conditions, Mr. Bickley said the only concerns they would probably have would be the monetary values, ultimately, what check would they have to write. He said the $50,000 is about what it would cost to put a brand new sewer in, so in his eyes that is a little high for maintenance on something that has a lifespan of fifty years. Sean Staneart said that was fair, staff discussion on conditions wording to leave amounts out for now, Mr. Staneart said they could almost wrap most of the conditions into a developer's agreement with the city. Mr. Traphagen said to save legal fees he would just list the conditions.

Mr. Staneart read the conditions:

1. Conditional upon variance approval at a follow up Planning & Zoning meeting, to be approved no later than sixty days.
2. If the drive isle can be removed, the CUP would still be granted with an alternative site plan removing it.
3. Should a traffic study conclude a turn lane is necessary, one shall be added by the property owner, or a payment in lieu of can be agreed upon by staff and developer.
4. Conditioned upon the property owner giving road frontage for the addition of a turn lane and right of way, appropriate footage of right of way needed to accommodate the turn lane, to be agreed upon by staff and developer.
5. Conditioned upon an agreement for a tie-in for a storm water outlet, to be approved by the city engineer.
6. Conditioned upon the payment in lieu of improvements, to be paid to the city in an amount agreed upon by staff.
7. A one-time payment of a determined sum for the increased infrastructure needs for the sanitary sewer, to be agreed upon by staff and the applicant.

ACTION:	Steve Dyer moved to approve this permit application with granting a waiver to accommodate the ninety-seven foot setback and the listed conditions; Kyle Cook seconded and the vote was as follows:
AYES:	Steve Dyer, Kyle Cook, Mark Zolendziewski, Kristen Hurst
NOES:	None
ABSTAIN:	None

Passed 4 - 0

7. Application # 1-27-5 Variance; 39 S. Main Street - Sign

a. Application

Sean Staneart provided examples of other applicants who have had variances approved for additional wall signs; Chase Bank applied for three wall signs, the board approved two, Huntington Bank was also afforded the same variance. Mr. Staneart said this applicant is requesting a similar variance, albeit in a different zoning district, but they are starting to see a pattern, and with that, he thinks it relevant that they have a discussion at some point to possibly change the code. Consideration given in the past was that the business was on two roadways. Two signs were also approved for B&T insurance.

Zack Keesy with Professional Vision Care was present for the application and said they were applying to have two wall signs, on the Main Street side and the Phalen Place side. He said they have a lot of patients who come in from the US 62 and SR 37 intersection and right now that side is blank, they cannot see the Main Street sign, they would like to have the visibility.

Public Hearing; there were no comments offered.

ACTION:	Kyle Cook moved to approve; Mark Zolendziewski seconded and the vote was as follows:
AYES:	Kyle Cook, Mark Zolendziewski, Kristen Hurst, Steve Dyer
NOES:	None
ABSTAIN:	None

Passed 4 - 0

8. Application # 2-20-20 Zoning Ordinance Amendment Light Manufacturing

a. Application & Staff Report

Trevor Traphagen said this is a request to change the LM zoning code, the city went through one of these last year for a much more broad set of uses, the difference between that request and this one is that this request is for one specific use. He highlighted items in his staff report provided in the packet. He pointed out that the use being proposed would also be allowed in the Johnstown PD district near Intel. When going through the criteria for review, he did not see anything major that would cause issues for the city, the applicant provided data related to traffic and trucks, there is no massive flux of vehicular traffic based on the application. Mr. Traphagen said that while he did not have any overt concerns about the use itself, he has recommended several conditions with this permitted use as follows:

(a) Paint and Powder Coatings Manufacturing.
(1) This use shall be located on a parcel of not less than 15 acres in area.
(2) Any outdoor storage shall be located behind the front plane of the building, and shall be screened by an opaque fence or wall
(3) No portion of the facility, associated storage areas, or any circulation and parking areas shall be closer than one-hundred (100) feet from any property line abutting an adjacent residential use
(4) All activities related to manufacture and packaging of materials shall be conducted within an enclosed facility. Goods may be stored outdoors in designated areas meeting the requirements of subsection (2) above.

Sean Staneart added that the applicant provided the employee count, they will have forty-eight employees spread over three shifts in 2030, which is not overly aggressive for traffic in that area.

Mr. Staneart said they also looked at water needs to ensure it wouldn't impact the city negatively, that came in at four hundred forty gallons per day, that would not strain us in any way. He said they are not looking at this as a specific applicant, they are looking at this as a broad permitted use allowed throughout the LM district, another applicant wanting to have the same use would be allowed to without coming to the Planning Commission.

Kyle Cook asked if there were any provisions surrounding filtration of air and/or water runoff, being that this is chemicals and paint. Sean Staneart said that no additional impervious surface is being created, and they would have to follow the same engineering guidelines set forth through our Title 13 permits associated with Ohio EPA standards for ground water runoff. On the sanitary side, and is this going to impact city sanitary drains for our treatment facility, Mr. Staneart said that the city has the means to require pre-treatment or other monitoring if necessary. Trevor Traphagen said that his recommendation is to let the State EPA and Federal Government do what their services are designed to do and protect us from pollutants, he would be hesitant to recommend any conditions regarding this. Sean Staneart added that the city does have a provision for noxious odor, if there were a violation, they would need to take corrective action with filtration.

Sean Staneart added that allowing the permitted use will be a recommendation to council and they will make the ultimate decision. Some discussion on the Comprehensive Plan, Trevor Traphagen said he thinks overall in this case, in terms of expanding this allowable use within the zoning district is generally within the spirit of the LM zoning district and the Comprehensive Plan because it is reusing an industrial property that really won't be used for anything other than industrial. Kristen Hurst asked about the estimates given for traffic, employment and water use, she asked if there was anything holding them to those numbers. Sean Staneart said that from a qualifying standpoint, the applicant submitted for some tax consideration, those are usually tied to some employment numbers, so because the State of Ohio has received submittals, he has to believe there is accuracy to them, they have incentives tied to it.

Ryan Scribner with the Montrose group was present as an agent of the property owner who is the applicant. He said they are an economic development consulting firm who has engagement with One Columbus. He said this has been a competitive, multi-state site search to see where this company was going to make their investment, and when they started to zero in on this building, this location and this community, they realized their use was not permitted in the existing zoning code and the remedy is the application being presented. Mr. Scribner said the permitted use conditions make sense to him entirely, he recognizes they are asking for a change to the text, it is not about a specific site or a building and the city has to protect itself from unintended consequences. Kristen Hurst said they are very deliberate about not opening it up hugely with the intention of not wanting tons of traffic in that area. Ms. Hurst asked if staff had a projection of what the income tax would be from the business and how it compared to other buildings of comparable size. Mr. Staneart said with forty-eight employees, median hourly wage is $35, this is higher than a lot of the industries that are located out there and significantly higher than what was there before.

Public Hearing; no comments offered.

Staff report recommended conditions:

ACTION:	Mark Zolendziewski moved to recommend to council that the amendment be granted with the conditions listed; Kristen Hurst seconded and the vote was as follows:
AYES:	Mark Zolendziewski, Kristen Hurst, Steve Dyer, Kyle Cook
NOES:	None
ABSTAIN:	None

Passed 4 - 0

9. Other Business

1. Discussion on removing uses from the Light Manufacturing (LM) zoning district text that are outdated. Trevor said he will take a look at the code and provide recommendations on language. Agreement not to add anything until it is a need on a case-by-case basis.
2. Kyle Cook mentioned the rezoning of the small portions of LM; Trevor said he thinks it is important to get council's buy in on it, he fully supports it and thinks it is a good idea, they could make a recommendation to council. Trevor said he thinks they could put conditions on a lot of the uses already allowed, similar to what was just done. Anyone with an existing use could continue, would just become legal non-conforming, if the use stopped, they would not be able to pick it back up. Trevor said he could write some language and they can discuss further. A great way to start is to look at what we have, pull out what they don't want and if needed, replace it with more contemporary verbiage.

ACTION:	Kyle Cook moved to recommend a review of the LM zoning district uses; Steve Dyer seconded and the vote was as follows:
AYES:	Kyle Cook, Mark Zolendziewski, Steve Dyer, Kristen Hurst
NOES:	None
ABSTAIN:	None

Passed 4 - 0

10. Adjourn

ACTION:	Steve Dyer moved to adjourn; Kristen Hurst seconded and all were in favor.
AYES:	Steve Dyer, Kristen Hurst, Kyle Cook, Mark Zolendziewski
NOES:	None
ABSTAIN:	None

Passed 4 - 0

The meeting adjourned at 7:56 pm.