

**West Jefferson Ohio Planning & Zoning Commission**

28 East Main Street

Meeting 6:30 PM

Wednesday, December 9, 2020

*Meeting Minutes*

**Call to Order:** Chairperson Hay called the meeting to order of the West Jefferson Planning & Zoning Commission and asked for a Roll Call at 6:30 PM. Chairperson Hay asked that the audience that if you don't live in the same household to stay at least 6 feet apart and keep the mask on at all times. She stated that the meeting is being recorded.

**Roll Call:** Mrs. Paula Hay, Mrs. Sandy Boucher, Mr. James Graham, Mr. Jimmy Little and Mr. Roy VonAlmen

**Absent for Roll Call:** none

**Approval to accept the October 7, 2020 minutes:**

Motion by Mr. Little to accept the minutes, seconded by Mr. Graham to **approve** the minutes from the September 16, 2020 meeting.

**VOTE YES:** Mr. Little, Mr. Graham, Mrs. Boucher and Mr. VonAlmen

**VOTE NO:** none

**ABSTAIN:** Mrs. Hay

**Motion Carried**

**New Business:**

**Case # P2020-0012 - Property address: 208 Danbury Road - Request: a variance to park a boat on the property. (Ordinance 1135.03)**

Mr. Ryan Reed (Applicant), is requesting to park the boat there seasonal. He stated he has a place to park the boat in the winter. During the summer it is used every weekend and is kind of a pain to have to go the other storage place to get it then take it back in a few days. Mr. Reed said that none of his neighbors are bothered by it. The boat is completely out of the way and fits in his driveway still leaving room to park his cars.

Mrs. Hay asked if Mr. Hale had anything to say.

Mr. Tom Hale (Staff) said he did not have anything.

Mrs. Hay asked for any comments from the board.

Hearing none, Mrs. Hay opened the floor to visitors.

Ms. Lisa Wooten (224 Danbury Road), is a neighbor that lives two doors down. She said she has no problem with it and didn't even realize there was a boat until she got the letter. She stated that Mr. Reed was right and none of the neighbors have a problem.

Mrs. Boucher asked the applicant since you have a storage place is it a problem to pick it up and drop it off at the storage place.

Mr. Reed said it was a lot of moving to take the boat in and out because they use it every weekend in the summer. He also stated that he never once parked it on the street. He is just requesting to leave it there from Labor Day to Memorial Day.

Mr. Mike Conway (Council Member), asked what did the actual ordinance read.

Mrs. Boucher replied that you could not park it there for more than 72 hours.

Mr. Conway asked does it state where can you park it then.

Mrs. Hay replied behind the set back.

Mr. Reed stated that he does not have enough room to park it beside the house and has no other place to park it.

Mr. Reed pointed out that there were two boats at the end of his road. He asked if they had a variance to park them there.

Mrs. Hay explained that those cases were voted on prior and we now have all new board members since that was allowed. Mrs. Hay said that the ordinances have been redone since that voting.

????asked if it was because how it looks if that is why the ordinance is in place.

Mr. Hale explained that the ordinance was probably written years back. He explained that with the density of homes and depending on the volume and where they park at. If you have people that are not disciplined about parking too close to the right-of-way it could cause potential traffic issues. Mr. Hale said that he had nothing to do with the ordinance however it has become a very common thing. This is an issue that the Mayor and himself should probably address. Currently the way the ordinance is written it is not permitted.

Mr. Keith Collins, Fellows Avenue complained about a house that has at least six vehicles parked in his yard and no one does nothing about it.

Mr. Hale replied as far as he knows there has been no open complaints. He said if you give him an address he would be glad to look into it.

Mrs. Erica Bogner asked if a notice was sent to all the surrounding neighbors, like her mother and she was the only one to show up and say she was in favor of it. No one else showed up and said they were not. If you paid the money and applied for the right permit shouldn't you be allowed to have it?

Mrs. Hay stated it is based on the ordinances and we take in consideration what the residents feel on things. But they vote on the ordinances.

Mrs. Bogner asked if this was a variance and if he knew that it wasn't allowed so he applied for special approval to park it there, right?

Mrs. Hay said yes that is right.

Mrs. Bogner said then shouldn't it be based on the fact that no one here has anything negative to say about him parking the boat.

Mrs. Hay explained that the board still has to look at what is written but we do take in to consideration you being a neighbor and being that close to him.

Mrs. Hay asked if we would put stipulations on the motion.

Mr. Hale explained you would not do that until the vote was done. Then you could put your stipulations on it.

**A motion was made by Mrs. Boucher and seconded by Mr. Little to approve the variance as presented.**

**VOTE YES:** none

**VOTE NO:** Mrs. Boucher, Mr. Little, Mr. Graham and Mr. VonAlmen

***Motion Denied***

**Case # V20-0010 - Property address: 1020 Enterprise Parkway South - Request: variance to the Village landscaping requirements and approval of the site plan.**

Mr. Justin Miller (Applicant) stated the site was located at 1020 Enterprise Parkway. On the site map he pointed out Exeter Building 1. He explained there was always a plan to construct another building. (Building 2) Building 2 is roughly 524,575 square feet, slightly smaller than the first building. It is on 40.23 acres and the ponds; access drives will on stay the same. The need for the landscaping is because the code was not written with these big buildings in mind. When the property was rezoned they did establish guidelines and they are fully in compliance with those.

**A motion was made by Mrs. Boucher and seconded by Mr. Little to approve the variance as presented.**

**VOTE YES:** Mrs. Boucher, Mr. Little, Mr. VonAlmen and Mr. Graham

**VOTE NO:** none

**Motion Carried**

**Case # P2020-0109 - Property address: parcels #10-00992.000, #10-00992.001 and #16-00034.000- Request: a proposed development plan for the approved PMU District (Planned Mixed Use District).**

Mayor Ray Martin addressed the audience. He stated he was not necessarily speaking for the Greenhaven Development but for the park property to the left of it and what the Village has in mind for it. The last meeting there were a lot of comments made. The main concern was traffic, so the Village did an unofficial study. They closed Frey Avenue down which made a significant change in the traffic down Garfield Avenue. They also got a traffic study back from the engineers that qualifies there to be a light at Taylor Blair and Route 40 that would help mitigate some of the traffic at the viaduct. He has even talked to some people about putting a light up at Franklin in the next few years and maybe eventually a light up at Chester. Mayor Martin stated that even though we have done traffic study, we need to go through ODOT to get a permit. He stated he lived on Frey and we have traffic. He explained that it was Village property that they bought for \$174,000 and the sell price is over \$470,000. They have already budgeted for Garrette Park. The sale of this property comes in 2 stages. The first sale is \$270,000 and after two years would be the other \$200,000. So, there cannot be more than 60 houses built in two years. The money would benefit Converse Park. That park currently has about 9 acres that are not being used. He pointed out a greens space that Greenhaven is buying and donating back to the Village. He explained that people are saying that they have not bought parks lately, but they just bought parks lately. But we just bought Garrett Park and the old school property. Drainage was another issue people bought up. Developing that property would solve that problem, which would be a plus there. Access on the new plans have 3 on them. Two of them which are emergency accesses. Greenhaven will explain what changes they have made since the last meeting, they actually made the changes people wanted.

*(Attorney for the applicant did not identify himself)*, recommendation for an approval on a final development plan and zoning text. He explained the history on the property. He said the Village Council voted to sell the land to the Greenhaven Development with the prospect of developing the land. The first plan was brought before this board that was approved along with the rezoning. At the Council Meeting the rezoning to a PMU was approved however the development plan was not. After speaking to the Mayor and the administration, changes were made to the plans and this is what is before you today. The changes include 15 fewer single-family units. There will be a 3.18 acre park dedicated to the Village. In addition to that there will 8 fewer duplex units. The total now is 97 single family lots and 21 duplex units. The lots sizes were 54 feet wide and have been expanded to 60 feet wide. One of the access points was changed to an emergency access point. He said it is his understanding that there have been 6,000 new jobs here in the past three years here. This would go a long way to increasing the housing. The prices would be \$250,000-\$325,000 for the single family and \$200,000-\$250,000 for the duplexes. He said that summarizes the changes that have been made.

Mrs. Boucher asked about the houses on Madison Drive. She is asking about how close to the property line are you going to be.

The Attorney said the rear set back would be 25 feet.

Several people talking at once.

Mr. Graham asked if there would be a fence along the new park. He said his concern would be that people might find a way to drive through the grass to get out the other way.

The Attorney said there will be a fence there.

Mrs. Hay stated that she has received an email from one of the warehouses that stated they are in favor of it because the employees have to come to them about the housing problems we have and trying to find somewhere for the workers to live. This email is from Torrid.

Mrs. Hay also received a message from a resident that says she is not in favor of it and is unable to come tonight. She did not give her an address. However, she sent a video of the converse area showing the congestion during ball games. She said she would like for her to share that it is the safety of the children. She would also like the land to be able to stay as a park. Her option is that housing is not the only option for that property and is against this.

Mrs. Hay explained that she would like everyone that likes to speak to two minutes.

Mrs. Bogner read a prepared a statement. She stated that with Russ Miller's project getting ready to start any day would it not be prudent to wait and see the impact on the Village before starting any others. Beyond concerns of growth in regards to the already at capacity of the schools, the traffic has been an on-going problem since Amazon has opened. Any additional houses will be a burden on an already strained subdivision. Mrs. Bogner stated she is not for any building in that area.

Ms. Wooten agreed with Mrs. Bogner saying with the Russ Miller project set to go forward we don't know the impact that it will have. She stated since Amazon went in the traffic is bad and with them building another warehouse it's only going to get worse. This is a bad idea at this point and time.

Mayor Martin informed them this is further along than the Russ Miller project.

Ms. Bonnie Hamilton heard he was ready to break ground.

Mayor Martin replied that he has not even submitted a site plan yet.

Mr. Richard Whittenberger asked if this property doesn't sell does this mean the parks will not get done.

Mayor Martin said that Garrett Park will be done this year, but Converse Park will not.

Several people talking out of turn!

Mrs. Hay is asking when you have questions please say your name and speak up.

Mrs. Hamilton asked about them paying it in two installments. Then you will not have enough to do the park anyways.

Mr. Vernon (on Lincoln Street) said he couldn't hear the gentleman presenting and asked about donating the land back to the Village.

The Attorney said it was 3.14 acres will be donated back.

Mr. Vernon asked how many less units will there be.

The Attorney said there will be 23 less units.

Mayor Martin said they will be making a preserve up by Converse that will allow them to do something with it.

Mr. Vernon asked if the new plan still has one way in and one way out off of Pearl.

The Attorney said yes that is correct

Mrs. Samantha Cahill (Council Member), asked about the two emergency exits. What will keep people from using that all the time?

The Attorney said there would be a blockage there.

Mr. Conway asked if the retention pond counted as green space.

The Attorney stated green space is 4 ½ acres.

Mr. Whittenberger, asked how you define the pond as green space.

The Attorney said that is area that will be owned by the HSA which is common space.

Mr. Whittenberger asked about the Homeowners Association. What happens when the contractor leaves.

Attorney explained that the Homeowner Association (HOA) will not be formed until the lots are sold.

Mr. Whittenberger then asked, what happens when the HOA goes bankrupt.

The Attorney said that they could put language on the plat that says if the HOA fails to maintain the pond that the Village can step in.

Mr. Whittenberger asked if that will be an ordinance.

Mayor Martin said that will be in the contract.

Mr. Whittenberger asked how are we going to enforce that.

Mayor Martin said the fees will take care of that.

Mr. Whittenberger asked how will you enforce it if the people quit paying the fees.

Mayor Martin said they can't quit paying the fees it is in their taxes.

Mrs. Hay said it can't be taken out of the taxes.

Mayor Martin asked the development how do you enforce that.

The Attorney said that the HOA could put a lien on the property and then could go to the County to assess their taxes.

Mayor Martin said if the HOA goes belly up then the fees go to the Village and if they are not then we can assess their taxes.

Mrs. Jen Warner (Council President) said you would want to check with your lawyer on that.

Mayor Martin said they could assess their taxes for a sidewalk or not cleaning up their yard.

Mrs. Boucher asked about the width of the street. Is the sidewalk part of the amount of the front yard?

The Attorney said the sidewalk would count in the right-of-way.

Mrs. Boucher asked again if the sidewalk was counted in the front yard.

The Developer (Rich) answered that the sidewalk is in the right-of-way.

Mrs. Boucher asked about the width of the road. Will there be enough room for a school bus to get through if there is parking on one side of the road?

The Attorney said this was brought to their engineer and the Village's engineer and they are satisfied.

Mrs. Boucher asked if two vehicles can pass each other with parking on one side.

The Attorney said yes it will be two lanes.

Mrs. Hay commented that it looks like it is two way but it will probably be like some other street where you have to wait because of parking.

Mrs. Boucher asked about the gutters if the water will run from them to the retention pond.

The Attorney said yes it will.

Mrs. Boucher asked if it was attached to a drainage system.

The Developer explained the drain tile would run into the underground drain tile which goes to the catch basin which goes to the pond.

Mrs. Boucher asked which are they planning on building first, the houses or the duplexes.

The Attorney said it would be done by plat. It would be divided into two plats doing the eastern half first.

Mr. VonAlmen asked if there were any spec homes.

The Developer replies there would be anywhere from 1-3 spec homes.

Mrs. Boucher said that the plan here shows only one emergency exit.

The Attorney pointed out there will be two.

Mrs. Boucher said there would be actually 50 feet between the back of the houses.

The Attorney said yes that is correct.

Mrs. Boucher said that does pouring a patio count as lot coverage.

The Attorney said no it does not.

Mr. Whittenberger cars are not being eliminated and it will take longer to get from one end of West Jefferson to the other because of the lights being proposed. If you take 139 houses times 2 is how many cars will be going through the Village. By the time they are done with this it will be 200 or so more cars.

Mr. Conway asked how many houses are in Westwood. Let's say 200 houses and if you times that by 2, then you would have 400 cars. But are those 400 cars leaving Westwood every day? You will have the same thing here not everyone leaving at the same time plus a lot of people working from home. He doesn't believe the traffic will impact it.

Mrs. Warner pointed out that Westwood has many exits out and it can't be compared to that.

Multiple people talking at once. *(not audible)*

Mayor Martin stated the purpose of the light is to permit the traffic for residents to get out. There are three points on a traffic study which justifies a light at Taylor Blair. Depending on what happens here they will be doing an official traffic study.

Ms. Hamilton again stated there is only one way in and one way out. So many people on Lincoln don't have a driveway so they do have to park on the street and it will be a nightmare. She also asked how will this development fix the issues they have with drainage.

Mayor Martin explained the water coming off the field will be fixed by putting in infrastructure so it will drain away from it.

???? asked about the two-year plan will it be on paper somewhere.

Mayor Martin said it is in their contract.

Mrs. Warner explained that the contract says they have 2 years to buy the second lot. It does not tell them they can't buy it early.

The buyer said they can't turn people down if they want to buy a home.

The Attorney said he can't build a subdivision that quickly and explained the timeline.

Mr. David Kell (Executive Director of Madison County Chamber of Commerce), spoke and said that Target, Torrid, Amazon, Medline are begging for housing in Madison County. 6,000 jobs with a good chance of another 1,000 in the next year.



The developer said it will take 6 months to even start construction drawings.

Mrs. Cahill pointed out that the additions in Plain City went like that. Once the builder started the houses were selling fast.

Mr. Conway said in the contract they have two years to buy the second phase. Is that in their control?

The Attorney said he didn't think so.

Mayor Martin said that when Plain City was going through their housing, Mr. Hale was smart enough to put them in contract for us to do their permitting.

Mr. Kell said Plain City was the hottest selling sub division in 2018.

Mr. Jim Davis said that everyone is concerned about the traffic but, with Russ Millers project, there will still be that traffic coming through town.

Mayor Martin said the theory is that people that buy the new homes leave the other homes available for the people making \$15.00 dollars an hour to buy. Getting less renters in the Village.

Multiple people talking again.

Mayor Martin said the Village is working hard to get people to go around the Village and using 70.

????? asked Council if they have considered what this will do to the schools. He said the schools are busting at the seams now, and if this addition gets improved and Russ Millers get approved, then we are looking at 400 to 600 kids.

The Attorney said this would be a lot of property taxes which funds the schools.

Mr. Shelton Stanley commented on how many parks and playground does the Village have. He said they have 4 and don't necessary need more.

Mrs. Cahill stated that the property was purchased at a low rate with the intent of being a park. Not at a PMU rate to put houses on.

Mayor Martin said it was purchased for a rec center.

Mrs. Cahill said which would benefit the park, she looked up the deed on that.

Mr. Conway said that the schools can't do anything until there is a need for it. He pointed out that the schools received 1.49 million from the people that built out there.

Mrs. Warner said that doesn't include Target that paid.

A motion was made by Mr. Little and seconded by Mrs. Boucher to approve the proposed development plan for the approved PMU District (Planned Mixed Use District).

**VOTE YES:** Mr. Little, Mr. VonAlmen and Mrs. Hay

**VOTE NO:** Mrs. Boucher, Mr. Graham

**Motion Carried**

Motion was made to adjourn the meeting by Mr. Little and seconded by Mr. Boucher.

The meeting was adjourned at 7:44 PM.

**Next Meeting: January 6, 2020.**

Vice Chairperson: \_\_\_\_\_

*Mrs. Paula Hay*

Mrs. Paula Hay

Date: \_\_\_\_\_

*1-6-2021*

**Respectfully submitted:**

**Kristie West, Staff**

**Building, Planning, and Zoning Department**