



Village of Galena ZONING AND PLANNING COMMISSION

MINUTES OF THE MEETING OF MAY 15, 2013

The Zoning and Planning Commission of the Village of Galena met on Wednesday May 15, 2013 in the Council Chambers of the Village Hall at 109 Harrison Street, Galena, Ohio. Present were members; President Tom Hopper, Nancy Feole, Mark Brooks and Mike Bragalone. Also present were Zoning Inspector David LaValle, Zoning Clerk Sally Hopper, Village Administrator Jeanna Burrell and visitors: Big Walnut Board of Education representative Verna Hines, Jerry Funston, Meg Funston & Heather Adams. Member Stan Swisher was absent. The meeting was officially called to order at 7:05 PM.

Copies of the revised minutes from the meeting of April 17, 2012 had been distributed to all members by the Clerk. A motion to approve the minutes, as presented, was made by Mike Bragalone, seconded by Mark Brooks and passed unanimously.

A hearing on the application of Edward Ambrose, DBA Sambuca's Italian Greenhouse, for a change in zoning district classification from Farm Residential (FR1) to Planned Commercial and Office District (PC) for 577 North Walnut Street, PIN numbers 41742003001000 and 41742003002000 had been continued on April 17 until this meeting. A letter, dated May 10, 2013, had been received from Mr. Ambrose's attorney requesting an additional continuance until the June meeting to allow further time to prepare the changes requested by the Commission.

A motion to further table the application and continue the hearing until the June 19 meeting was made by Nancy Feole, seconded by Mark Brooks, and passed unanimously.

A hearing was held on the application of The Journey Fellowship, for a Conditional Use or Special Exemption to allow use as a church for 70 North Walnut Street, PIN numbers 41743106017000 and 41743106018000. All witnesses that wished to testify were sworn in.

Mr. Jerry Funston, Pastor of The Journey Fellowship, spoke on behalf of the application. He introduced the matter to the Commission and described how the church was currently located in the old Fling Hardware Building on the square in Sunbury and they had purchased the property from the Big Walnut School Board at the auction on April 3 of this year. It is their intention to bring the building up to code for their use as a church and to move in by July of this year. Architects have completed the plans for revisions and work will be starting almost immediately upon approval. Most improvements will be to bring the building into compliance with ADA requirements.

Mr. Dave LaValle, Village Zoning Inspector, then gave a summary of his Staff Review, Dated May 8, 2013, and introduced the application and parking layout diagrams.

Mr. LaValle reported on the background leading to this application: The Journey Fellowship Church purchased the Galena School Building. The building was formerly occupied by the Big Walnut Board of Education. The purchase was to close on or about May 10, 2013. The building will be used as a church facility. The Journey Fellowship

listed their former location and address as: Journey Fellowship, 6 E Cherry St., P.O.- BOX 215, Sunbury, OH 43074.

The property consists of approximately 0.880 acres shown as Lot #47 and 0.391 acres shown as Lot #46 of the original plat of Galena. The total is 1.271 acres. It is zoned Low Density Residence District (R2). Churches or other places of worship are allowed as a conditional use in an R2 district.

A summary of Mr. LaValle's findings and recommendations follows:

Review of Zoning Compliance:

1. Churches are conditionally permitted in the R-2 Low Density Residential District. The property is less than the required 5 acres, however it is an existing building and lot of record and appears to be well suited for the intended use. The five acre minimum lot size should be waived as it more properly applies to a totally new use and not the conversion of an existing property.
2. The Village has plans to renovate the section of N. Walnut Street adjacent to the facility. The Journey Fellowship Church has been advised of the plans and provided with copies of the construction drawings. Some of this construction may affect the property.
3. Based on information provided by the applicant, the church has a congregation of about 130 people. The building has a capacity rating of about 299 people for its new use. Ample capacity appears to exist to accommodate the current congregation and expected growth for the near future.
4. The Church will provide a 10-11:30 AM Sunday services and with parishioner growth may evolve to two Sunday services at 9 AM and 11 AM in the future. Additionally, a Sunday evening youth group meets 6-8 PM and some special events are likely such as a weeklong summer vacation Bible school.
5. Parking will be provided for about 40 vehicles, with ADA parking on Walnut Street using angled in parking. Additional information is needed to compute the adequacy of parking for staff and parishioners.
6. The Walnut Street reconstruction project should be examined to determine the effect on proposed parking along Walnut Street close to the side of the building. It appears that the project may eliminate 4-5 paved parking spots on Walnut St. Since the new Walnut St. will include elevation changes and curbs, the location of a curb cut, if any, may change the angle in parking configuration.
7. It should be noted the Village of Galena owns parcels A and B as shown on the plot plan containing .9 acre including part of the parking lot and all of Church Street. The applicant has expressed an interest in discussing a joint parking lot agreement.
8. No additional outdoor lighting is currently planned for the building or the parking lot.
9. Solid waste disposal storage will be at the northwest rear of the building and will be screened by a wooden fence. No other fencing is currently planned. Plans will need submitted for review and approval at the time the fence is constructed.
10. The applicant has been in contact with the State in regard to occupancy requirements. According to information provided by the applicant, most of the architectural work is complete. Modifications will be bid out and work will begin with ADA access and restrooms with completion projected for 6-8 weeks in July. It is possible that Journey will occupy the building during construction.
11. There are no current specific sign plans. The applicant anticipates a two-sided sign at the Harrison and Walnut streets point. Signage may be attached to the building indicating entrances, etc. No signs will be flashing. Lighting of the signs is not indicated but should be respectful of the surrounding residential neighborhood.
12. No firm plans have been provided regarding landscaping. The applicant anticipates adding flower beds, caring for existing trees, and improving the exterior landscaping.
13. The applicant indicates initially repairing roofing and gutters. No other exterior revisions are planned except future painting. No timeline is given. Currently, the building is not in disrepair and nothing obvious needs corrected.
14. The sidewalk along the Harrison Street side of the building is in poor repair. Several sections are deformed, uneven, and deteriorated and should be replaced. The applicant indicates no current repair plans other than those required for ADA compliance. Sidewalks are the responsibility of the property owner.

Recommendation:

The Church is conditionally permitted in this district. Generally churches are compatible with residential and light commercial uses such as found in the area around the facility. The property has a long history as a school and

school administrative building. The church will continue this trend without the property converting to a more intensive type of use such as commercial retail. The church will be a good fit in the neighborhood and a good use for this building. Parking usage capacity and times for the Church and the Village Hall appear not to conflict. This does not appear to be a major concern which is a positive attribute for the property.

Some issues do need to be worked out including:

1. A joint parking lot use agreement may need to be negotiated with the Village for use of Village parking space. It is suggested that a joint agreement could be worked out later between the parties.
2. Parking plans showing configuration and capacity should be submitted that include impacts from the Walnut St. Phase 4 reconstruction process.
3. It is noted that no exterior signs are present on the property. In the past, the Village granted permission for a ground mounted sign near the front entry door for the Big Walnut Schools Board of Education. Sign plans need to be submitted to the Village.
4. Sidewalk deficiencies along Harrison Street need to be corrected.

Based on the information currently available, the Village should approve the Conditional Use for the Journey Fellowship Church.

Following Mr. LaValle's report the floor was opened for questions from the Commission. There were several to clarify issues regarding the location of the garbage container enclosure at the northeast rear of the building, parking and sidewalk repair. The applicant will return later for their signage application. Applicant will furnish a copy of the final occupancy certificate to the Village.

The floor was then opened for questions from the audience. There were none.

A motion to approve the application for a conditional use by The Journey Fellowship for 70 North Walnut Street, subject to staff recommendations, was made by Mark Brooks, seconded by Mike Bragalone and passed 4-0, with one absent, in a roll call vote as follows:

Swisher – Absent Bragalone – Yes Hopper - Yes Brooks - Yes Feole – Yes

Zoning Inspector David LaValle issued a written report which is attached and incorporated as part of these minutes. He gave a brief summary of the report. 37 High Street went to a Sheriff's auction on May 1, 2013. The property was sold, remains noncompliant and a notice of violation will be re- issued to the new owner. The rental property at 51 Middle Street remains in litigation. The owner of the vacant 39 Middle Street property was issued a notice of violation and orders to bring the home up to code or to demolish on April 24, 2013. Litigation is combined with the above rental property. Monitoring continues of a property on Holmes Street for alleged animal waste odors and junk around the porch and house. The property owner of 115 Front Street has been sent a notice of violation to bring the home up to code or to demolish it. A second notice of violation has been issued for a home at 134 N. Walnut Street regarding continued noncompliance. Sambuca's has requested a continuance for their zoning amendment request pending applicant survey work. Journey Fellowship Church applied for their Conditional Use Permit. Two meetings were held regarding a proposed pizza parlor on Harrison Street.

There is a survey dispute between property owners on Harrison Street. The properties were inspected and a possible encroachment defect suspected. Interviews were held with both owners. A report is to follow after lot line measurements are re-checked and confirmed. There was a complaint alleging a violation was not professionally administered and a Village response is pending. A letter was received from the 126 North Walnut Street property owner indicating a time schedule to voluntarily bring their property into compliance. Blackhawk Subdivision, Phase C, paving work is underway. Several certificates of Zoning Compliance were issued. No new zoning permits were issued.

The clerk had nothing additional to report. She will not be available for the June 19 meeting.

There was no old business.

In new business, work on the Walnut Street Phase 3 reconstruction will start on May 20. The Village is waiting on final approval before starting the lower level ADA access construction project on the Village Hall and is looking into roof replacement costs. The Miller Farm subdivision may start work before the end of 2013.

There being no further business before the Commission, a motion to adjourn the meeting was made by Mark Brooks, seconded by Mike Bragalone, and passed unanimously. **The next scheduled meeting will be on Wednesday, June 19, 2013 at 7:00 PM.** The meeting was officially adjourned at 7:47 PM.

Clerk

Chairman

CERTIFICATION

I, Sally H. Hopper, Clerk of The Planning & Zoning Commission of the Village of Galena, Ohio do hereby certify that publication of the above MINUTES were duly made by posting true copies thereof at five (5) of the most public places in the Village of Galena as provided for in Ordinance No. 2013-13 enacted by the Council of the Village of Galena on March 18, 2013.

Sally H. Hopper, Clerk