

Village of New Concord

Planning Commission Meeting

Wednesday, August 9, 2017- 6:30 PM

Roll Call

Members Present: Jim Dooley, Robert Dickson, Colleen Heacock, Greg Wilson, Brett Essex

Village Officers

Charlotte Colley - Village Administrator, Brent Gates-Village Zoning Officer

Visitors

Greg Adams, Eileen Adams, Michael Vogel, Nick Eckstein, Jennifer Lyle, Bil Kerrigan

Approval of the minutes of the April 25 2017 Meeting

Moved by Colleen Heacock, Seconded by Robert Dickson- Motion Carried

Old Business:

New Business:

- I. Review of Proposed Zoning Code Amendment-Mobile Retail Food Establishment Court
 - A. Greg Adams addressed the commission with concerns about the proposed zoning amendment. His concerns were that the design review board would have approval over aesthetic design at the property, that this ordinance would open the possibility of other semi-permanent structures within other parts of the Village, and that the zoning code already has a non-allowance for trailers and a requirement for surfacing of parking lots.
 - B. Adams asked what the reasoning was behind allowing the trailer to be parked in a lot rather than on the street?
 - C. Brett Essex answered that council reasoned that it would be better for taxing revenue within town for the trailer to be in a permanent position during the 90 day trial period
 - D. Colleen Heacock addressed the fact that according to the survey conducted about the need of zoning for food trucks within the Village, the answers were overwhelmingly positive.
 - E. Eileen Adams pointed out that only 52% of respondents to the survey were "self-selected" residents of the Village
 - F. Colley pointed out that 16% of respondents answered that they are employed within the Village and 18% of respondents answered that they are students
 - G. Bil Kerrigan questioned if by approving this ordinance we are opening a door to allowing trailers, port-a-lets, and other structures within the Village?
 - H. Colley responded that this ordinance would only affect the B2 zoning district and also that any person wanting to use the ordinance to erect any structure would have to come before the planning commission with a site plan
 - I. Adams questioned why the B2 zoning district is being singled out if it is determined that placement of trailers and other structures would be deemed aesthetically unappealing in all other areas of the Village?
 - J. Brent Gates responded that the residential areas have no businesses, while B2 is a blend of business and residential properties.
 - K. Jim Dooley pointed out that as a part of the vision statement for the Village of New Concord it states that it is "rooted in the entrepreneurial tradition," and as such we want to encourage both business and tradition. He stated that the design

review board process offers a level of protection as long as it is working properly.

- L. Kerrigan asked if the conditional use goes with the trailer if the owners would switch the trailer?
- M. Gates replied that any trailer would have to have approval by the design review board but that the conditional use stays with the owner. He stated that there is no time limit on the conditional use allowed in certain districts, but that if use would be discontinued for one year then the conditional use would end.
- N. Heacock pointed out that this space is being repurposed, which is a positive use of the property.
- O. Dooley referred to the survey questions asking if a semi permanent food truck would be okay, which had a response of 83% in favor, and if additional trucks would be favored, which had a response of 93% in favor.
- P. Heacock asked if this data could be further mined to see what the responses were from the 52% of respondents who were residents of the Village?
- Q. Colley answered that the data is still assessable to the Village.
- R. Adams asked why a survey was done concerning this particular issue?
- S. Colley responded that the policy committee of council decided that it would be the best way to collect community feedback during the trial period.
- T. Greg Wilson asked why an ordinance would be drafted to create permanent features such as landscaping and restrooms for a business that is mobile?
- U. Colley responded that by state law the Health Department requires a food truck to move every 40 days and so the Village is attempting to create a "food court" that would still allow for the this required movement.
- V. Wilson asked what would happen to the property if the vendor decides to leave?
- W. Gates responded that the property would be required to be maintained and signage taken down. Gates added that language could be added into the ordinance that required mobile units to be operating.
- X. Nick Eckstein stated that as the potential owner of a Mobile Food Court establishment, his goal would be to maintain the aesthetics of the Village. He stated that the food trailers would almost certainly be gone in the winter but that the lot would then be available for use by the Village.
- Y. Essex added that the space is intended to be designed to be seen without the trailers in place and still be aesthetically pleasing.
- Z. Adams points out that the level of investment is not the same with a trailer as with a brick and mortar building.
- AA. Eckstein responded that they are wanting an aesthetically pleasing look but that they view food trailers as a destination which is their vision for what they want to create.
- BB. Dooley asked the commission to decide if they would like to continue looking into the ordinance and meeting again, if they would like to approve the ordinance with the modifications that have been suggested and send it to the policy committee, or if they would like to not approve the ordinance?
- CC. Dickson responded that since there have been so many changes suggested it would be best to continue discussion at the next meeting.
- DD. Heacock stated that she is not comfortable approving anything until she has more information, including feedback from the Village solicitor about adding language to the ordinance concerning the trailers being operational, and for more data mined from the survey.
- EE. Heacock made a motion to follow up on action items to allow for a complete review of the ordinance at the next meeting, Wilson seconded, motion passed.

Adjournment

I) Dickson moves to adjourn, Essex seconds, motion carries, meeting is adjourned at 9:00 PM.