

Athens City Planning Commission  
Minutes of Regular Meeting  
Thursday, April 15, 2021, 12:00 p.m.

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The regular meeting of the Athens City Planning Commission was held virtually via Zoom on April 15, 2021.

**Attendees:** Tom Simons, Anne Little, Jo Berning, Chuck Garvick, Jon White, Lauren Connor, Rob Delach

1. **Call to Order**

Steve Patterson called the regular meeting to order at 12:01 p.m. and administered the oath to those in attendance wishing to speak before the commission. Quorum was established.

**PLANNING COMMISSION MEMBERS:**

Steve Patterson, Chair	Present
Nancy Bain, Vice Chair	Present
John Kotowski	Present
Austin Phillips	Absent
Tom Pyle, Interim Service-Safety Director	Present

**STAFF:**

Paul Logue, City Planner	Present
David Riggs, Code Enforcement Director	Present

3. **Disposition of Minutes**

*John Kotowski moved to accept the April 1, 2021 minutes. Tom Pyle seconded. All present voted aye. Motion passed 4:0.*

4. **Cases**

**Case #21-01                      Title 41  
    Kershaw Greene Apartments  
    9309 SR 682**

David Riggs/Summary

- Additional review and staff comments have been made. All are minor and can be addressed by the developer.
- Discussions regarding the lift station have occurred and all comments have been addressed by the developer.

Discussion

- John K: Is the WODA Group doing work on the pond? Is there a spillway into Little Factory Creek?

- David R: A detention basin is being created for each complex (Kershaw Green and Tyler Park) that will drain into Little Factory Creek.
- No additional work at the existing off-site retention pond?
  - Chuck G: They are relocating the existing spillway from the Kershaw Greene back to Little Factory Creek.
- Will a fence around the existing pond be proposed?
  - David R: The detention ponds are dry and don't require a fence. A fence would pose more of a problem as far as maintenance/safety.
  - John K: This is similar with the fence around the detention pond at Wal-Mart, which has created more problems.
- Nancy B: Regarding the pond on private property that is in between both complexes and currently the UE drainage pond, will the property owner be asked to install a fence?
  - Steve P: Shared an email and picture from Commissioner Austin Phillips (attached for reference) addressing the issue of the pond.
- Nancy B: Expressed serious concern about the pond and the protecting the children who live at both complexes. Is there an estimate of the number of children who will be residing at the complexes?
  - Tom S: Posed this question to WODA and they replied that they were not able to speculate on the age demographics due to fair housing laws.
- John K: Agrees that safety is a concern, however, the parents and children have to be responsible in part. The pond is not owned by WODA or the city so there is nothing that either can do.
- Steve P: Noted that there are many areas near bodies of water in the city that don't have fences: W. State St. Park along the river, E. State St. ballfields along the river, Sells Park pond, etc.
- John K: Not supporting a fence, but perhaps ask the property owner to give access to the developer to drain the pond or redirect to Little Factory Creek?
  - Nancy B: Not advocating for a fence either.
- John K: Regarding traffic flow on Rt. 682, will there be plans to continue to look at this as they move forward?
- Paul L: Noted that with Johnson Road closing, there is the potential for a corresponding increase in traffic flow along Rt. 682. The Regional Planning Commission did talk to ODOT about concerns over Johnson Road closing. The RPC requested additional information but ODOT is moving forward with their plans to close Johnson Road. They don't appear to be concerned about the potential negative impacts.

*Tom Pyle moved to approve Case #21-01. Motion seconded by Nancy Bain. All present voted aye. Motion passed 4:0.*

**Case #21-02                      Title 41**  
**Tyler Park Apartments**  
**8462 Luhrig Road**

David Riggs/Summary

- Access on township road has been approved by the township.
- A few minor staff comments have been made and are easily addressed by the developer.

#### Discussion

- No questions/comments.

*John Kotowski moved to approve Case #21-02. Motion seconded by Tom Pyle. All present voted aye. Motion passed 4:0.*

#### 5. **Communications**

**None**

#### 6. **Report from City Planner and Director of Code Enforcement**

##### Paul Logue

- The Regional Planning Commission plays a role in zoning recommendations or changes in The Plains. They heard a case at their last meeting regarding a request to designate a zoning change from an R1 to R3 in The Plains.
- Thanked his intern, Lauren Conner, for her work this past year. She will be graduating from OU this spring.

##### David Riggs

- No Report

#### 7. **Opportunity for Citizens to Speak**

**None**

#### 8. **Announcements & Other Business**

- Spring Clean Up week is next week April 19-23
- The next meeting will be May 6, 2021.

#### 9. **Adjournment**

*Motion to adjourn by John K. was seconded by Tom P. All present voted aye, motion passed 4:0. The meeting was adjourned at 12:31 p.m.*

Patricia Morris-Witmer

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**From:** Austin Phillips <Austin@southeast-beverage.com>  
**Sent:** Tuesday, April 13, 2021 3:45 PM  
**To:** Patricia Morris-Witmer; Nancy Bain Council 3rd Ward  
**Cc:** John Kotowski; Nancy Bain Council 3rd Ward; Steve Patterson; Tom Pyle; David Riggs; Paul Logue; Kerri Yake; Scott Thompson  
**Subject:** RE: FW: Planning Commission Meeting

All,

Since I will not be able to make the call tomorrow, I wanted to add my opinion on the pond. There are plenty of examples throughout Ohio, especially in golf course communities, where ponds exist without barriers. Based on the project, the developer has made it clear that it is not their property, so I don't believe we can/should force this on the developer.

I spoke with Mayor Patterson a few weeks ago and recommended speaking with the land owner to see if they would install large rocks around the perimeter of the pond (example picture below). This would prevent small children from entering the pond as the rocks are sharp and hard to crawl/walk on. I am not in favor of a fence as it would need to be maintained by trimming weeds and repainting. The rocks would be maintenance free.

Thanks,  
Austin

