



CITY OF LIMA  
CITY PLANNING COMMISSION  
Minutes – January 26, 2022

Commission Members: Ricardo Duncan  
Rob Nelson  
Chuck Schierloh  
Suzanne Plumb  
Mayor Sharetta Smith

City Staff: Sophia Fisher  
Susan Crotty  
  
Petitioner: North Park Community Church  
J. Grant Neal  
Huffman, Kelley Brock, LLC

ROLL CALL showed the following members present: Smith, Plumb, Nelson and Schierloh

Rob Nelson motioned to approve the minutes of the December 8, 2021 meeting; 2<sup>nd</sup> by Suzanne Plumb; motion carried 3-0.

Mayor Smith stated that J. Grant Neal was present on behalf of the petitioner via phone.

Mr. Neal stated that he is an attorney representing the property owner, North Park Community Church. He explained that their church abuts an alley between S. Dewey Ave and S. Perry St north of Elm St. They are petitioning to vacate that alley for the purposes of erecting a fellowship hall. He continued that they have spoken with the property owners on the other half of the alley regarding the vacation. They had discussed a partial alley vacation but the City no longer does those. Three of the four adjacent property owners did agree to a shared use driveway agreement for the western half of the alley. The fourth property owner is Allen County Metropolitan Housing. They have not had a chance to meet with their board to discuss and potentially agree. With the agreement, all of the property owners impacted would still have access to their property. The city would no longer be responsible for the maintenance of the alley.

Ms. Sophia Fisher presented the Staff Report. She noted that the alley to be vacated is in the 100 block of S. Dewey Ave over to S. Perry St. She continued that the petitioner owns all the property on the east side of the alley. On the western side of the alley there are 4 different property owners. The zoning is all Class I Residential. Responses for the proposed vacation were received from the Public Works Dept., the Lima Fire Dept., Dominion Energy, and Lumen indicated with no objections. No response was received from AEP, Time Warner Cable, and the Lima Police Department. The City of Lima Engineering Dept. and the Building Dept. had no comments. The Lima Utilities Dept. had no objection however they are requesting an easement as they have a 48" sewer line going through the alley. The city sent out notifications to the property owners. An email was received from Allen County Metropolitan Housing in response to the notification stating that they would have to wait until their Board meeting to submit a formal objection. Ms. Fisher explained to them that there would be an opportunity for them to express their concerns during a public hearing with City Council. Mr. Neal stated that in the response that he received from them they indicated that they were not objecting but they wanted to reserve the right to express their Boards decision.

Rob Nelson stated that it appears that 3 of the notification letters were sent out in August and the Met Housing letter was not sent until December. Mr. Neal stated that there was a letter sent to them in August but they did not have the certificate of mailing for them. He resent the letter in December with the certificate of mailing after not getting a response.

Ms. Fisher continued that the staff recommends approval of the alley vacation request with the following conditions:

- The creation of an easement for utility access and
- The creation of the shared use driveway agreement with the 4 adjacent property owners
- The petitioner will combine their two parcels into one

Mr. Schierloh asked where the fellowship would be located. Ms. Fisher and Rob Nelson responded that the fellowship would be built between the two parcels with the entrance to the fellowship hall on S. Dewey St. Ms. Fisher stated that the church will not be using the shared driveway. Mr. Neal confirmed.

Mayor Smith asked if there were any plans submitted to the building dept. Mr. Neal responded that they have not. The Mayor asked if there was a tenant at the property owned by Met Housing. Ms. Fisher stated that there is. The Mayor asked if the property has its own private drive now. Mr. Neal responded that the property is accessed through the alley along with the other three properties. Mayor Smith asked what the timeline is for the construction for the fellowship hall. Mr. Neal responded that they are in the very early stages and they wanted to get the alley vacated first.

The Mayor stated that she is inclined to put this matter in abeyance until they hear back from Met Housing because after the Planning Commission makes a decision, it becomes City Council's decision. As the process continues to a public

meeting where it is rare that people attend and since they have been notified but would like an opportunity to discuss it with their board prior to responding, in fairness, she would like to give all parties an opportunity to be heard. Rob Nelson added that there also are no plans which would take a few months. Ms. Crotty asked Mr. Neal if the petitioner is aware that there is a 48" sewer line in the alley. Mr. Neal responded that he did not know if the church is aware of that. He stated that he would pass that information along to them. That would be an issue with a building on top of it.

Suzanne Plumb motioned to move this matter to a future meeting for further discussion and consideration; 2<sup>nd</sup> by Rob Nelson; motion carried 3-0.

Mayor Smith explained that Ms. Fisher will be in communication with Met Housing to inform them when this case will be on the City Planning Commission agenda again which would be next month. In the event they do not show at that meeting, she would be inclined to move forward with the staff recommendations and send this petition to City Council. She added that Mr. Neal may want to ensure the church is aware of the sewer line.

There being no further business, Rob Nelson motioned to adjourn; 2<sup>nd</sup> by Chuck Schierloh; motion carried 3-0.

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**Mayor Sharetta Smith**  
Chair

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**Susan E. Crotty**  
Director Community Development