



Planning & Zoning Commission
Monday, December 13, 2021 - 6:30 PM
MINUTES

1. Call to Order

Chairman Ryan Green called to order the Planning and Zoning Commission meeting for December 13, 2021 at 6:31 p.m.

2. Roll Call

Present - Ryan Green, Ron Danne, Jesse Coppel, Benjamin Lee, Jon Merriman
Absent - None

Staff present - Bailey Klimchak - Village Planner, Jim Blair - Zoning Inspector, Teresa Monroe - Clerk of Council

Public present - Warren Butt, Logan, Meghan & Brando Malone, Sue Overholt

3. Pledge of Allegiance

4. Public Comment

No comments

5. Approval of Minutes

a. November 23, 2021

ACTION: Ryan Green moved to Approve as written; Ron Danne seconded and all were in favor.

AYES: Ryan Green, Ron Danne, Jesse Coppel, Ben Lee, Jon Merriman

NOES: None

ABSTAIN: None

Passed 5 - 0

6. Application Z-21-204; Tabled 12/1/2021

a. Conditional Use; 276 S. Main Street
Application tabled December 1, 2021.

ACTION: Ben Lee moved to take Application Z-21-204 off the table; Ryan Green seconded and all were in favor.

AYES: Ryan Green, Ron Danne, Jesse Coppel, Ben Lee, Jon Merriman

NOES:

ABSTAIN: None

Passed 5 - 0

Chairman Green said there was quite a bit of testimony on this application last meeting, asked if there was anything to add from the applicant or staff. Planner Bailey Klimchak said staff had no updates; Chairman Green opened to the Board.

Ben Lee said he had not seen any new information or any additional arguments and he continues to maintain that with this request, be it well intentioned for the specific parcels with respect to development, with the zoning being exclusionary and this particular use not listed, it falls outside of what is listed as conditional for UR-1, that it does not meet the requirement for a conditional use request and it should be denied on that basis. Added that it looks to put a commercial business in a residential area which is a slippery slope for UR-1 or UR-2. He continued to say the comments from the public here before support denial but does not want to sell short the vision of the applicant and what is being requested for that space because he appreciates what is being brought forth and the vision for the area but with how the zoning is set up, how it is listed and defined, it isn't something he can support and he has not seen any new information that would change his mind.

Bailey Klimchak called attention to an email she sent noting a misprint on the last staff report, 1131.06 was not relevant to the consideration, should have been 1131.03; Mr. Lee read the correct criteria last meeting.

Chairman Green opened the floor to the public.

Public Hearing

1. Warren Butt, Johnstown resident, lives adjacent to the property

- Remains opposed to allowing the existing church and fellowship hall to be used for the express purpose of a commercial for-profit activity, it goes against his interpretation of the zoning code.
- He is extremely opposed to any kind of event that could possibly spill over from the buildings into the green space; would not want to see a wedding, reception or family reunion because it would be a nuisance to him and his property.
- Thinks the proposed events would bring an immense amount of traffic on roads not designed for it.
- Would be noise, confusion and litter
- No reason to put a for-profit, commercial activity in their neighborhood; would they put this in Kyber Run or Concord Crossing? Does not want commercial activity for a new neighbor.

2. Sue Overholt, 280 S. Kasson

- Very opposed to this going commercial, is fine with a church but commercial would bring more traffic to South Kasson Street which is not equipped for it.

Chairman Green closed public comment

Ryan Green said although he likes the idea, however something that is not in the conditional uses of UR-1 is a problem and he does not know if there is a way forward with this; possibly a non-conforming use or rezoning of the property, but not through this mechanism. As said before, going completely commercial on that property, he does not think they are headed that way; they don't want to see that, people around there don't want to see that. He knows it can be used as a church, as total event space, he thinks it has to be more of a church than an event space to qualify as a church; said this one is tough, they want to see the property fixed up and to see good things happen there, said they want the best for businesses and residents in Johnstown but conditional use is not the best mechanism for this.

ACTION: Ryan Green moved to Approve as written; Ben Lee seconded and the vote was as follows:
AYES: None
NOES: Jesse Coppel, Ben Lee, Ron Danne, Chairman Green, Jon Merriman
ABSTAIN: None

Failed 0 - 5

Chairman Green thanked everyone for coming out and that they look forward to getting the best out of the property either way.

Ben Lee said for the applicant, he personally wants to reiterate his appreciation of the vision for that space, he did not think there were any comments that this was not a positive vision and desire to bring that space up to a better condition than what it is and to see it used and maintain its historical identity but with respect to the zoning code, this just did not fit within that space. Does not want to discourage the entrepreneurial aspect the applicant brings, just encourages him to seek other places where it could fit in more appropriately.

7. Zoning Inspector

a. November 2021

Zoning Inspector Jim Blair reviewed his November 2021 report summary.

8. Other Business

1. Bailey Klimchak noted that the other tabled COA application will not be heard until January at the applicants' request; this will be the last Certificate of Appropriateness the Planning Commission will see, future ones will be considered by the Design Review Board.
2. Discussion on timing of application materials sent to the Planning Commission for review; they would like more time, especially on larger projects. Staff to research effect on deadlines for applications.

9. Adjourn

ACTION: Ryan Green moved to Adjourn; Ben Lee seconded and all were in favor.
AYES: Ryan Green, Ron Danne, Jesse Coppel, Ben Lee, Jon Merriman
NOES: None
ABSTAIN: None

Passed 5 - 0

Meeting adjourned at 6:57 pm