



Planning & Zoning Commission
Wednesday, December 1, 2021 - 6:30 PM
MINUTES

1. Call to Order

Chairman Ryan Green called to order the Planning and Zoning Commission meeting for Wednesday, December 1, 2021 at 6:30 p.m.

2. Roll Call

Present - Chairman Ryan Green, Ron Danne, Jon Merriman, Ben Lee
Absent - Jesse Coppel

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

Public present - Warren Butt, Walter and Rita Raub, Logan and Meghan Malone, Dave Pontia, Ben Vause, David Cool, Mike Dwyer

3. Pledge of Allegiance

4. Public Comment

No comments from the public.

5. Application Z-21-204

a. Conditional Use; 276 S. Main

Planner Bailey Klimchak reviewed the application; the property is five parcels, three parcels along South Main Street and two parcels in the back. Addresses are 276-292, on the website the applicant can only apply for one address but would like to hold the use through the three front properties. Applicant would like to use the church and foundation hall for event space and the home for supporting space. Currently, all five properties are owned by Church of Youth for Christ. The applicant has an agreement with the owner that if the Conditional Use is approved, he would take control over the five properties but would let Youth For Christ continue to use for gathering.

Applicant Logan Malone was present for the application and talked about his plans for use as a wedding and event venue.

Ben Lee said taking the business consideration, a GCC type application, he would not support including the residential aspect because you can operate business out of accessory units but that accessory unit cannot be a dwelling; he would not include the residence until it ceases to be a dwelling. If it were to be incorporated into an overall plan, it should come back to the board for review. Said when reviewing the Conditional Use criteria, there is a lot in there that are true statements that would be in favor of what is being asked for but he is hung up on its proximity to residential and the precedence this

would set moving forward. He would like to hear what the neighbors have to say about it.

Added that it is a unique property, zoning is residential, request is for a condition that is not applicable; preservation is important.

1. If approved would not support outside events
2. Would want to talk through sign design
3. Asked about the residence. Mr. Malone said he does not plan to use that structure. Ben does not support using the residential unit as a part of application. Mr. Malone said if it ceases to be used as a residence, he would raze the house and return to green space.
4. Hung up on proximity to residential

Ron Danne said he loves the idea of reusing the old church, an old building and for a similar use as it historically was. Inquired on the parcels to the rear and that his concern with an event space is that we would not have enough parking without including them. Discussion on assigned addresses and not having separate water meters. Mr. Danne said he would like to put a condition on this if it goes forward; that the back properties cannot be separated from the front properties because then they would never have the needed parking. (Would apply to all four properties)

Mr. Malone walked through his plan to blacktop the balance of the lot behind the buildings, leaving one rear lot as green space and graveling the other.

Ryan Green said he was happy to see something being used there, however, something needs to be done with the addresses, would say the house needs split off and the other two properties joined. Glad to see they would get rid of the garage, would add a condition for a timeline on paving rear lot or turning to green space. Wants to have a concrete plan for the house as a rental, whether it will be torn down within a period of time; would be fine if it were 6-12 months out. Signage is not adequate, needs to be upgraded, possibly on the building, not glowing at night. Look at parking lot lighting appropriate for residential. Occupancy of church is 125, fellowship hall is 250 so there would need to be adequate parking and plan for traffic, would like to see traffic go out onto SR37 to limit traffic onto Kasson.

Mr. Malone said residents in the area use the rear lots for parking for overflow, blocking off would affect them. Discussion on traffic flow.

Mr. Lee asked for consideration, when coming off of Kasson, making that an entrance only and said he is a proponent of green space so keeping the one parking surface grass is a good idea, the other overflow lot would likely need a variance, would like to see a semi-permeable surface.

Public Comments:

1. Warren Butt, 269 S. Kasson

- Their property abuts this property, gave some history of the church property, parsonage and fellowship hall.
- Historically parking has been a problem for the church, overflow was on the streets;

questions whether the parking is sufficient for the capacity. Ben Lee said it is a valid callout on the parking.

- Concern about a commercial for-profit business in a residential district
- Read through the zoning ordinances, did not see anything compelling to approve this application
- Other groups have used this space before and trash was an issue
- Urges a no vote on this application
- Concern for residence in other residential neighborhoods

2. Walter Raub, 320 S. Main

- Agrees parking is inadequate
- Would like to see it remain a church building but appreciates that things change
- Would not like to have a business in a residential area
- 1131.01 purpose, would not be consistent; 1131.02
- Concern for lighting as he is a neighboring property
- Concern for the timeframe on how long events could last, noise, alcohol etc.
- Would like to see the building stay and be used but does not think this is the best use for the property
- Urges a no vote

3. Neda Raub, 320 S. Main

- Her property is a few feet from this
- Concern for letter received that said this would allow parties
- Criteria for approval, sees several that are not ok
- Area is residential, approval would be a slippery slope
- Traffic will be a problem, will bring down surrounding house values
- Strongly recommends voting no

Chairman Green closed public comments.

Discussion on current use of a church relative to how it could be used if Conditional Use were approved.

Ben Lee said this would be a deviation from a church to a business and neighbors are not in favor, he cannot see supporting it. Mr. Danne said there is a difference too when a church gets used and is busy, typically Sunday morning/afternoon whereas a wedding reception would be weekend evenings late. Mr. Green listed other church uses and said this could be used just as many hours and that is why it is complicated. Jon Merriman discussed other businesses in the area and what could be done at the properties. Mr. Lee said the letters are sent out to neighbors for a reason and many are not wanting this intense use in the area, where the request is a deviation from what is currently zoned and what is on the future land use map; he cannot see supporting this. Mr. Green noted that only two houses out of all surrounding properties came in, the others either didn't feel the

need that it was important, they didn't pay attention or they are in favor of it, we won't know.

Chairman Green opened back up for public comments.

1. Walter Raub, 320 S. Main

- Received his notice letter on Friday
- Wants use of the property to be consistent
- Concern for people using his driveway and yard as turn around

Logan Malone addressed the statement that this would bring down property values; they have improved the property, argues they are making the property better and bringing value up, noted they would also like to fence.

Exploration of non-conforming use. Ryan Green said the tradeoff is improvement of property. Discussion, some further comments on history.

2. Neda Raub, 320 S. Main Street

- Discussed the letter sent again, said events include parties and that is concerning.
- Regarding property value, no one would buy a house near a place that has loud bands.
- Allowing a UR-1 property to be used as GCC-1 opens a dangerous door
- Asked if they would pay taxes

3. Walter Raub, 320 S. Main

- Said taxes are paid on the house

4. Warren Butt, 269 S. Kasson

- Provided some more history
- Would like to see the property have some good use

Ben Lee said he appreciates it but cannot support, if approved he would suggest conditions. Logan Malone asked what happens if denied, that he is using this as close to the original use as possible. Mr. Lee said it is not so much this specific situation, it is relevant to the code, the map, the incorporation therein, the application of it, how they go about making decisions based on historical application; the fact that event center or something to that effect is not listed under UR-1 as a conditional use, and treating the Planning and Zoning document as an exclusionary document is a tilting factor in his view.

Chairman Green said if the applicant is in favor, in light of being down a member tonight and to have an adequate vote on this he would suggest tabling. Mr. Malone was in favor.

ACTION: Ryan Green moved to table the application; Jon Merriman seconded and the vote was as follows:
AYES: Ron Danne, Ryan Green, Jon Merriman
NOES: Ben Lee
ABSTAIN: None

Passed 3 - 1

6. Application Z-21-203

a. Certificate of Appropriateness (COA); 921 W. Coshocton St.

Application for property on US62 and the proposed building for ACE Hardware, currently in GCC-2 zoning district. Proposed to be an approximately 18,000 square foot building with 63 off street parking spaces which is the number required. Architect Dave Pontia was present for the application and reviewed the site plan provided in the packet. Reviewed exterior colors and materials.

Ron Danne noted a Marathon oil pipeline in the back south corner of the property, he thinks there is a one hundred foot easement. Mr. Pontia was aware, it was shown on the survey.

Ryan Green said many items do not fall within the Design Review Standards, setback and parking for example, so not sure a decision will be made tonight.

Ben Lee said looking at the design itself, several areas within the Design Review Districts and Standards note harmony with surroundings and other buildings; said this has a flat roof but other new buildings recently approved in the area have a pitch. Mr. Pontia said he could make a similar argument for flat roofs; discussion on other buildings in the area and design text, added that they started the design process prior to passage of the design document. Ben Lee said page twelve, Corridor District notes there should be no blank walls or planes. Discussion on street trees, sidewalk and lighting. Noted page sixty in the design review code, that parking lots are to be oriented to the side and rear. Mr. Pontia said that is possible but it would not be desirable to walk around a giant building to enter through the front, plus the mix of semis. Mr. Lee said he continues to use this guiding document as his baseline and that there are several considerations with what is submitted and with the design character that do not fit within what is being represented in the document, how it fits in the character of surrounding buildings, the colors work but massings don't.

Ron Danne said he had concerns about the roof, newer buildings have pitch. Concern also for window percentage, seems short.

Ryan Green noted the setback was too far back, Corridor District standard he thought was ten to twenty-five. There is a lack of windows, need people to be able to walk by and see in the building. Noticed an issue with the fence in the back, would like to see more than a wooden fence, would like some buffering, trees etc. In favor of tabling to allow for more review and a full board vote.

Public Hearing

Allowance of time for Mr. Pontia to have discussion with applicant.

1. Marvin Block inquired on parking - Mr. Block was not at a mic, not heard on the record.

Mr. Pontia said that the owner requested to table the application. Chairman Green said to reference current design standards.

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

Passed 4 – 0 TABLED

7. Other Business

1. Jim Blair provided updates:

- The application for the 45,000 square foot expansion to the Curaleaf building scheduled for the January 25, 2022 meeting.
- New business going in downtown that sells dog treats, 28 S. Main
- Work beginning on the remodel of a liquor bar

2. Additional Special Planning Commission meeting called for Monday, December 13th at 6:30 pm

8. Adjourn

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

Passed 4 - 0

Meeting adjourned at 8:31 pm