



Planning & Zoning Commission Meeting
Tuesday, May 25, 2021 - 6:30 PM
AGENDA

1. Call to Order
2. Roll Call
3. Pledge of Allegiance
4. Public Comment
5. Approval of Minutes
 - a. April 13, 2021
 - b. April 27, 2021
 - c. May 6, 2021 Special meeting
 - d. May 11, 2021
6. Application 2021-214-Z
 - a. Zoning Map Amendment
7. Design Standards
 - a. [Draft Document - begin page 77](#)
8. Other Business
9. Adjourn



Planning & Zoning Commission
Tuesday, April 13, 2021 - 6:30 PM
MINUTES

1. Call to Order

Chairman Ryan Green called to order the Planning and Zoning Commission meeting for April 13, 2021 approximately 6:35 p.m.

2. Roll Call

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

Staff present - Bailey Klimchak - Village Planner, Jim Blair - Zoning Inspector, Jim Lenner - Village Manager, Abe Haroon - Chief of Police, Carol Van Deest – Village Council, Cheryl Robertson – Village Council, Marvin Block – Village Council

Public present - Robert Roberts, Lu Roberts, Nick Wrightsel, Lewie Main, Dan Haught, Molly Cromer, Philip Chew, Donald Barnard, Dave Douglas, Jim Dunno, Elizabeth Whipple, David Kessler, Beth Schmelick, David Leezer, Cameron C., Jack & Helen Stacy, Nancy Swanson, Bruce Barron, Shane Jenkins, Kim Jenkins, Drew & Beth Bialko, Greg Russell, Joe Ciminello, Brad Schwass, Suzie & Wendal, Richard & Jean Wolfram, R Ball, Laura, Logan Nelson, Juliette Pierce, Karin Lee, John Pavone, Cathy Kessler, Bill Westbrook, Brandon Cromer, Dennis Blankemeyer, Brad Schwass

3. Pledge of Allegiance

4. Public Comment on items not on the agenda.

Chairman Green opened the floor to public comments on items not on the agenda.

Elizabeth Whipple - 100 N. Main Street

- There is a lack of clarity and consistency that goes into zoning enforcement
- Trying to get documentation that neighbors fence is not in compliance with zoning; called Jim Blair to find out if it had been inspected, said Mr. Blair told her fences are not typically inspected and in order for him to come inspect the fence they would have to pay \$150 for a zoning appeals application.

Chairman Green said there is zoning on this and an initial inspection on postholes gets done, there is not currently a final inspection. Ms. Whipple noted the Village Ordinance on not to exceed height of six feet; Mr. Blair said that he did inspect those post holes, he does not return to measure the height of fences, said he did see the materials and the fence boards were six foot. Ms. Whipple asked what was the point of having a not to exceed height in the ordinance if it is not inspected afterward to determine whether or not it has exceeded six feet. Mr. Blair said the reason is to have the ability to deny a fence taller than six feet. Ms. Whipple said all she is looking for is documentation that says her neighbor's

fence is not in compliance and is it true she would have to pay \$150 zoning appeal fee to have someone come out and measure the fence and document whether or not it is in compliance. Chairman Green said if she were challenging the permit then yes she would; he knows that it was permitted. Mr. Blair asked Ms. Whipple how much over six feet was the fence; she said between three and four inches. Chairman Green said with grade some variance is expected, Ms. Whipple said all she wants is some type of documentation that it is not in compliance; Mr. Blair said that documentation does not exist. The only option is to challenge the permit itself, Mr. Green said if it's egregious they would be happy to take a look, just needs to go through the proper channels.

There were no further comments and Chairman Green closed the floor.

5. Approval of Minutes

a. March 23, 2021

ACTION: Benjamin Lee moved to Approve; Jesse Coppel seconded and the vote was as follows:

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

NOES: None

ABSTAIN: None

Passed 5 - 0

Chairman Green noted a change in agenda order to move up Application 2021-143-Z

6. Application 2021-143-Z Preliminary Plat - TABLED March 23, 2021

ACTION: Benjamin Lee moved to take Application # 2021-143-Z off the table for consideration; Ryan Green seconded and the vote was as follows:

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

NOES: None

ABSTAIN: None

Passed 5 - 0

a. Concord Crossing East

Village Planner Bailey Klimchak said that at last meeting there were questions surrounding this being zoned PUD and if that zoning had expired. She said historical research to this point indicates UR-2 zoning and that is what the Preliminary Plat appears to be approved under from 2004; recommended this to be considered as such; Variances approved have been included in the Staff Report. She added when the

application was submitted, it noted PUD zoning based on the zoning map however PUD zoning expires if the development has not been constructed upon within two and a half years; variances do not expire.

Joe Ciminello was present for the application, reiterated comments from last time that from the Preliminary Plat they could continue to develop, that this would be better, reduces the number of lots from 195 to 175, eliminated the neo-traditional lots, thought traditional homes would be better. Stated that over a year ago they had a meeting with the Homeowners Association and told them they were getting ready to commence development on the future phases of Concord Crossing. Spoke with them at the time about the need to upgrade the Community Center and four acres, said there was good dialogue, they proposed to the HOA that they would pay \$100,000 when development commenced on the future phases to be used for the Community Center. Mr. Ciminello added that the additional 175 lots at the current HOA rate would bring in an additional \$70,000 per year without increasing the amount of common areas to maintain, most areas are wooded and have wetlands that would stay natural; could also be additional funds to help pay for more improvements to the Community Center site. Addressed previous statements and concerns on traffic saying that when they originally did the plat they were asked to put in a second access that they do show on the Preliminary Plat, they will put in a public road up to the bike path if desired to fill their requirement; added that the reason the access was requested is not because one entrance cannot serve the 275 homes (plat was 313), it was for emergency vehicle access and could double as a leisure trail. Additionally, there is also a couple acres that could be donated if requested, it could be a nice entrance to the path; could also extend sanitary sewer over there for restroom facility. Cited their Pinnacle development and noted the heart of the community is the seven hundred acre golf course and in this case the heart of the community is the community center. Noted conversations with Schlabach builders on purchase of some of the lots.

Mr. Ciminello said he would like to hear comments and concerns; he would like to reserve the right to table this again after comments.

Commissioner comments

1. Ron Danne

- Inquired on some streets shown on the plat map.
- Asked if all of the lots meet the UR-2 zoning; Ms. Klimchak said they all meet UR-2 zoning except for some in the middle that do not meet the square footage requirement however in 2004 a variance was approved that decreased the lot area from 7,500 square feet to 5,000 square feet for the neo-traditional lots. Mr. Ciminello said if they need to widen the frontage on those lots they will.

2. Ben Lee

- Noted the four foot sidewalk on the plan, ADA requirement is now five foot; Mr. Ciminello said they will change that to five foot.
- Asked if the basins shown were wet or dry; said from a safety standpoint and design of the basins, if they are wet would they be step down so if somebody were to slip they would have the ability to get out and it's not just a shear drop, it would just be good information to know. Mr. Ciminello said unsure if that has been determined yet, would work on that in final engineering, could see them being designed as dry.
- Asked if the expectation that at completion or certain percentage that this entire project would blend into the current HOA; Mr. Ciminello said that is what they envisioned from the beginning, has documentation when they transferred the ground to 84 Lumber, the occupancy permit for the pool would not be granted unless this property was annexed in to the HOA. Added that the remainder of the neo-traditional lots were purchased; they have the right to say whether the lots become part of the HOA; would like the neighborhood to speak on that and they can develop it without access to the pool, without helping improve the pool and community center; said they would hate to do that, it goes against what the vision for the neighborhood was but are prepared to do it either way.
- Called out active open space; does not see where it is reflected on the blueprints. Mr. Ciminello said he would get the exact acreage; reviewed some of the areas, added some thoughts on how they could be improved.
- Noted that the plan may look like a lot of homes but density is close to surrounding communities. Also, despite variances allowed, seems the lots are above the five thousand square foot threshold which is appreciated.
- Said if there is only going to be a single ingress/egress he would call out the safety of the area in general where it exits onto Concord Road and if there was opportunity to improve that intersection knowing that with an additional 174 homes there will be a tremendous amount more traffic coming out at a single point. Mr. Ciminello said that is a point well taken and they will look at that.
- Said on the North side of this property is Light Manufacturing; noted the Western Licking County Accord and encouragement to preserve any tree stands and green space along the natural buffer to help mitigate noise.
- Called out the importance of having a solid Storm-water Management Plan and asked if they had reviewed the ordinances. Mr. Ciminello said this is all subject to final engineering and approval but don't want to start that until they know what they are engineering. Mr. Lee referenced Ordinance 1197.01 A2.
- Asked about a traffic study; Mr. Ciminello said their engineers would be doing some evaluation on traffic.

Public Hearing: Chairman Green opened the floor for comment.

1. Marvin Block; 225 Edwards Road - Council member

- Stated that when we don't pay attention to history we get in trouble; when Concord Crossing originally went in, Concord Road was to be finished but the village had to spend two and a half million dollars that the developer was supposed to pay. The village

spent fifty thousand dollars on a ditch the developer was supposed to pay for.

- The property has changed hands eight times and he questions whether the property was ever zoned. Bailey Klimchak said a final plan was never approved.
- Noted there could be an additional 2270 cars per day onto SR 37 from the 285 homes going in.
- He called the EPA; said he doesn't know why we are even talking about this until he gets the problems straightened out there. Said he (Mr. Ciminello) is in mitigation with creating another wetland, that he paid a down-payment but has not paid the other \$205,000.00.
- Said the reason it was transferred back and forth and never filed was taxes, they have gone quite a few years without paying what they should to the village and school district.

2. Don Barnard; 313 Fondriest Road - President of Concord Crossing East Homeowners Association

- Read a [statement from the Concord Crossing East HOA](#) which will be entered into this record.
- Addressed the question about joining the HOA; said statement was correct, they do not control that, there was a document signed many years ago with 84 Lumber when they gave the four acres for twenty thousand dollars, that document was never filed with the county therefor it is not recordable; a second agreement was entered into with the current developer which would supersede any document not file. Said it is their wish that they do not enter their HOA at this time.

3. Bruce Barron; 311 Mandaric Street

- Seconded the HOA statement
- Said there are at least four entrances at Pinnacle
- His house and others are custom, looked for a year before moving here, looked at production homes such as MI and Ryan; chose this neighborhood specifically not to be in one of those.
- Knows development can't be stopped but have to fix the traffic issues coming out on SR 37.

4. Jack Stacy; 315 Fondriest Road

- With regard to the examples given on the Pinnacle development; Concord Crossing East does not have a seven hundred and seventy acre golf course, a clubhouse, a restaurant or million dollar houses.
- This plan is smaller lots, lesser quality and once this is sold the buyer can do what they wish.

- The number of lots has been decreased and that is good but the reduction in lots has a lot to do with what they can build on and what they can't.
- Some lots are 37 1/2 feet wide, some 40 feet wide and driveway is 20 foot; half of everybody's front yard will be driveway, the houses will have to be stacked on top of the garage. This is not increasing the aesthetics or value of the neighborhood.
- Asks why they would be the only place in town that had one entrance to the development; this would be a lot of traffic to Concord Road and across the bike path.

There were no further comments and Chairman Green closed the floor.

Commissioners continued debate and comments as follows:

1. Jesse Coppel

- Asked if a bike path bridge or tunnel had been considered.
- Said East Douglas Avenue could create a second entrance.
- Asked if Mr. Block could provide the documentation of the information he read off from the EPA for the record and the Board's review (Mr. Block's response could not be heard on the recording).
- Asked likewise for any documentation the HOA had to be provided by the President.
- Asked what the extent of the traffic study would be. Ms. Klimchak said traffic studies are normally completed by an engineering company, any engineering company that works with these kinds of plans knows how to do them; they are hired by the developer not the village. That they would study the entrance at Concord Road and the surrounding area and put findings in a report for the village.

2. Ben Lee

- Regarding frontages; specifically on the half circles, does not see where they are maintaining a fifty foot frontage, examples on lot 7, 8, 9. Explanation on measurements by Mr. Ciminello; Mr. Blair confirmed the lots conformed.

Mr. Ciminello said new ideas have come up tonight, they will look at the entrance; would like to request tabling tonight. Would like more opportunity to work with the HOA to see if adjustments can be made so as to not end up with a divided community and would like to make every effort. Stated that a lot of Mr. Block's comments are flat out false, that Roger Hatch and Steve Potter did have Johnstown Development Co., they did develop Concord Crossing, said he came in on this piece as a partner and bought in in 2004 and their property never changed hands, it has always been under Johnstown Development Co. Said he has provided documentation of where they are with the wetlands permit to the Village Planner. Added that before you can get the permit you need to show you have a deal with the Wetland Bank, which is a private entity, you purchase mitigation credits from them, the requirement is a ten percent down payment which they have made and are keeping to the payment schedule; stated that before any development of

the site, the permit and mitigation will be paid in full. Provided some further details on permit submission and involvement of EPA; said the wetlands have been verified by the Army Core of Engineers per this plan and there is nothing "fishy". Added that they have the right to develop, they have a preliminary plat that is approved, elaborated on some options, and that they have gone under the direction of the village planner and staff. Said that he used Pinnacle as an example of different housing styles and types and that they all have a heart to the community and open space.

Chairman Green made a statement that the Public Comment was closed at this point and need to keep moving on with the meeting.

Village Planner Bailey Klimchak said they have looked at the road crossing over the pedestrian path onto Douglas Road, have also looked at connecting through to the Commerce Park and would prefer the Commerce Park connection, does not feel very comfortable with the Douglas connection mostly due to some direction from the Village Manager and members of Village Council; would also need to get permission from the T.J. Evans Foundation to do a trail crossing; said to keep in mind the village does not own the trail, we just maintenance our part of the trail within the village. Discussions on how the village would go about getting permissions and the Douglas Street extension in the 2004 preliminary plan.

Chairman Green said he was glad for all the conversation tonight, when this first came in as a PUD, a lot of people were of the opinion this had run its course and was done, and a lot of people who were involved at the beginning of this are gone. Said this started out with a developer that was going to do a lot of things that just flat out didn't happen and that is what a lot of people are mad about, they have seen time and time again Johnstown left holding the bag and no-one wants to see that here. Still need to investigate things lost in translation, the zoning, UR-2 or PUD, said there are still a lot of things that have to happen here; the HOA piece is in limbo, there are questions on traffic, drainage, open space, lot sizes etc., and sounds like there are still discrepancies with the EPA. Asked Mr. Ciminello to be prepared to address issues discussed tonight when he comes back.

Jesse Coppel asked Mr. Ciminello how long he had been working on the EPA aspect; Mr. Ciminello said over a year and a half, probably two or three years and have started to work out a solution with them. Mr. Ciminello said a consultant went out and identified the wetlands and sent to the Corps of Engineers who came out and verified; then worked with EPA on mitigation of the wetlands, they cannot apply for permit until they have a mitigation deal, which they now have, and have paid a deposit with the mitigation bank. Said that last week they were able to refile their permit with the EPA, it is with them and if need be he can have the consultant come to the next meeting to verify; so they are in the process and will have resolved before they break ground. Added that drainage will be a final engineering issue and as far as developer promises, if it was in the preliminary plat, they can improve Douglas up to Kasson, anything before that on Concord Road is not anything his development company had a part of.

Prior to the roll call vote below, Mr. Lee noted for the record Ordinance 1105.05 under Preliminary Plat states that a decision is made within thirty days; said as they are entertaining tabling at Mr. Ciminello's request, asked if he was aware that this puts us outside of the thirty day window. Mr. Ciminello said correct, they know that action would not be taken within thirty days; tabling gives the Planning Commission and applicant an extension to operate outside of the thirty day requirement as what is codified.

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

Passed 5 - 0

7. Application #2021-171-Z Zoning Map Amendment

a. 450 S. Main Street

Ms. Klimchak said this a Zoning Map Amendment for the Johnstown Baptist Church; previously the church requested a variance for an electronic sign and the Commission gave direction that a map amendment would be a more suitable avenue for them. This requests to change the lot from SR-1 to GCC-1; the lot follows along with GCC zoning and would allow for the electronic sign.

Commissioner comments

1. Ben Lee

- Said this meets all criteria for review in Chapter 1137.06 and the standard for the future land use map (based on the adjacent properties) and to zone this Commercial as is being requested. Suggested updating the future land use map in kind and move this to GCC-1. Said he heard concern about the future use for this property if it were to be redeveloped as GCC-1, suggested 1155.02 (h)(1) Retail Motor Vehicle Fuel Sales move to a conditional use to take into account the environmental impact and the health and safety impact that use might have. Confirmation by Ms. Klimchak that in GCC in general, gas station would become conditional use.

Public Hearing: No comments were heard either for or against.

ACTION: Chairman Green moved to Approve as is; Jon Merriman seconded and the vote was as follows:

AYES: Ryan Green, Jon Merriman, Ben Lee, Jesse Coppel, Ron Danne
NOES: None
ABSTAIN: None

Passed 5 - 0

Bailey Klimchak said before moving on to the next item, she did write up an ordinance amending the Future Land Use map; she was reminded this should be done any time there is a zoning map change. She included properties done earlier in the year and reviewed for the Board.

8. Application #2021-167-Z Certificate of Appropriateness

a. 49 1/2 S. Main Street

This is for an added patio behind Ghostwriter Public House; Dennis Blankemeyer and Brad Schwass were present for the application. Mr. Blankemeyer reviewed plan drawings and answered questions of the Board. Discussion on the patio roof, enclosure, parcel lines, parking spaces and the project in general.

Commissioner comments

1. Ben Lee

- Said for him, the fact that this is in the back lends itself to a different interpretation of patio and thinks it is great that it's covered. Outside seating is phenomenal, it will add a different look and is similar to what was done with a previous restaurant and a second floor outside patio. He added that from a COA perspective it checks all the boxes and thinks it will only enhance the downtown space and add to an already welcomed business in the village, he is all for it.

Public Hearing

1. Lewie Main, 132 N. Main

- How will water runoff be collected, has a concern that in the winter water would run off and freeze causing a hazard.

Dennis Blankemeyer said they have low planting beds, going to take the concrete over to organic material, water will be filtered to there not just sloped into the parking lot.

2. Marvin Block, Council member

- When Dennis and Denise came here, they took bunch of junk buildings and

everything they have done has been first class, everything they have done has been through engineers and permitted. They have spent tons of money here and he has not seen anything that has not been done first class.

There were no further comments and Chairman Green closed the Public Hearing.

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

Passed 5 - 0

9. Application # 2021-172-Z Certificate of Appropriateness

a. 231 Commerce Blvd.

Jim Blair provided background saying when Ohio Pack originally built the addition on to the former Thirty-One Corporation building they poured a pad at the back of the building for future installation of silos; he said the original silos would have needed a variance for height, they ultimately withdrew their initial proposal. Mr. Blair said they have come back with this proposal for three tanks that will end up at almost thirty seven feet tall; the height is acceptable, it is just a matter of approving what the tanks look like.

Nick Wrightsel, Engineer with Ohio Pack was present for the application; said currently they receive all of their resin in on cardboard Gaylord boxes and they are looking to streamline with the silos and bulk trucks. The silos will hold 340,000 pounds of resin at one time and said with their current volumes are looking at thirty trucks per year. If approved, timeframe to installation is approximately nine to eighteen weeks.

Discussion with the Board on process for filling the silos, noise, safety, location; it was noted that the silos will be below the roof line and blend with the building.

Commissioner comments

1. Ben Lee

- Said he was hoping for a more complete application but said for him, from a COA perspective, this does not feel like anything significant above and beyond what is already there especially knowing the tanks are not going to be any higher than the building itself, it's not a massive addition; said the noise continues to be a concern of his because of what is going on there now but sounds as if the noise will be minimal relative to the infrequent usage of the containers.
- No real historical application to apply considering it is a new building and the pads

are already there so other than installation of the containers there is no additional exterior modification. For him, this checks all the boxes on the criteria for review on the COA.

2. Ron Danne

- Said he agreed that the application is a little light on information; asked how far away these tanks will be from the mastodon wetland area to the southwest; Mr. Wrightsel said he did not have that number on hand. Mr. Danne said that would be his only concern, that we are promoting the mastodon area and having visitors come in, it looks like it would be within fifty to seventy five feet but it is and industrial building so not going to try and dress those up too much.
- Asked if they would be painted the same color as the building and then maintained, said sometimes silos tend to get neglected and end up with rust stains .

Mr. Blair said distance is 312 feet; discussion on screening by the village if needed in the future.

Public Hearing

1. Lewie Main

- Said silos are not new to the village, named some former businesses that had them. Mr. Blair noted a current company that had them.

There were no further comments and Chairman Green closed public comments.

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

Passed 5 - 0

10. Zoning Ordinance Draft

Bailey Klimchak said she drafted Ordinance 15-2021, an Ordinance amending the Future Land Use Map of the Village of Johnstown. Upon review, Commissioners were in favor of forwarding to Council for approval.

ACTION:	Jesse Coppel moved to send to Council; Jon Merriman seconded
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and the vote was as follows:

AYES: Jesse Coppel, Jon Merriman, Ryan Green, Ron Danne, Ben Lee
NOES: None
ABSTAIN: None

Passed 5 - 0

Chairman Green said in light of time they will have to forgo working on the draft.

Work session for zoning code draft rescheduled for Thursday, April 22nd.

11. Zoning Inspector

a. March 2021

Jim Blair's report was sent out with the packet, noted the new format. Some discussion on complaint versus appeal process. Updates on some items in Inspector report.

Mr. Lee asked if the Right of Way vacate has been completed for the former Oregon-Adams site; unknown, said he would email Bailey with background.

Mr. Green noted high grass in areas of town.

12. Other Business

1. Ms. Klimchak said the online permit portal went live last night at 5:00 pm; have already received and permitted the first application. Mr. Lee thanked Mr. Blair and Ms. Klimchak for their time and energy in getting trained and bringing the program online.

13. Adjourn

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

Passed 5 - 0

The meeting adjourned at approximately 9:30 p.m.



Planning & Zoning Commission
Tuesday, April 27, 2021 - 6:30 PM
MINUTES

1. Call to Order

Committee Vice-Chair Ron Danne called to order the Planning and Zoning Commission meeting for April 27, 2021 at 6:37 p.m.

2. Roll Call

Present - Vice-Chairman Ron Danne, Jesse Coppel, Jon Merriman, Ben Lee

Absent - Chairman Ryan Green

Staff present - Bailey Klimchak - Village Planner, Jim Lenner - Village Manager, Mayor Chip Dutcher, Jim Blair - Zoning Inspector, Teresa Monroe - Clerk of Council

Public present - George Swietzer, John Luke, Kim Littleton

3. Pledge of Allegiance

4. Public Comment

No comments

5. Approval of Minutes: April 8, 2021 Regular meeting and April 22, 2021 Special meeting

ACTION: Ben Lee moved to Approve both en bloc; Ron Danne seconded and the vote was as follows:

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

NOES: None

ABSTAIN: None

Passed 4 - 0

6. Application 2021-193-Z

a. Lot Split - Vacant Parcel

George Swietzer with Geo-Graphics was present representing Johnstown Kyber Run LLC, the owner of a parcel located in front of the Kroger store and next to Huntington National Bank. Bailey Klimchak said the parcel has for a long time been located in the flood plain and because of that, there is a lot to do to make it ready for development. The existing parcel is 1.03 acres and is vacant other than a lift station in the lower corner near US 62. The applicant would like to do a lot split and split off the bottom corner and the property that holds the lift station, which would take the larger lot out of the flood plain making it easier for development. Ms. Klimchack said the larger parcel would be just under an acre

Vision Statement: The Village of Johnstown is dedicated to providing a secure community environment that fosters cultural, recreational, educational and economic opportunities while preserving our unique historical character

and the smaller parcel being split off would be just .064 acres; the village has an easement to access the lift station so if the lot split were approved, nothing could be developed on the smaller parcel, the village already controls it, it is very small and in the flood plain. Staff recommends approval of the lot split to bring this property up into something that can be developed.

Mr. Swietzer said if approved, the village might be interested in acquiring title to the lift station as the parcel cannot be developed or accessed because it is fenced in and locked up, the direct access is off of US 62 and access to the larger parcel would be through the common entrance and through the rear. He added that he does not represent the developer of the lot, he represents the owner who is trying to make it right for someone to use it, and he does not know who the end user will be.

Discussion on process for flood plain designation removal as well as fence positioning around the lift station. Ben Lee said he does not know why the village would not be interested in taking over any piece of property that currently has a village asset on it. Mr. Lee asked if this parcel was owned by the same company that owns the balance of the Kyber Run Plaza; Mr. Swietzer said he is not certain. Mr. Lee said he hoped the ingress/egress would not be on US 62; Mr. Swietzer said that was a definite, the only access is through the rear of the property, noted that he says that without being involved with the development, that is his understanding as it is currently set up.

Public Hearing; there were no comments either for or against the application.

ACTION: Ron Danne moved to Approve; Jon Merriman seconded and the vote was as follows:

AYES: Ron Danne, Jesse Coppel, Benjamin Lee
**Lost signal to Mr. Merriman during roll call vote.

NOES: None

ABSTAIN: None

Passed 3 - 0

7. Legislation Draft Review & Recommendation to Council

a. **ORDINANCE 18-2021** AN ORDINANCE AMENDING CHAPTERS 1155 AND 1157 OF THE VILLAGE OF JOHNSTOWN CODIFIED ORDINANCES

Bailey Klimchak said this is an Ordinance that moves vehicle fueling stations into Conditional Uses for Chapter 1155 (GCC-1) and Chapter 1157 (GCC-2); this was

discussed at last meeting when the Board amended a parcel from SR-1 to GCC-1. Ben Lee said he proposed this because knowing the default for a lot of their decisions have to do with buffering and incompatible uses between properties especially between commercial and residential; in his opinion there is an argument for the health and safety and environmental considerations for where a gas station could or should be located.

Mr. Danne opened the floor to any public comments; there were none.

ACTION: Ben Lee moved to forward the Ordinance to Council and recommend approval; Ron Danne seconded and the vote was as follows:
AYES: Jesse Coppel, Jon Merriman, Ben Lee, Ron Danne
NOES: None
ABSTAIN: None

Passed 4 - 0

8. Work session - Design Standards
Technical difficulty prevented any discussion on the draft.

9. Other Business
None

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

4 - 0

The meeting adjourned at 7:09 pm



Planning & Zoning Commission
Thursday, May 6, 2021 - 6:00 PM
MINUTES

1. Call to Order

Committee Chair Ryan Green called to order the Special Planning and Zoning Commission meeting for May 6, 2021 at 6:01 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 – Kim Littleton

3. Work Session - Design Standards

a. [Design Standards Draft; begin Page 54](#)

Work session for continued review of the Design Standards Draft beginning with Supplemental Design Standards and Guidelines; periodic referral to the Interim Design Guidelines adopted in 2020. Worked through sections making edits as necessary.

Jesse Coppel left the meeting at 7:36 pm. Next work session for the draft to begin on page 64.

4. Other Business

None

5. Adjourn

ACTION: Ben Lee moved to Adjourn; Ryan Green 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 7:54 pm.



Planning & Zoning Commission
Tuesday, May 11, 2021 - 6:30 PM
MINUTES

1. Call to Order

Chairman Ryan Green called to order the Planning and Zoning Commission meeting for May 11, 2021 at 6:35 p.m.

2. Roll Call

Present - Chairman 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 - Kim Littleton, Carolyn Fallon, David (Cheryl) Cool, Deb Young, Mary Queen Cool, John Luke

3. Public Comments

1. David Cool - Association of the Villas of Leafy Dell Condominium Group

- Regarding the effort to begin work on the vacant lot; said the lot was previously approved for condominiums, now there is a push for eighty apartment units and it has not been approved yet but there is a plan. His question is what changed and if they don't like it what can they do about it.

Chairman Ryan Green said at this point everything has pretty much been approved other than the Certificate of Appropriateness (COA).

Village Planner Bailey Klimchak said she would like to correct that statement; the plans for the apartments have not been approved, they need to get a Zoning Certificate and they need to go through Engineering review. The change from condos to apartments is not a change on the village side, the plan for condos was never approved through the village, the existing Leafy Dell Condos were approved but an extension of that was never approved; it was zoned AR which is Multi-family and that includes condos and apartments so apartments are an approved use and they do not need to get zoning approval. Ms. Klimchak added that they need to meet all designations in AR which includes a density designation and they need to get their engineering and storm water work approved but they do not need to get zoning approval as this is an approved use so there is really nothing to be done about that. Noted that the public can join the public meeting for the Certificate of Appropriateness (COA) which is on design and elevation of the buildings.

Mr. Cool said they intend to do what they can do to reduce the density and make it more appropriate for their neighborhood.

2. Carolyn Fallon - 106 Maple Leaf Drive

- Said she knows the zoning is approved and they have to keep it under twelve units, asked if the plat map has been approved. Ms. Klimchak said that has not been approved yet.
- Asked if when that is approved, would zoning take into consideration the private roads that belong to the Villas of Leafy Dell and the plat showing access to private roads? Ms. Klimchak said the village will not get involved in private roads, the Leafy Dell Condos have the full right to block those roads off, she has not seen a new plat plan from the developer of the apartments but knows that the Leafy Dell Condo Association has spoken to them so they may change that plat plan to not have them be connected; she will ask them when they send the new plat plan but the village won't require them to not connect to the stub streets.
- Asked if they had the right to block those streets and actually all of the property off with fencing if they so choose. Ms. Klimchak said that they do.

Jesse Coppel asked if they will need a new plat approval or if they can just build twelve units. Ms. Klimchak said they have not received any plat approval as of yet, however, their preliminary plan shows eighty units which is within the density allowed; the density of an AR zoning district is twelve units per acre.

Jess Coppel asked if we had seen the preliminary plat or is that yet to come. Ms. Klimchak said the preliminary plat does not need to be approved; they just sent the preliminary plan to the village just to get input. Mr. Blair added that with the building height requirements they will not be building any more than a two story building. Ms. Klimchak restated that the plan will not come to zoning, it is an approved use.

3. Carolyn Fallon - 106 Maple Leaf Drive

- Since the plat plan does not need to come to zoning, asked if it would go to the building department for permitting. Ms. Klimchak said they need to get a zoning certificate which can be approved internally and does not need to come to Planning and Zoning. Mr. Green confirmed that the COA would come to zoning; Ms. Klimchak said yes but a COA is only for the design of the buildings (materials, elevation, colors, stone work etc.). Mr. Blair added that the COA would need to be approved before the zoning certificate is approve.

Mr. Danne asked if they had scheduled the COA meeting yet. Ms. Klimchak said they have not, they are still working on engineering and storm water plans.

There were no further comments from the public and Chairman Green closed Public Comments.

4. Work Session: Design Regulations

Vision Statement: The Village of Johnstown is dedicated to providing a secure community environment that fosters cultural, recreational, educational and economic opportunities while preserving our unique historical character

a. [Draft Document - Begin page page 64](#)

Commissioners continued review of the Design Regulations draft beginning on page 64 Undesirable Materials and worked to make edits through page 76. Discussions on stucco and other material types, window placement and requirements, building façade, murals, garage location and design, utility and services placement, landscaping, site detention for storm water.

Next work session to begin on page 77.

5. Zoning Inspector

a. April 2021 Zoning Inspector Summary Report

Zoning Inspector Report was included with the packet. Discussion on availability of liquor licenses in the village and improvements to downtown buildings.

6. Other Business

No further business.

7. Adjourn

ACTION: Ryan Green moved to Adjourn; Jesse Coppel seconded and all were in favor.

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

NOES: None

ABSTAIN: None

Passed 5 - 0

Meeting adjourned at 8:38 p.m.



Application for Zoning (Map) Amendment Chapter 1137

Application Number assigned by Zoning: 2021-214-Z Date submitted: 5.3.2021

Fees: office use

Certified letters to 5 contiguous property owners @ \$6.90 each total: 34.50

Base fee: \$500.00

Cost for

Newspaper Ad for one week: 115.95

If Applicable Acres: 2.491 @ \$10 per acre: 25.00

Total fee amount: 675.45 Paid: _____ Check/cash: _____

1. Applicant Name: Ben Vause Phone: (678) 451-9504

Property Owners Name if not applicant: Mike Dwyer / 300 WEW Properties, LLC

Mailing Address: 1623 Rushing Way

Zip code: 43235 City: Columbus, OH

Email address: bvause@icloud.com

2. Address of property to which permit applies: Johnstown-Utica Rd.

Address not yet Assigned. Johnstown, Ohio

3. Business name if applicable: Ace Hardware

4. Description of the property to which Amendment would apply if enacted, attach the legal description and plat : Retail Building for Commercial use
current legal description and plat attached.

5. Present Zoning District: LM Proposed Zoning District: GCC-2

6. Present use of property: Open Field

- I certify the information contained in this application and attachments is true and accurate.*



Public Notice

The Village of Johnstown Planning & Zoning Commission will consider an Application for a Zoning Map Amendment (Chapter 1137) for 921 West Coshocton Street to amend the Zoning District from LM (Light Manufacturing) to GCC-2 (General Community Commercial) as required in Section 1135.03 at their regular meeting Tuesday May 25, 2021 at 599 S Main Street. (Auditor Pin # 053-173292-00.002).

Within forty-five days after the public hearing a recommendation will be made by the Commissioners.

This is a hybrid meeting online and in-person with social distancing and masks required.

**For more information contact:
Jim Blair Zoning Inspector
740.967.3177
jblair@johnstownohio.org**

Plat of Survey

Village of Johnstown, County of Licking, State of Ohio, part Section 18 & Lot 4 in the Fourth Quarter, Township 3N, Range 15W, of the United States Military Lands.

PREPARED FOR:

William Wright & John Neibarger
Johnstown, Ohio

LINE TABLE

No.	Bearing	Distance
L1	S 54°22'22" W	30.00'
L2	S 34°01'55" E	30.00'
L3	N 28°37'47" W	30.12'
L4	N 56°18'20" E	50.00'
L5	N 55°21'29" E	47.78'
L6	N 34°38'31" W	50.00'
L7	S 55°21'29" W	67.26'

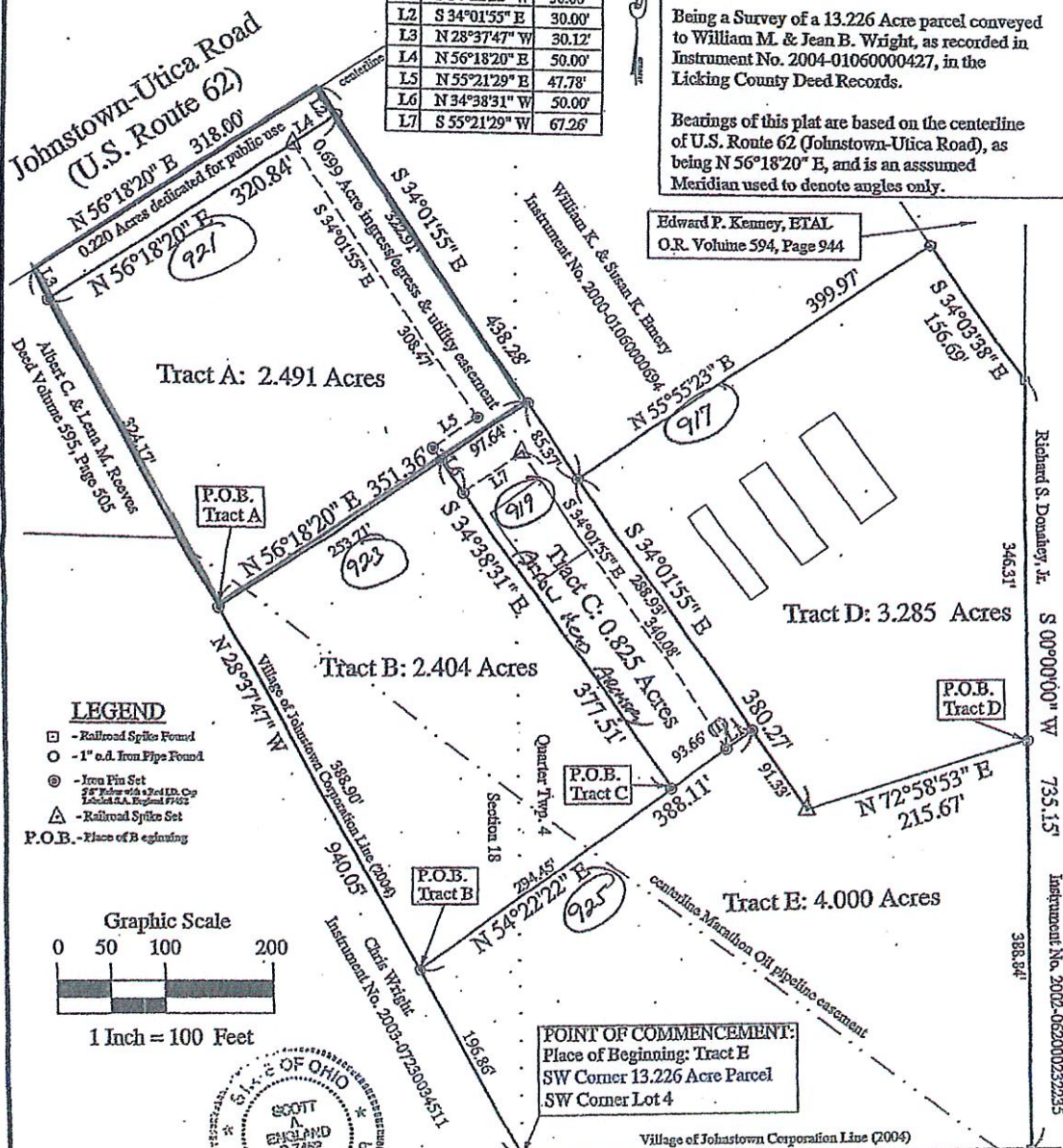
PROPERTY LOCATION:

Situated in the Village of Johnstown (formerly Monroe Township, County of Licking, State of Ohio, and being a part of Section 18 & part Lot 4 in the Fourth Quarter, Township 3N, Range 15W, of the United States Military Lands.

Being a Survey of a 13.226 Acre parcel conveyed to William M. & Jean B. Wright, as recorded in Instrument No. 2004-01060000427, in the Licking County Deed Records.

Bearings of this plat are based on the centerline of U.S. Route 62 (Johnstown-Utica Road), as being N 56°18'20" E, and is an assumed Meridian used to denote angles only.

Edward P. Kenney, ETAL
O.R. Volume 594, Page 944



I hereby certify that an actual survey of the premises was made, and that this plat is correct to the best of my knowledge.

Date 6/18/09

Scott A. England, P.S.
Ohio Registered Surveyor #S-7452

PREPARED BY:

S.A. ENGLAND & ASSOCIATES
Professional Land Surveying
P.O. Box 1770
Buckeye Lake, Ohio 43008
740-928-8680 FAX 740-928-9565
WWW.SURVEYOHIO.COM

ITEM 7.

OnTrac Property Map



February 6, 2021

Street Number Only

Sales - 2021

Owner Name & Acres

Centerline Labels
Interstate/US/State Route
County Road

0 188 Feet
Township Road
Other Road Type
Driveway

Interstates
Municipal Corporations
Jurisdictional Townships

Licking County Auditor GIS

LICKING COUNTY TAX MAP

Item 4.



053-173292-00.002

300 WEW PROPERTIES LLC

JOHNSTOWN-UTICA RD

JOHNSTOWN, OH 43031

Acres: 2.49

2.491 AC SEC 18 R15 T3 Q3

Item #8 for Application for Zoning (Map) Amendment Chapter 1137 – Village of Johnstown, OH

The proposed amendment is necessary in order to complete a proposed retail project on the existing site. The retail project planned is for an “Ace Hardware”, an addition to the community that we feel will improve the general welfare of its citizens. We believe this will occur by adding jobs and additionally a premium consumer experience with a much-needed hardware and garden center. The owners of the project currently operate several other Ace Hardware locations in the area with much success and community support.

VILLAGE OF JOHNSTOWN

STAFF REPORT

Application Number: 2021-214-Z

Applicant: Ben Vause

Property Address: 921 W. Coshocton Street

Current Zoning District: LM

Proposed Zoning District: GCC-2

Commission Date: 05/25/2021

Project Narrative:

The applicant is requesting a rezoning of one parcel located at 921 W. Coshocton Street. The parcel is 2.49 acres and is currently zoned as Light Manufacturing. The lot is vacant and the applicant would like to rezone the property to General Community Commercial 2 (GCC-2) with the intent to build a retail structure for commercial use. The Future Land Use Map, adopted in 2020, identified this parcel as commercial so a map amendment would coincide with the future plans of the area. Light manufacturing is located in the rear of the property and that use will remain.

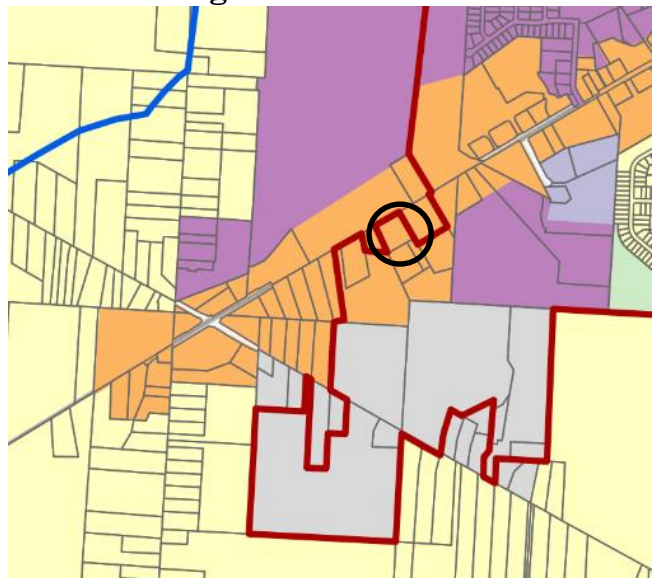
The Planning and Zoning Commission shall, at the minimum, consider the following factors in review of the application:

1. Relationship of the amendment to public health, safety and general welfare.
2. Compatibility of the proposed amendment to adjacent land use, adjacent zoning and to appropriate plans for the area.
3. Effects of the proposed amendment on access and traffic flow.
4. The relationship of topography to the use intended or to its implications.
5. Relationship of the proposed use to the adequacy of available services and to general expansion plans.

Image of Parcel



FLUM Image



Current Zoning District (LM)

CHAPTER 1159

Light Manufacturing LM District

1159.01 PURPOSE.

It is the purpose of the Light Manufacturing LM District to designate appropriate areas for the establishment and development of manufacturing activities to supply regional needs.

1159.02 PERMITTED USES.

In a LM District the following uses are permitted:

- a) Pottery and Figurines. Using previously pulverized clay and kilns fired only with gas or electricity.
- b) Novelties. Including musical instruments, toys, rubber or metal stamps and other small rubber products.
- c) Appliances. Electrical and electric appliances, instruments, and devices, television sets, radios, phonographs, electric and neon signs, billboards and other commercial advertising structures, refrigerators and stoves.
- d) Light Sheet Metal Products. Including heating and ventilating equipment, cornices, eaves and the like.
- e) Grain Elevators and Mills.

1159.03 ADDITIONAL DISTRICT DEVELOPMENT STANDARDS

In addition to the provisions of Title Seven of this Part Eleven, the following standards for arrangement and development of land and buildings are applicable to the LM District:

- a) Lot Requirements.
 1. No minimum lot size is required; however, lot size shall be adequate to provide the yard space required by these additional district development standards.
 2. No minimum lot width is required; however, all lots shall abut a public street and have sufficient width to provide the yard space required by these additional district development standards.
 3. Each lot shall have a front setback of not less than forty feet. Parking areas shall be at least fifteen feet from the street right-of-way.
 4. Each lot shall have a rear setback of not less than twenty-five feet. A structure to be serviced from the rear shall have a service court, alleyway or combination thereof not less than forty feet wide. A rear setback shall not be required on structures whose rear wall is fireproof and contains no windows, door or other openings, except that a rear setback of forty feet is always required should such LM District lots rear abut any residential lot.
 5. For permitted and conditional structures there shall be a total side setback of not less than thirty-five feet with a minimum on one side of fifteen feet. A side setback shall not be required on a structure's side wall that is fireproof and contains no windows, doors or other openings, except that a side setback of fifteen feet is always required should such LM District lot's side abut any residential lot.

6. Permitted and conditional structures, pedestrian sidewalks and parking areas shall not cover more than ninety percent (90%) of the lot. The remaining ten percent (10%) of the lot shall be landscaped with natural vegetation.
- b) Building Requirements. No structure shall exceed forty feet in height.
- c) Site Requirements.
 1. A traffic and parking system plan shall be required that details point of ingress and egress into the property, parking spaces, access drives and pedestrian walkways, shown. The plan shall be so designed as to minimize conflict points between pedestrians and vehicular movements.
 2. Outdoor trash systems shall be sufficient to prevent an overflow and screening shall be provided to enclose such containers and hide them from view.
 3. Storm drainage and runoff collection shall be sufficient to prevent any standing water.
 4. Minimizing the number of curb cuts within the lot frontage and joint curb cuts between adjacent uses are encouraged, therefore the minimum distance between curb cuts shall be 120 feet except that each lot is permitted a minimum of one curb cut. No curb cut shall be more than thirty-five feet in distance.
 5. Lots of greater than two and one-half acres shall contain a fire hydrant plan which has been approved by the Johnstown-Monroe Fire District Fire Chief and approval by the Manager.
 6. Outdoor storage and display of merchandise on public sidewalks shall be prohibited.

1159.04 CONDITIONAL USES

In a LM District the following uses are allowed as conditionally permitted:

- a) Medical Cannabis Cultivation. Medical Cannabis Cultivations businesses as defined in Section 1121.02(a)(43).
- b) Fire Station
- c) Police Station
- d) Emergency Medical Services
- e) Food Products. Bakery goods, candy, light meat packing, sausage making, canning, milk products and the like, excluding fish products, slaughterhouses, sauerkraut, vinegar, yeast and rendering and refining fats or oils.
- f) Pharmaceuticals. General pharmaceutical products, cosmetics and toiletries.
- g) Products for the following previously prepared products: Bone, canvas, cellophane, cloth, cork, feathers, fiber, fur, glass, hair, horn, leather, paper, plastics, precious or semiprecious metals or stones, sheet metal, except where presses over twenty tons rated capacity are employed, shell, textiles, tobacco, wax, wood, except where saw and planing mills are employed and yarns.
- h) Laboratories. Experimental, film or testing laboratories, provided no operations shall be conducted or equipment used which would create hazards, noxious or offensive conditions.

- i) Individual, public commercial storage units, provided such units are located only in the boundary area northeast of Pratt Street and Ford Street, with an imaginary straight line at Ford extending to Douglas Street.
- j) Medical Cannabis Processing. Medical Cannabis Processing businesses as defined in Section 1121.02(a)(89)

Proposed Zoning District (GCC-2)

CHAPTER 1157

General Community Commercial GCC-2 District

1157.01 PURPOSE

The purpose of the GCC-2 District is to designate appropriate areas for the establishment and development of commercial activities to service regional needs.

1157.02 PERMITTED USES

In addition to the uses allowed in Chapter 1155, the following uses are permitted in a GCC-2 District:

- a) Drive-in restaurants;
- b) Fast food restaurants;
- c) Equipment repairs;
- d) Auto sales and service;
- e) Tractor sales and repairs;
- f) Carryout operations;
- g) Shopping centers or malls.

1157.03 CONDITIONAL USES

The following use shall be allowed in the GCC-2 District, subject to the approval of the Planning and Zoning Commission in accordance with Chapter 1131:

- a) Multi-family dwelling structures up to eight units per gross acre, provided that such housing otherwise complies with Section 1151.04 and provided that such housing meets the following additional requirements:
 - 1. Public frontage shall not exceed 100 feet; and
 - 2. All buildings must be set back at least 400 feet from the main public street where the primary entry point of the project is or will be established.
- b) Nursing Home.
- c) Assisted Living Facility.

1157.04 DEVELOPMENT STANDARDS

The district development standards in a GCC-2 District shall comply with Section 1155.04.

Recommendation: Staff recommends **APPROVAL** of the rezoning application to the Planning and Zoning Commission. The lot follows GCC-2 regulations and will generate economic development in the Village.