



**Village of Johnstown  
Planning & Zoning Meeting Minutes  
Wednesday, July 15, 2015**

**CALL TO ORDER AND ROLL CALL**

Chairman Marvin Block called to Order the Village of Johnstown Planning & Zoning Meeting for Wednesday, July 15, 2015 at 6:30 p.m.

**Roll Call:** Ron Danne; present, Elizabeth Schwartz; present, Joseph Ethier; present, Chairman Marvin Block; present, Mayor Sean Stanart; present

**IN ATTENDANCE – STAFF:** Jim Lenner-Village Manager, Jennifer Croghan-Law Director, Jim Blair – Zoning Inspector, Carol Van Deest, Teresa Monroe-Clerk of Council

**IN ATTENDANCE – PUBLIC:** Joseph Robertson, Jennifer Robertson-Stone Key Builders, Louise Stonehouse – Tim Hortons RSSUM Group, John Uvera – Tim Hortons RSSUM Group, John Houk-Donatos, Michael Lambert-Shremshock Architects, Nathan Lar- Shremshock Architects. George Schweitzer-Civil Engineer, Jim Hartzler, Debbie Gillum-This Week News, Ruth Ann Booher-Johnstown Monroe School Board President, Diane Weaver, Joyce Evans, Jill Priest, Pam Mercer, Deb D., Larry Dauber, Terry Priest, Larry Riffe, Diane Riffe, Kevin Riffe, Lewie Main, Beth Schmelick, David Leezer, Pat Kramer, Charlie Kramer, Don Literini, Benjamin Lee, Kara Evans, Michael Evans, Janet Piper, Margaret Ethier, Adan Miller, Joyce Bailey, LouAnne Kirby, Anne Evans, Bryon Aebersold

**PUBLIC COMMENT:** Chairman Block opened the floor for Public Comment. There were no comments from the public and Mr. Block closed the floor.

**APPROVAL OF MINUTES**

**A. October 15, 2014**

Moved to approve as written: Elizabeth Schwartz  
Second: Ron Danne

Ron Danne;	Y
Elizabeth Schwartz	Y
Joe Ethier	Y
Marvin Block;	Y
Sean Stanart	A

Pass 4-0 with one abstention

**B. November 5, 2014**

Moved to approve as written: Joe Ethier  
Second: Elizabeth Schwartz

Elizabeth Schwartz Y  
Joe Ethier Y  
Marvin Block; Y  
Sean Staneart Y  
Ron Danne; Y

Pass 5-0

**C. January 21, 2015**

Moved to approve as written: Sean Staneart  
Second: Elizabeth Schwartz

Joe Ethier Y  
Marvin Block; Y  
Sean Staneart Y  
Ron Danne; Y  
Elizabeth Schwartz Y

Pass 5-0

**NON-CONFORMING USE APPLICATION – 67 Pratt Street**

Jennifer and Joseph Robertson with Stone Key Builders were present with their proposed plan.

Jim Lenner referred to the staff report; the applicant is looking at purchasing a property on Pratt Street; there are currently four apartments on the property. Right now it is zoned GCC-1 so it is a non-conforming use and the applicant wishes to expand that non-conforming use by building four new units and adding parking. The parking requirements were reviewed and appear to be short. Staff recommendation is that based on the policies as set forth in the 2012 Strategic Plan, the proposed four unit apartment would not meet the general objectives of that plan nor the specific requirements of the zoning ordinance.

Mayor Staneart said he was not in favor of approval to guard the village against duplication of such a non-conforming use. He said in his opinion, looking at rental percentages of multifamily units currently in Johnstown, he is not in favor of adding more. Elizabeth Schwartz agreed.

Chairman Block opened the floor for Public Comment:

- 1. Mike Evans – adjacent neighbor to the property; spoke against approval saying the added apartments would congest an already contested area and take away public street parking.

There were no further comments from the public and Chairman Block closed the floor.

**MOTION:** To approve non-conforming use application for 67 Pratt Street

Moved: Ron Danne

Second: Joe Ethier

Marvin Block;	A
Sean Stanart	N
Ron Danne;	N
Elizabeth Schwartz	N
Joe Ethier	N

Fail 0-4 with one abstention

**ZONING AMENDMENT TO UR-1** – 150 North Oregon

Carol Van Deest was present as the applicant. Ms. Van Deest owns two lots on North Oregon and wishes to combine the two and build one two family home.

This application is for a zoning text change to allow two family dwelling units in the UR-1 district, basically it would allow duplexes. Mr. Lenner referred to the staff report and the proposed text change to zoning ordinance 1147.02.

Ron Danne said that he would be abstaining from discussion and a vote on this application and joined the audience.

Staff recommendation is that an analysis of the UR-1 zoning district shows over 1,400 structures that could be affected by this text amendment. Allowing two family structures in the entire UR-1 district could have a profound negative impact on the school system and transportation infrastructure. Mr. Lenner said that at this time staff would not recommend approval. If the Zoning Commission does choose to approve however, Mr. Lenner said it should be as a conditional use or as a Planned Unit Development (PUD). A PUD would be a map change that would rezone only the applicant's two lots as a separate zoning district allowing the two family home.

Mayor Stanart said once again he is looking at what could be duplicated throughout the entire zoning district and personally he is not in favor of approval saying that while Ms. Van Deest may build a beautiful two family home that would add value to the area, the product that we get from another moving forward by allowing this may be substantially inferior.

Chairman Block opened the floor for Public Comment.

1. Jim Hartzler – Planning and Zoning Consultant; said that he would encourage the commission to look carefully at the options given by the Village Manager, specifically the PUD. He advised that many of Mayor Stanart's concerns could be addressed if what was pursued was simply a rezoning of just the one or two lots into a PUD as this would give enough control over the project to address any concerns as far as the future of the village.

Jim Lenner said that an affirmative vote to approve this application would send it to Village Council. The Law Director confirmed that if the commission did not wish to approve this application the way it is then it could be voted down and the applicant could apply for one of the other options if she wished.

There were no further comments from the public and Chairman Block closed the floor.

**MOTION:** To approve a zoning text amendment to the UR-1 district

Moved: Joe Ethier

Second: Elizabeth Schwartz

Sean Stanart;	N
Elizabeth Schwartz	N
Joe Ethier	N
Marvin Block;	A

Fail 0-3 with one abstention; Ron Danne was in audience and did not vote.

After the discussion and vote, Ron Danne took his position back among the board members.

**VARIANCE APPLICATION** – 18 West Coshocton

The Variance application requests a reduction in parking spaces from fifty to twenty two.

**CONDITIONAL USE APPLICATION** – 18 West Coshocton

The Conditional use application requests the allowance of two fast food restaurants with drive through windows.

**CERTIFICATE OF APPROPRIATENESS** – 18 West Coshocton

The Certificate of appropriateness is for the combined Tim Hortons and Donatos Pizza building.

The applicant is proposing to build a dual unit facility to house Tim Hortons and Donatos Pizza next to the Marathon gas station and across Oregon Street from Park National Bank. Jim Lenner said that he requested a professional opinion from Jim Hartzler, who has been contracted by the village to draft the zoning ordinance; his report is labeled Exhibit A in the staff report and is attached to these minutes. The report serves all three applications and the main concern is the flow of traffic into and out of the property and traffic along State Route 62.

The applicants were present with drawings for the proposed building and parking lot. Ms. Stonehouse said that they are excited to have an opportunity for Tim Hortons and Donatos Pizza to come to Johnstown and that both companies are deeply involved in the communities in which they have their stores. They anticipate bringing forty five new jobs with a payroll of approximately \$600,000 dollars.

Jim Hartzler reviewed his report with the commission and said his number one recommendation was that the village require a traffic impact study to be done. The study must be done by a professional Engineer and the cost should be paid by the applicant, furthermore that traffic study has to then be reviewed by the Village Engineer and that cost should also be paid by the applicant.

Michael Lambert with Shremshock Architects believes that they would not necessarily be increasing the traffic on State Route 62; the people they would be trying to capture are the people already traveling that way going to work. Mr. Lambert said maybe it is best for them to withdraw the application; the Village Law Director confirmed that they may do so if they wish. George Schweitzer, Civil Engineer for the project, said that their intent in coming tonight was to gather information from the board and from any public that wished to speak; he understands that there are concerns with traffic and getting a traffic study is the way to address those and then if the traffic works the architecture of the building can be discussed further. Mr. Schweitzer requested the applications to be tabled allowing time for a traffic study.

Chairman Block opened the floor for Public Comment and there were comments from the following people:

Carol Van Deest, Ann Evans, Larry Dauber, Don Litterini, Jill Kelly, Janet Piper, Joyce Evans, Craig Perkins, Pam Mercer, Mike Evans, David Leezer, Bryon Aebersold, Larry Rife, Ruth Anne Booher, and Jill Priest.

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

**MOTION:** To table the Variance application, Conditional Use application and the Certificate of Appropriateness – all three en bloc.

Moved: Sean Staneart

Second: Ron Danne

Ron Danne;	Y
Elizabeth Schwartz	Y
Joe Ethier	Y
Marvin Block;	Y
Sean Staneart	Y

Pass 5-0

Mr. Lenner said that staff would meet with the applicant and figure the logistics for the traffic study.

**ZONING INSPECTOR REPORT:** June 2015

Attached to these minutes

OTHER BUSINESS - None

ADJOURNMENT

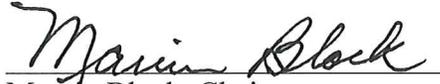
There being no further business, Elizabeth Schwartz moved to adjourn. Ron Danne seconded; all were in favor and the **motion passed 5-0**. Thereupon, the meeting adjourned at 7:35 p.m.

Respectfully submitted



Teresa Monroe, Clerk of Council

APPROVED AS PRESENTED



Marvin Block, Chairman