



**Village of Johnstown
Planning & Zoning Meeting Minutes
Wednesday, February 3, 2016**

CALL TO ORDER AND ROLL CALL

Chairman Marvin Block called to Order the Village of Johnstown Planning & Zoning Meeting for Wednesday, February 3, 2016 at 6:30 p.m.

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

IN ATTENDANCE – STAFF: Jim Lenner-Village Manager, Jim Blair – Zoning Inspector, Councilman Ben Lee, Teresa Monroe-Clerk of Council

IN ATTENDANCE – PUBLIC: Terry Henson

PUBLIC COMMENT: Chairman Block opened the floor for public comment; hearing none Mr. Block closed the floor.

TEXT AMENDMENT: Application #010616001

The applicant would like to renovate the second floor of his building into apartments and requests the zoning code be amended to allow second story multi-family units in zoning district GCC-1. The staff report is attached to these minutes. There were no comments for or against from any public.

Motion: To draft and forward legislation to Village Council recommending approval as a conditional use as written in the staff report.

Moved: Joe Ethier

Second: Elizabeth Schwartz

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

Pass 5-0

APPROVAL OF MINUTES: January 20, 2016

Motion: To approve as written

Moved: Ron Danne
Second: Elizabeth Schwartz

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

Pass 5-0

ZONING INSPECTOR REPORT: January 2016 – attached to these minutes

OTHER BUSINESS

1. Discussion of Rental Inspection Program

Village Manager Jim Lenner discussed a potential change to the zoning code that would improve the quality of life around rental properties. The Residential Rental Program would require rental owners to pay a fee and complete a certificate of rental occupancy giving certain information such as current owner, property manager, insurance coverage etc. and would require an annual inspection of the premises.

Motion: To authorize the manager to draft legislation for a Residential Rental Inspection Program and Property Maintenance Code.

Moved: Sean Stanearth
Second: Elizabeth Schwartz

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

Pass 5-0

ADJOURNMENT

There being no further business, Sean Stanearth moved to adjourn. Elizabeth Schwartz seconded and all were in favor **motion passed 5-0.**

Thereupon, the meeting adjourned at 8:06 p.m.

Respectfully submitted


Teresa Monroe, Clerk of Council

APPROVED AS PRESENTED


Marvin Block, Chairman

VILLAGE OF JOHNSTOWN

STAFF REPORT

Application Number: 010616001
Property Address: NA
Commission Date: February 3, 2016

Applicant: Terry Henson
Zoning District: GCC-1
Application Type: Zoning Text Amendment

Background:

The applicant wishes to renovate the second floor of his building located in the GCC-1 zoning district to multi-family units. The current GCC-1 zoning district does not allow for residential land uses (either single-family or multi-family). The application will affect the entire GCC-1 zoning district. The applicant has proposed to add multi-family units to Section 1155.03 Conditional Uses. Currently the only zoning district that allow multi-family homes is AR-1.

Criteria for Reviewing Zoning Amendments

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

- (a) Relationship of the amendment to public health, safety and general welfare.
 - (b) Compatibility of the proposed amendment to adjacent land use, adjacent zoning and to appropriate plans for the area.
 - (c) Effects of the proposed amendment on access and traffic flow.
 - (d) The relationship of topography to the use intended or to its implications.
 - (e) Relationship of the proposed use to the adequacy of available services and to general expansion plans.
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GCC-1 Zoning Text

1155.01 PURPOSE.

The purpose of the GCC-1 District is to designate appropriate areas for the establishment and development of commercial activities to service regional needs. Such areas shall be located on or at the intersection of arterial streets.

1155.02 PERMITTED USES.

In a GCC-1 District, the following uses are permitted:

- (a) General merchandise sales including:
 - (1) Department stores;
 - (2) Limited price or discount variety stores;
 - (3) Mail-order and miscellaneous general merchandise stores;
 - (4) Drug stores;
 - (5) Pet stores;
- (b) Food sales including:
 - (1) Grocery, meat, fish, fruit or vegetable markets or any combination thereof;
 - (2) Dairy or bakery products;

- (3) Specialty good stores;
- (c) Apparel sales including:
 - (1) Clothing, furnishings and accessory items for men, women and/or children;
 - (2) Custom tailor shops, furriers, alterations and dry cleaning shops;
- (d) Home furnishings sales including:
 - (1) Furniture, home furnishings and equipment stores;
 - (2) Household appliance stores;
 - (3) Radio, stereo, television and music stores;
- (e) Food or beverage sales and consumption including:
 - (1) Package liquor stores;
 - (2) Eating and drinking establishments excluding fast food and carry-out operations, but including those that sell alcoholic beverages or liquor by the glass;
- (f) Miscellaneous retail sales and services including:
 - (1) Book, stationary, jewelry and antique stores;
 - (2) Gift, novelty and souvenir shops;
 - (3) Camera, photographic supply and optical goods stores;
 - (4) Tobacco, newspaper and magazine stores;
 - (5) Auto service;
 - (6) Shops for custom work whose articles or products are to be sold on the premises;
- (g) Miscellaneous uses:
 - (1) Post office;
 - (2) Newspaper or job printing;
 - (3) Funeral parlor;
 - (4) Theaters, assembly halls, billiard or pool parlors and bowling alleys;
 - (5) Telegraph office, express office and electrical substation;
 - (6) Laundries and laundromats;
 - (7) Banks, savings and loans, or other money investment or management businesses;
- (h) Service station:
 - (1) Retail motor vehicle fuel sales;
 - (2) Motor vehicle repair.

1155.03 CONDITIONAL USES.

The following uses shall be permitted in the GCC-1 District, subject to approval by the Planning and Zoning Commission in accordance with Chapter 1131:

- (1) Fast food and carry-out operations, providing that such uses are in association with and in conjunction with eating establishments with on-site, sit-down dining facilities.
- (2) Second Story Multi-Family Dwelling Units Located in Commercial Structures
(PROPOSED)

1155.04 ADDITIONAL DISTRICT DEVELOPMENT STANDARDS.

In addition to the provisions of Title Seven of this Part Eleven, the following standards for arrangement and development of the land and building are applicable in the GCC-1 District. (Ord. 1983-20. Passed 8-16-83.)

(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, doors or other openings, except that a rear setback of forty feet is always required should such GCC-1 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, door or other openings, except that a side setback of fifteen feet is always required should such GCC-1 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. (Ord. 16-11. Passed 9-20-11.)

(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 points of ingress and egress into the property, parking areas with the number of 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 any 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 at least one fire hydrant for every additional three quarter acres over two and one-half initial acres.

(6) Outdoor storage and display of merchandise on public sidewalks shall be prohibited.

2012 Strategic Plan Update

Policy 3 - 4: The downtown mixed use district shall encourage a broad range of service businesses and shall provide an opportunity for mixed uses, with emphasis on upper-story residential in commercial structures.

Zoning Map of GCC-1 District



Staff Recommendation:

In addition to the criteria outlined in Section 1131 regarding consideration in granting or denying conditional uses, the Commission shall also have the authority to consider the following in granting or denying a conditional use for multi-family dwelling units (1) to the extent to which the proposal will help develop an optimal mix of residential units within the zoning district, while maintaining downtown as primarily a commercial area and (2) to the extent to which the proposal preserves active street level commercial uses, primarily along S. Main Street, between Kasson Street and Williams Street.

This proposed regulation would NOT allow the development of various types of multi-family residential units—condos, townhouses in the GCC-1 district.

The 2012 Strategic Plan encourages this type of housing and therefore staff recommends **approval** of the text amendment.



January 2016 Zoning Inspectors Report

01-04-2016 through 01-15-2016

44/48 S Main 2nd floor the former American Legion Hall. On Tuesday January 5th we had an onsite meeting and inspection at this address. I met with Jack Pryor, Jim Camp, and Laura Hunt from Licking County Building Codes. Dudley Wright, Bob Albright from JFD the project contractor Rick Green and several others. We inspected the second floor of the building. There are four new apartments framed out. The purpose of the inspection was to investigate if constructing four apartments on the second floor could they meet current fire codes. Jack Pryor LCBC gave specific directions to contractor Rick Green about what would be required and had to be built to receive an LCBC occupancy permit. The existing building's exterior walls, proposed new $\frac{3}{4}$ hardwood floors, 2-hour fire rated steel doors, and existing egress windows all are sufficient to meet the fire code. I had previously issued a stop work letter on the project to the property owner. The zoning district is GCC1, which does not allow apartments. The zoning issue needs to be resolved before the project can proceed. A Zoning MAP change application was filed for a Text change with Conditional uses added. The application will be heard on February 3.

731 W Coshocton this will be the new **Happy Tails Veterinary Clinic**, the major remodeling of the building is in process. The owner called me to discuss signage. The tentative plan is one wall sign at 58 square feet max, less than 3" in thickness mounted flush to the wall, lit with three arm lights. On the end of the building two small directional signs for the drive-in window and possibly some interior window signs might be used.

355 S Main reports of an ice patch in front of this property. I inspected the area the sump pump discharge line is causing the problem. There does not appear to be a better solution with no curb or gutter along S Main.

209 Bottecchia update the variance for this property to allow a reduced side set back was denied by the P&Z on January 6. The contractor has now had the property side setbacks re-divided into five feet each side and new parcels drawn up for both 209 and 211 Bottecchia.

16 Cherry Hill received a call from the property owner; he wants to install a 14 x 24-temporary storage building. The building would be allowed as an accessory structure. He then ask about installing solar panels on the roof of the temporary building, I told him at this time the Village did not have any Ordinances prohibiting solar panel installation. The issue is he wants to produce wine in the building. We discussed issuing an HOP. The HOP language does not allow a home business to be operated in a detached building. I recommended he look for another location for his start-up business. He now plans to look for space to rent.

44 S Main 1st floor level issued a zoning permit for a new retail store. "Birds of a Feather" the store sells antiques and individual re-sale items. They also plan to teach art and craft classes.

265 E Coshocton this property had an RV trailer parked sideways in the front yard and often beside then trailer was a pick-up truck. The driveway was empty. The property is at the edge of Village and Monroe Township borders. After four attempts through leaving zoning violation notices and several letters the trailer and truck are gone.

152 Elm has a disabled jeep in the driveway wrapped in a blue tarp. This is a rental house the owner is in Florida. I sent a certified letter to the owner and a USPO letter to the renter. There have been many other issues at this address with junk, grass, trees and other vehicles.

132 Kasson received another complaint about the neighbor's privacy fence falling down into this yard. I sent a certified letter to the property owners. The fence has been 90% repaired, no one lives in the house.

Concord Crossing Condos received a call from a contractor that was working on a basement water backup on a Village Circle condominium. The sump pump line failed backing water into the basement. He asked about installing a new discharge line to day light on the bank of the retention area. I explained to him that the property was not in our control and that the owners had abandoned the property. I also told him I did not see an issue with it.

296 W Coshocton received a call about running new underground electric from the house to a barn.

9206 Concord Rd this is a Monroe Township property that borders the backyards of the homes in Concord Crossing East on Middleburn. The property owner came in to ask if he could put a shed on his property in the township at the rear yard of one of the homes on Middleburn. The shed will be used for storage by the Middleburn property owner. I told him since the shed would not be in the Village it is not up to the Village to decide, it was his decision.

Faith Life Church I contacted Rich Haddix to discuss their church tearing down the smaller of the two building at the Trail Head. They had shown interest last summer during their serve week. He will let me know, they are also looking for other projects for their serve team members.

217 Main I had much discussion with this homeowner about signing his easement for the W Jersey road replacement and the required right away needed for the project. The decision was made to let the attorneys involved deal with the issues attached to this property work it out.

87 E Jersey I met with the homeowner to discuss adding a small greenhouse to the back of his garage.

Licking County Building Codes contacted me to discuss the Leafy Dell Elementary. They received the plans for permitting and there was no zoning certificate with the application. A Zoning Certificate is not required for government or schools per Johnstown's Zoning Ordinances. They will proceed with their plan review.

303 Eagles Nest, 202 Autumn Woods Leaves Way and 205 Crestwood issued three temporary occupancy permits. The driveways, connectors and yards have not been completed.

ALDI I sent ALDI an email through there contact web page, I told them a little bit about Johnstown and the about availability of space and that they need to be here.

01-16-2016 through 01-31-2016

53 S Main I met on site with the property owner to discuss his plans for interior remodeling, the space was a barbershop and he is converting it to an office. The only permit that would be required is electrical.

8 W Coshocton I met with the business owner to discuss his signage after receiving a phone call that the station would be changing from a Marathon to a Shell. We discussed replacing his pole sign with a monument style sign and the replacing the Canopy signs. All signs will be removed; the Canopy will be wrapped with new Shell colors, the pumps will also be replaced and logo if approved by the P&Z. We discussed a certificate of appropriateness application and I used the Circle K signage as an example of what was allowed.

383 W Coshocton I was contacted by a realtor, she is representing the owner of this 10 acres. They are planning to list the property for sale and had some questions about the zoning.

46 E Coshocton this is a SFD that is zoned GCC1 and is for sale the potential buyer contacted me to discuss the zoning. He wanted to make sure he could live in the house since it was in the GCC1 district. We also discussed a privacy fence and building a new garage. I assured him he could live in the house without changing the zoning.

97 Meadow Lane received a complaint about the renter using a leather couch to replace a small section of fence against his neighbor's yard. I contacted the property owner he said he would take care of it.

120 W Jersey the homeowner contacted me about his ROW and easement. He had concerns about his driveway approach and questions about the width of the new sidewalk. He is worried that the new approach will be too steep. I contacted the Village Engineer for his opinion. Per the print, it appears that the new approach will not be as steep. The homeowner was satisfied with the response.

Leafy Dell I received a call from a deck building company named Nature View. They have a contract to construct a 304 square feet deck and wanted to know how and where to get permits.

153 and 155 W Jersey Project met with the Fleshmans 2 families with two SFD W Jersey houses. We arranged for them to come in after office hours to sign their easements and ROW documents. They informed us that there are 3 to 6 houses including theirs that are not hooked up to the sanitary sewer. The sewage goes straight into the existing storm sewer. They are not sure of some of the other addresses. This could be a major unexpected expense for the project. I shared this information with the Village Engineer and our staff.

40 E Pratt this house recently changed owners, the new owner called to discuss his neighbors shed roof. The shed is at the rear of a house on Kasson, the back of the sheds roof hangs over into the sideyard of the Pratt St house. I told him that I agree and that the shed roof should not interfere with his property, I also explained to him that we could not help with this is issue. I gave him the property owners contact information and suggested that he might contact him and volunteer to relocate or move the shed for free.

O'Reilly Auto Parts received an inquiry from O'Reilly with 18 questions about zoning, signage, setbacks and variances. The email also had the wrong address number for the parcel. I assigned a new address number and responded to the inquiry. With the answers to their questions I emailed them the forms necessary to start the certificate of appropriateness process. The location of the proposed store is Clark and W Coshocton.