



**Village of Johnstown
Planning & Zoning Meeting Minutes
Tuesday, February 13, 2018**

CALL TO ORDER: Joe Ethier called to order the Village of Johnstown Planning & Zoning Meeting for Tuesday, February 13, 2018 at 6:34 p.m.

ROLL CALL: Pat Schlagheck; present, Matt Lyons; present, Sharon Hendren; absent, Joe Ethier; present, Mayor Benjamin Lee; present

IN ATTENDANCE – STAFF: Jim Lenner – Village Manager, Jim Blair-Zoning Inspector, Lewie Main – Village Council, Marvin Block – Village Council, Teresa Monroe – Clerk of Council

IN ATTENDANCE – PUBLIC: John Neibarger, Kris Almendinger, Dick & Sally Uhde, Kaye Cook, Clint Perkins, Ruth Ann & Chuck Booher, Elle Brown, Terry Scovell, Dianne Pontia, David Pontia, Sean Stanart, Joe & Hazel Almendinger, Anne Evans, Beth M. Miller, Barbara Derenberger, Karen A. Beach, Kurt Thomas, Erick Almendinger, Carrie Almendinger, Mark Lang, Andy Humphrey, Mark Harger, Michelle Jones, Robert Thompson, Lori Archibald,

APPROVAL OF MINUTES: January 9, 2018

Motion: Mayor Lee moved to approve the minutes as written. Pat Schlagheck seconded and all were in favor. Minutes approved 4-0.

Point of order by a member of the audience requesting to move the Public Comment to after the Wilcox Communities discussion. Chairman Ethier moved to amend the agenda making it so, Mayor Lee seconded and all were in favor. Motion passed 4-0

APPLICATION #121217153 - VARIANCE: 41 Stevens Drive

The AR-1 zoning district lot size requirement is 10,000 square feet; this variance would allow the applicant to build a two-family single floor duplex on the lot measuring 9,646 square feet. In 2012 the same proposal was presented by a different applicant and the variance was approved by the Board but was never built. The applicant will be able to comply with all current set-backs for the AR-1 district.

Mayor Lee said that the Strategic Plan shows this area as GCC-1 however the approval for the original variance on this lot was given prior to the 2012 Strategic Plan; precedence for what the applicant is proposing is established in the area and would suffice for this type of building relative to the variance.

Public Hearing:

1. Marvin Block-Council member; said this applicant has been working in that area for about fifteen years, said that buildings Mr. Neibarger and his partners have added are well kept and it is an area to be proud of in Johnstown.
2. Jim Blair-Zoning Inspector; added that the village received grant money to tear down two houses (with the permission of the property owners) which also cleaned up that area.

There were no further Public Comments.

Motion: Mr. Ethier moved to approve the variance as requested. Pat Schlagheck seconded and the vote was as follows:

Joe Ethier	Y
Ben Lee	Y
Pat Schlagheck	Y
Matt Lyons	Y

Passed 4-0 Variance approved

BOARD DISCUSSION: Wilcox Communities

No developer team members were present, staff added this discussion to the agenda for the benefit of the new Planning and Zoning Commission members who were not present for Wilcox Communities original concept presentation to the Board. Mr. Lenner included fact sheets in the packet and reviewed the concept as was presented elaborating on the following:

- Proposed development plan with condominiums, patio homes and single family homes
- Expected to take a year with approvals through the rezoning and annexation processes
- Traffic Impact Studies
- Proposed New Community Authority
- Community concerns on traffic, environmental, school district impact

Mr. Lenner invited discussion/questions from the Board and public, key points as follows:

1. Dave Pontia – 5760 Johnstown-Alexandria Rd, contiguous property to the Rice farm
 - Concerned the developer would have the ability to turn the condominium product into an apartment complex. Mr. Lenner said the development would come in as a PUD (Planned Unit Development) and it would be written into the text that it would have to be condo units. The text would be approved through Planning & Zoning and ultimately Council.
 - Noted that the Johnstown Strategic Plan indicates office park for this area and asked why the village would move away from this as he sees no positives for the presented development. Mr. Lenner said that as Manager/Planner there are multiple things that need done; he noted that the village will work with Burton Planning Service on a Strategic Plan update and that when this property was planned for office development, the second business park was not going on. Mr. Lenner said currently the village is in contract with the Port Authority and property owners for the second business park (on Duncan Plains) and simply cannot afford a third business park on the Rice property and these changes will be seen on the Strategic Plan this year. Mr. Lenner said as far as positives, no residential development that has come in pays for itself or has positives other than growth and bringing people into the community.
2. Marvin Block – Councilman, resident Edwards Rd.
 - Said he is not opposed to the Rice farm being annexed into town, he is opposed to the plan and the density as proposed. Additionally, that Wilcox Communities was asked on two occasions by Planning and Zoning members to modify the concept plan moving the condos to the back of the development by the bike path and they ignored making no change to the plan.
 - Does not feel the developer has much consideration for the schools or the village
3. Lori Archibald – Duncan Plains
 - Concerned she sees a resignation that the village cannot stop a residential development
 - Feels there is no concern for keeping the small town feel

Mr. Lenner said the resignation that this is a “done deal” is far from true; the developer has not submitted any preliminary plan for approval yet.

4. Barbara Derenburger – 69 year resident

- Said Johnstown is a charming village and is so blessed to have these new schools, and that we need to give them all the benefits they can have; does not think adding this many homes is wise.
- Concerned that Concord Crossing has always struggled with water runoff; Caswell Road and the farm fields still suffer from the drainage of that water.
- Community already works with limited funds so unsure why the village would add more roads/services

Mr. Lenner reviewed the current status of storm pond repairs in Concord Crossing; one has been fixed and quotes have been received on another.

5. Terry Scovell – 6000 Johnstown-Alexandria Rd, contiguous property to the Rice farm

- Concerned it is not guaranteed that the 92 proposed condos would be occupied or purchased by older people and be senior citizen condos, concerned they going to revert to rentals at some point in the future.

6. Sean Stanearth – 345 Buena Vista Dr.

- Previous interaction with the Planning & Zoning Commission indicated the developer did not show willingness to change product, density or price points.
- Believes if condo and patio homes are targeted to ages 55 and over, and the village depends on an income tax, it is likely there would be less income tax from these residents and the NCA fees would need to be so high the product would not be feasible to sell.
- Can dictate condos being converted to rentals by price point, higher price points mean investors not as likely to buy up.
- Would not be good to flood the market with condos, current sales are not reaching levels they originally sold at. Not sure there is a need for 150 older demographic homes.
- Would like to see a conservation design to the development

7. Dick Uhde – 5250 Johnstown-Alexandria Rd.

- Not a lot of community support for this development
- Has witnessed a lot of expertise opposing this development

8. Mark Harger – Harmony Church Rd.

- Doesn't believe the developer cares about village concerns
- Opposes high density development

9. Michelle Jones – Duncan Plains Rd.

- Says the State of Ohio uses a 1.5 estimate for child count in a new housing development
- Worries about the school capacities and financials
- Concerned about traffic
- Concerned for the already 400 platted homes in Johnstown
- Against this development for the community

10. Terry Scovell – 6000 Johnstown-Alexandria Rd.

- Stated again not convinced the condos will be 55 plus/empty nester or that they won't become rentals
- Concerned for the low number of Police Officers per shift, said it takes just one rental unit to draw the worst of the worst.

11. Beth Miller – Duncan Plains Rd.
 - Has been researching re-zoning and annexation and says the village would have to agree that services would be provided
 - Explained some annexation procedures for this Type 2 expedited annexation and the County Commissioners checklist for application
 - Does not feel the developer is interested in helping Johnstown
 - Against high density
12. Anne Evans – 8853 Windy Hollow
 - Questions what is the best use of the land and said there are many things that could be done with it that generate money and no school impact such as businesses/grocery store
13. Andy Humphrey – 8878 Harmony Church Rd.
 - Listen to the community; no interest
14. Hazel Almendinger – 5501 Caswell Rd.
 - Surely the village has some control over what development looks like, the impact it will have on the community, and that it wouldn't be just houses and more houses.
15. Marvin Block – Council member
 - For the audience, pointed out that the Planning and Zoning Board are volunteers and he believes they will listen to the community and he is appreciative of what they do for the village.
16. Dianne Pontia - 5760 Johnstown-Alexandria Rd, contiguous property to the Rice farm
 - Concerned with the high density of the development
 - Concerned with water shed issues, worries the overflow drainage from the developer retention pond release will flood her and her neighbors property
 - Concerns on what her repercussions would be when the developer is gone and there are water problems
 - No buffer zone is shown on the plan
 - Said would do her best to get the density down, to get it moved back away from the farm land, to have the ponds moved back to create a sort of green zone so not dumping water into their fields and leaving it up to the few adjacent neighbors to figure it out.
17. Ruth Ann Booher – 3555 Beech Rd
 - Thanked the Board for their patience and the audience for their valuable comments.
 - Cannot predict the number of school children in a development; stated it cost many millions of dollars to build the schools we have today along with three years of dedicated time and passion. She hopes the Board will take the comments given and ask if this is what is wanted for Johnstown; should not give in to the first developer that finds the land attractive. Said the schools have wrestled with getting a levy to pass since Rolling Meadows.
18. Lewie Main – Former Mayor, Former member of Planning Commission, Current Council member
 - Thinks public interest on this has been great
 - Said one thing overlooked in all this is the property owner; the owner has the right to sell their property
 - If enough opposition maybe a consortium of people come together and buy the land to leave fallow
 - As he looks around, there are many people that have subdivided property that they owned.

- Said what is before you is purely a guess at what this developer wants to do. It is zoned agricultural; the village does not have an agricultural zone -- doesn't mean we can't have one. Past policy for annexing undeveloped property was to bring it in as SR-1, the highest zoning area.
- He said he was Mayor when the village did Concord Crossing and Leafy Dell and there were many sheets of drawings they said no to. He encouraged the Board saying they have the authority and the responsibility to hear what the people have said, to look at what the developer said, and see if you can come to a compromise on how it is zoned and what they can do with it.

19. Beth Miller – Duncan Plains Rd.

- Suggested adding buffer provisions to the annexation agreement and to think about the type of buffers to put in because a high density development is completely incompatible with the neighboring horse farm. Pointed to ORC 709.023

20. Marvin Block – Council member

- Said would like to have a developer listen to the community and give us a product like Concord Crossing, not opposed to someone coming in but give a product to be proud of and be embraced in the community.
- Has seen no indication of this developer wanting to give one inch

21. Sally Uhde – 5250 Johnstown-Alexandria Rd.

- Observes that the community does not want this development maybe not even if the density is lowered.
- Asks why the farm can't stay in the township and if they want to develop it, could do three acre lots like Wright Farm. Why do we have to annex?

22. Joe Ethier – 66 Central Station, Planning and Zoning Board Chairman; excused himself from his seat and joined the audience to speak as a resident.

- Said this town has invested in a water and sewer system and he is concerned about the capacity if the approximately 470 homes already platted inside the village are built in addition to this new development. It was not cheap for this town to invest in those services and it should be a concern

23. Andy Humphrey – 8878 Harmony Church Rd.

- Asked the Board to say no to the annexation

Mayor Lee said he grew up in Johnstown, moved away, came back to raise a family. Has been in town for 23 years and has two kids in the schools, he has seen the village grow and much of what is being presented is new to a lot of folks within Village Council as well as Planning and Zoning. He said for himself, the small town aspect is important to him and appealing to many which is why developers are looking at this land and why there are still others who have land they want to sell with developers who are interested. There is still much conversation to be had; the conversations tonight and last Tuesday, the community comments and opinions of the public are vital to the process to understand where everybody's feelings are as well as to inform on different aspects of the law and what the responsibilities are of the village with respect to the annexation and zoning changes. Mayor Lee said the questions and comments are appreciated as we continue down this road, he said this plan isn't finalized, it isn't agreed upon, it is just a plan and conversation, he appreciates everyone coming to express their concerns and it is important to continue to come to meetings for continued conversations, to voice opinions and maybe to take something away from it also.

Marvin Block said since one of the criteria for annexation is that we can provide services and asked Mayor Lee if as a member of Council and of the Finance Committee, could he say that with today's budget that the village is able to provide services to that community. Mayor Lee said he has not run the numbers to his own satisfaction, that he is still posing questions of his own to different department

directors to quell curiosities he has as the plan has been presented and that he cannot guarantee anything relative to this plan because it is still just a plan in the planning stages, nothing black and white has been presented and it is still an organic conversation.

There was discussion on whether or not the developer has filed with the County; Jim Lenner said he thought there would be notification but that he would contact Licking County to ask.

Sean Stanart suggested Council could pass a resolution that based on the recent presentation given by Wilcox Communities, they would vote no for the proposed development as presented. Jim Lenner said they could, and it is up to this Board as well, they could make a recommendation to Council to reject this plan.

Jim Lenner said that Councilman Main brought up placing a six month moratorium on platting of new lots in the village giving time for the village to finish the Zoning Code update as well as the Strategic Plan update; it would buy time for staff to prepare further for future development. Mr. Lenner said he is working with the Law Director on Mr. Main's motion.

A member of the audience asked what is driving changes to the Strategic Plan. Mr. Lenner said every 4-6 years you want to look at the plan to ensure that what was set out to do five years ago is still what you currently want to do. There will be public hearings for community comments on the plan update.

Mayor Lee moved for a five minute recess, Mr. Ethier seconded and all were in favor. Motion passed 4-0

Council returned to session at 9:08 pm

ZONING INSPECTOR REPORT: January 2018

Jim Blair reviewed and discussed highlights of his report with the Board; the report is attached to these minutes.

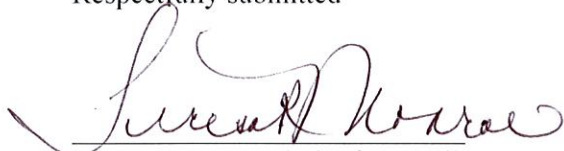
OTHER BUSINESS

ADJOURNMENT

There being no further business, Mr. Ethier moved to adjourn; Mayor Lee seconded and all were in favor **motion passed 4-0**. Thereupon, the meeting adjourned at 9:23 p.m.

Respectfully submitted

APPROVED AS PRESENTED


Teresa Monroe, Clerk of Council


Joseph Ethier, Chairman

VILLAGE OF JOHNSTOWN

STAFF REPORT

Application Number: 121117153
Property Address: 41 Stevens St
Commission Date: 01.23.2018

Applicant: John Neibarger
Zoning District: GCC-1

Background:

On April 4, 2012 a Variance was approved for this address. The Variance was to allow a two family residence to be built in a GCC1 zoning district with a minimum lot size requirement of 10,000 square feet. The lot at 41 Stevens is 9,646 square feet. The Variance was approved by the Planning and Zoning Commissioners; however the building was never constructed. The owner of the property has since sold the property and the new owner Mr. Neibarger now plans to build a similar two family single floor residence. Each residence will be have a single bedroom and bath with a total of 700 square feet. Each apartment will also have an oversized one car garage. One bedroom apartments are currently allowed in Johnstown AR-1 zoning districts with a minimum allowance of 700 square.

Zoning Ordinance-Section 1151.04 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 buildings are applicable in the AR-1 District.

1. Each lot shall consist of not less than 10,000 square feet.
2. Each lot shall have a minimum width of eighty feet at the front line of the dwelling or other permitted structure closest to a publicly dedicated right-of-way.
3. Each lot shall have a front yard of not less than twenty-five feet.
4. Each lot shall have a rear yard of not less than twenty-five feet.
5. Each lot shall have a total side yard of not less that twenty-five feet with a minimum of ten feet on one side.
6. Permitted and conditional structures shall not cover the lot by more than (35%)

Additional Building Requirements for AR-1 Zoning Districts

- (A) No dwelling shall exceed thirty feet in height:
- (B) Dwelling may contain any combination of one, two or three or more bedrooms units provided each unit contains the following minimum amounts of living area:
 - One bedroom-700 square feet.
 - Two bedrooms-800 square feet.
 - Three bedrooms-1000 square feet.
 - Efficiency unit-600 square feet.

Planning Considerations:

Refer to P&Z Variance work sheet:

Recommendation: The staff recommendation is to APPROVE

CONNECTEXPLORER

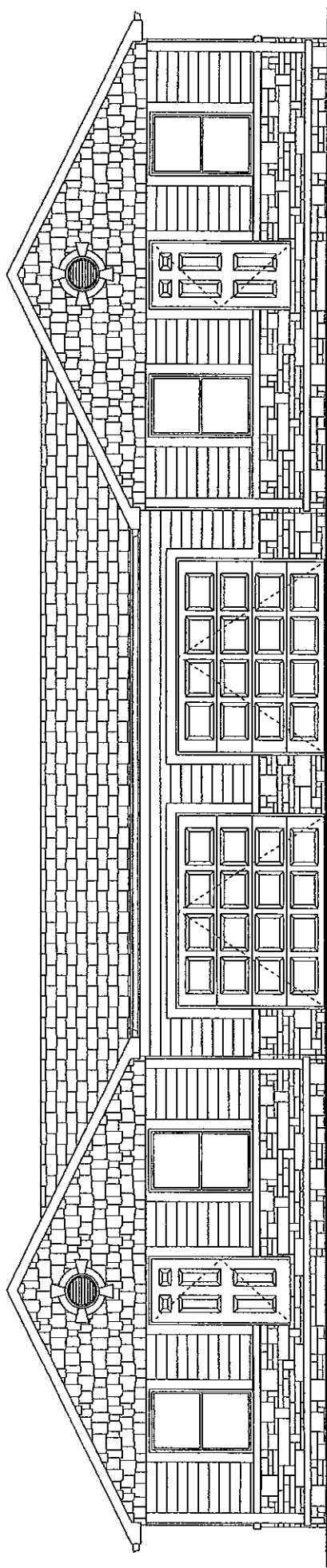


map: Auto (Ortho) ▾ Dates: Latest ▾ < image 1 of 7 > 03/17/2016

*facing Stavens
Street*

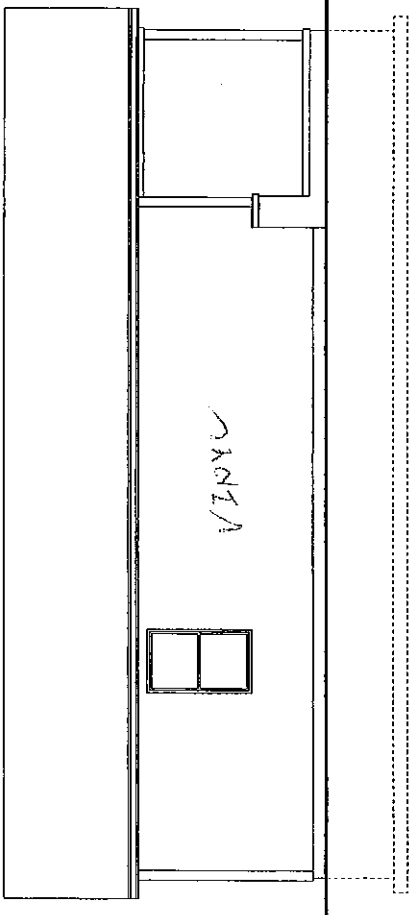
VARIANCE 12/11/153

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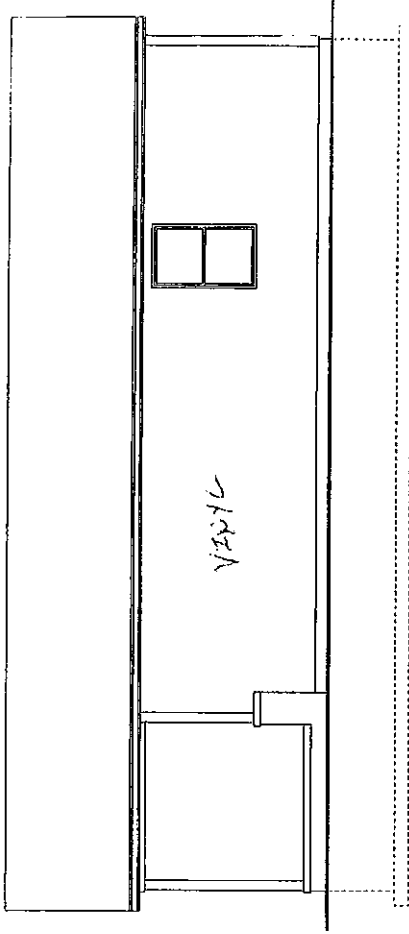


CUSTOM
CAD DESIGNS
740-345-2656
Preliminary Drawing

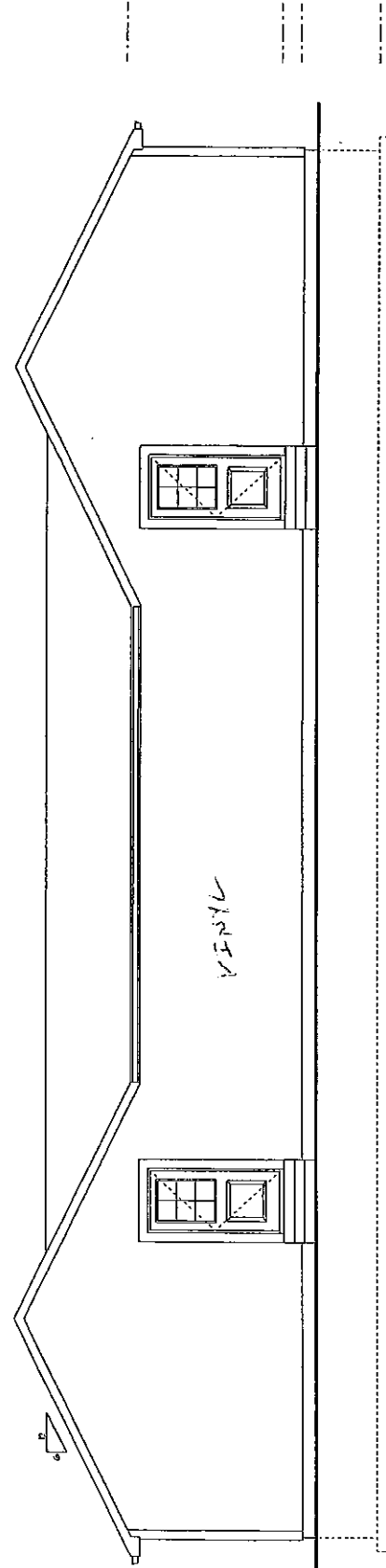
FRONT ELEVATION



LEFT ELEVATION



RIGHT ELEVATION



REAR ELEVATION

CUSTOM
CADESIGNS
740-345-2656
Preliminary Drawing



January 2018 Zoning Inspectors Report

January 1 through January 15, 2018

Concord Crossing East I received an update from the proposed buyers of the 19 remaining Neo-Traditional lots. They are waiting on the work to be completed on the existing drainage pond. Once this is completed they plan to set up a closing date with 84 Lumber on the lots. The Village engineer also needs to sign off on the replacement structure.

Pulte Homes received a phone call from Kevin from an engineering group representing Pulte. Kevin asked about permits for land clearing and grading as they prepare the property behind TSC for their new development.

12 S Main contacted the renter of this storefront. He rented the store for one month on a trial bases. It appears he is not coming back. After three attempts he called me and he does not seem to know what he plans to do. He left a lot of unwanted "stuff" in the building.

469 Lakeview ongoing issues with parking in the yard, driving over the public sidewalk a muddy mess. Sent a second letter USPOS after the property owner failed to accept the first certified letter.

1605 Duncan Plains Rd permitted the zoning for an in-ground swimming pool; Licking County issued the building permit and will do the inspections.

231 Commerce a Variance hearing was scheduled to allow a 50' high new addition to the existing building. The proposed addition is 64,000 square feet. The P&Z public hearing is scheduled for January 9. Update: the variance was approved 1.9.2018.

296 W Coshocton distributed the Public Notice for a zoning map zoning amendment from UR1 to Village Commercial. The P&Z hearing is scheduled for January 23.

150 Valleyview we received a complaint that the trash had not been picked up for over a month. Further investigation shows the house is empty and a rental property. The owners live out of town. I tried numerous times to contact the owners. We had the trash picked up and sent the bill to the property owners with a certified letter; I also sent them a certified letter and plan to put a lien on their property.

We received a request to install two handicap parking signs on College St near the side entrance to the Methodist Church. This was approved and the signs will be installed this spring.

267 N Main we met with an interested company that is considering purchasing the property.

Received a complaint from a truck driver about the bollards (aka bells) at Main and Coshocton, he called Lora, Teresa and left a message for Jim L. I contacted him and listened to his complaints and explained why they were needed to protect sidewalks, curbs, pedestrians and our traffic control devices.

CRC Metals located on Greenscapes in the Commerce Park. I met with a contractor from Dutch Valley Construction he was hired to construct a 30,000 square foot building behind the existing CRC building. We discussed the process and are waiting to receive the architectural plans for review.

Update from the Downtown Johnstown Inc. projects they are discussing:

Creating an Event Policy, Businessmen's parking lot paving, Parkyard sound system, Post Office Alley parking resolution, Thermoplastic Street marking repairs needed at Main and Coshocton. Pratt St reversing traffic flow, eliminating parking spaces on E. Coshocton to allow a right turn lane onto S. Main.

January 16 through January 31 2018

Cheery Hill snow plowing, Teresa received a complaint from a resident that the street was not being plowed by the Village. Teresa researched Cheery Hill and re-confirmed through the Licking County Engineer that Cheery Hill is still listed as a private owned road that the Village does not maintain.

231 Commerce received a call from the America Structure Point a Columbus Engineering firm that has been hired to do the engineering site design work on the new addition. We discussed Johnstown COA and zoning permits, storm water, paving, sanitary sewer and water line. I also explained to them about what was required by Licking County building codes, that is permits and inspections...

Met with MS Consultants to discuss K-Ceps Auto repair garage on W Coshocton. With the plans for widening W Coshocton to allow a center turn lane the K-Ceps sign needs to be relocated. The new sign will require updating to be in compliance with current sign requirements.

Contacted Coughlin properties after receiving a complaint that they failed to clean the snow along Leafy Dell on the public sidewalk.

296 W Coshocton received another call from the ATFE agent assigned to follow up on the zoning map change to for this property, changed from UR1 to Village Commercial. The zoning change was required to allow the property owner to operate a small business from his basement.

Concord Crossing East met with Sandy Chipps 84 Lumber representative. The 84 Lumber Company's holdings will soon be reduced to the main entrance, the tree line boulevard on Bottecchia, the retention pond and the swimming pool. Once 84 Lumber closes on the sale of the remaining 19 Neo Traditional lots they plan to deed their remaining properties over to the HOA and 84 Lumber will no longer own property in Johnstown.

36 W Jersey a new business has opened called Bullfrog Auto Spa. I met with the owner after I was notified by the JFD chief that the new business was opening. Permits are in process there are a few issues to resolve.

375 N Main met with the property construction manager twice to discuss a major remodeling of the house, removing and replacing the existing garage and a lot split.

Johnstown Landholding Company owners Steve Potter and Joe Ciminello. Steve came in and ask me for help with a letter he had received from the EPA. The EPA had received citizen a complaint in October 2017 that a wet land along the Evans Bike Trail between Concord Rd and Douglas Street was being filled in. This is property owned by JLH. The EPA letter offered two resolutions to the charges, remove the 3500 loads of dirt or file an ATF (after the fact) response. The area has never been designated as wet lands. The field was farmed until the drainage tiles were destroyed with the excavation for the new Concord Crossing East development in 2006. I have responded to the EPA letter.

341 W. Coshocton received a request to allow a temporary banner to be placed in the front yard at Dr Bright's office. The banner is to announce an addition to Dr Bright's staff. A new permanent sign will be installed.

Received a request from VSI a marketing research company. They are doing a feasibility study of the Johnstown area. Looking at the availability of Independent Living, Memory Care, Nursing Care and Assisted Living facilities.

Alley Automotive the owner contacted me to discuss building onto his auto repair garage.

Received a call from a realtor to update us on the possible sale of 74 acres contiguous to the Village and the future annexation. There are several groups negotiating on the property.

Jim Blair