

Village of Kirkersville  
Zoning and Planning Board Meeting Minutes

September 28, 2022

Opening: Dave Engel called the meeting to order at approximately 6:03 pm and opened with the Pledge of Allegiance.

Roll Call: Present were Terry Ashcraft, Dave Engel, Ted Eppley, Debbie Seymour, and Jack Christy.

Also present were Brian Zets, Randy Stoll, and Vicki Coe.

Motion to Approve Minutes of July 27, 2022: 1<sup>st</sup> by Dave Engel; 2<sup>nd</sup> by Debbie Seymour. Following vote on the motion is recorded; yea, 3; nay, 0; abstain by Ted Eppley. Minutes are approved.

Dave Engel introduced Ted Eppley, new member of Zoning Board who is taking the place of Jim Kincaid.

Board Poll: None.

Board Discussion:

(1) Todd Ward, Sr. VP of Planning and Entitlements at Red Rock Development, on proposed plans on parcels 099-018192-00.000, 026-069024-00.001, and 010-017748-00.00, known as the Timmons property, located on West Main Street.

Information presented by Todd Ward includes:

- Speculative industrial development
- Currently agricultural; in contract with owners
- Possibly for distribution center, assembly, or data center
- Working with the Village and SWL Water District for utilities
- Two different site plans with consistent perimeter, screening & buffer, same entrance point, but flexible building configurations

- Buildings will be tilt-wall concrete, articulation to break up the walls, different muted colors, designated office style front entrance, separate truck and employee traffic entrances for safety; tilt-wall is poured and lifted with a crane allowing for larger panels and eliminating transport
- Traffic will not direct through Village; Rt 158 access to I70; traffic study with ODOT; at the least there will be turn lanes; space for 3-4 trucks to queue on site instead of stacking on public right of way
- Landscaping to include 30-foot buffer at property line; possibly consisting of front 10 feet of landscaping strip of existing vegetation, evergreens, other plants, and a berm; canopy trees in parking lot and employee areas; sod at entrance; grass around sides; aesthetic buildings lease immediately and longer term and companies report better employee retention
- Lighting standard is 35-foot pole, LED, directional; study will be done of foot candles on ground; insure that before any are installed the light is between 0- and 0.5-foot candles at the property lines; still is a glow; goal is to maintain site safety and be cautious of existing community;
- Height meets industrial standard set by automated racking/pick rack that has up to 40 ft. clear height in a 300,000 or larger sq. ft. building with overall building 50 feet high; under 300,000 sq. ft it is usually a 30 ft. clear height with overall building 37-38 feet high
- Why PUD? 1. Existing industrial district does not allow for warehouses and distribution; 2. Gives Village a little more control rather than minimum standards; PUD to create standards to be consistent with community of Licking County so Heath ordinances used as a guide because spelled out well;
- Annexation of property currently in Etna Township; Ohio allows different types of annexation, 1. 100% owners application, 2. Village initiated, 3. Village resolution for annexation agreement to show support or for economic development
- Annexed 6-acre section to be stormwater pond for water management; fence or guardrail for safety; designed for safety

- Army Corps of Engineers application is not approved yet; Jurisdictional Determination and Cultural Resource Assessment are part of the process;
- Scope of work includes all of road from the site to I70; open and transparent process; extended invitation to sit in on meeting with ODOT

Jack brought up 35-foot limit due to fire department ladder, and asked for clarification on lighting.

Developer works with Fire Department; FD tells where they want hydrants on site based on their equipment; advises on access for fire trucks, ambulances, police, etc.

Brian advised that Zoning Inspector will send notice to FD and PD to solicit comments.

Randy said there is a flow study on sanitary sewer to determine true capacity of plant; results at end of October.

Last manhole of Village sewer line is at the site; SWLWS has a line across the street; they will tie into Village, but also can tie into SWL as an alternative; around 30,000-35,000 gallons per day is estimated depending on tenants; high water usage and high discharge activities are not in list of allowed uses (ex. food processing, canneries, breweries)

Brian explained process is Zoning makes a recommendation to Council, possibly an approval with conditions, etc. Zoning can vote tonight. If Zoning needs more information, they could table application for tonight.

Board discussion of needed information, including flow study and FD comments. Suggestion to wait until end of October; Board needs time to read all materials; concern about approving without all info;

Brian advised to wait for full information and have nice package to pass on to Council.

Todd Ward added LCWSD wouldn't have given permits without sewer guaranteed and confirmed capacity; he can provide that letter; already getting water from

them anyway. Also, fire dept. can deny permits even after Zoning approves. Neither should hold up Zoning.

**Debbie made a motion to delay until the end of October so Zoning can get all their answers. Motion died for lack of a second.**

Brian suggested a special meeting 2 weeks away on Wednesday, October 12, at 7:00 p.m. Randy will have approximately 2 weeks of sewer flow data from meter to be installed 10/3/22. Todd Ward will have written assurances for capacity from SWLWS.

**Debbie made a motion to table until a special meeting on October 12, 2022 at 7:00 p.m. Second by Terry. Following vote on the motion is recorded: yea, 4; nay, 0. Motion passed.**

(2) Green Acre Alliance requesting a lot split at 205 W. Main Street, parcel 026-080256-00.000.

The owner of the beauty salon wants to buy the property extending 10 feet to the west of the block building, 30 feet to the back, the current parking lot and road access driveway. The other three buildings on the property are not affected. The entire property currently meets all zoning for those businesses.

**Dave made a motion to approve the lot split. Second by Debbie. Following vote on the motion is recorded: yea, 4; nay, 0. Motion passed.**

(3) Anthony Ferrell, 120 Fourth Street, requesting rezoning of 145 E. Main Street, parcel 026-080148-00.000.

There was a 3-unit rental until under the former owner, Virginia Salyer; 2500-3000 sq ft building. He wants to rebuild.

Dave explained that per the zoning book the process would have been simpler if he had rebuilt within 1 year of tearing down the old building.

Anthony requested that a meeting be set within 30 days, as per the zoning book.

Information presented by Anthony includes:

- Wood exterior, stick built, painted board and batten
- Flat roof, but could add gable roof
- Energy efficient, low carbon build
- Not a pod that is covered, actually stick built
- Living room, kitchen on one floor, with 2 bedrooms and bath on the other

Jack informed him that page 28 has everything that needs submitted. Brian informed him that section 603 is the full process.

Brian informed that a public hearing can be held at the regular zoning meeting.

Anthony questioned other multi-family housing on business zoned property and was informed that they are grandfathered. The zoning book deal w with removal of a building, and with non-conforming use being discouraged when that use goes out. The Board wants to follow the book.

Anthony questioned what can be done about the abandoned bar and house. Terry said it is back in bankruptcy court, and will probably be advertised again. They turned down \$80,000 from the auction. He talked to maintenance crew out of North Carolina who could care less about it. He called every Monday for more than 2 years. Licking County Land Bank promised to do something if they got it back, but they didn't get it back. Brian said they could be fined which takes time and money, but fines will be ignored and nothing will change.

Board Poll: None.

Public Poll:

(1) Judy Casto, 107 W. Main St.

Her tenants, Robert and Stephanie, want to put in a tattoo parlor. They got item #4 from LC Health Dept. Guidelines, “written verification from the local zoning authority and building dept”. The building was inspected Friday. She got the zoning application tonight and will pay the fee by check tonight.

(2) Judy Casto, 107 W. Main St., representing Kirkersville United Methodist Church, to request a second handicap parking space in front of the building near the elevator door. They would like to be able to paint lines on the road for handicap parking.

Jack will review the zoning book and the site, and the Board will reconvene to discuss next month.

(3) Karen Kessler, 13988 Stonehedge Circle, Pickerington, presented to discuss her thanks to Debbie Seymour, that the zoning code doesn't allow for determinations based on style, and the amount of time Todd Ward and Anthony Ferrell spoke.

The Board took her comments and concerns under advisement.

Brain reminded everyone that the notice of special meeting must include the purpose of the meeting, and the agenda will include only that one item.

Motion to Adjourn: 1<sup>st</sup> by Dave Engel, 2<sup>nd</sup> by Debbie Seymour. All in Favor. 7:34 p.m.

Respectfully submitted by Zoning Clerk Vicki Coe.

These minutes are unofficial until approved by the Zoning and Planning Board.

Approved by the Board this 28<sup>th</sup> of September, 2022. Terry Ashcraft \_\_\_\_\_  
Dave Engel \_\_\_\_\_ Ted Eppley \_\_\_\_\_ Debbie Seymour \_\_\_\_\_