

Village of Kirkersville  
Zoning and Planning Board Meeting Minutes

January 24, 2024

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, Todd Merry, John Thomas, and Vicki Coe.

Also present was Randy Stoll, Jack Christy (came at 7:20), and Vicki Coe, as clerk.

Motion to Approve Minutes of December 20, 2023; 1<sup>st</sup> by Terry Ashcraft; 2<sup>nd</sup> by Todd Merry. Following vote on the motion is recorded; yea, 5; nay, 0. Minutes are approved.

Public Poll: Josh Miller of V3, Greg Gallis, Jason Zadeh, Atty David Hodge, representatives for the proposed Speedway development, seeking approval on final plans.

Items discussed; questions raised; clarifications;

- Dumpster site changed from north to south side of stream
- Utility information has been updated
- Request clarification of 7" sign vs. 7" sign set
- Pg C4.1, tap to existing waterline says 1.5" but is supposed to be 2"
- Pg2/17, signs "C" are internally luminated, but show no effect on photometric; same for "K"; photometric will be checked
- Increased setback for sign "K" to allow increased ROW in future
- Randy: PUD set up as (B) which accommodates car fueling & store, but essentially this is a truck stop, which would be (AB) with different setbacks, 20' for B vs. 50' for AB; "K" is shown at 20' back; the road will eventually be widened, culvert extended & intersection will be larger
- Outville Rd to be widened on Southbound side as required by traffic study; Road widening plans are in process, but not final yet & will be provided for approval; developer is obligated to make an extra lane as coordinated with ODOT & traffic study

- Pg C2.3, Other facilities have a directional truck lane toward the interstate; this plan shows northbound truck traffic; Southbound Outville should only be an exit, no entrance; Josh agreed to fix plan, but Atty doesn't feel it's necessary because this plan must show from an engineering standpoint that a northbound turn is possible; tenant has agreed to sign the exit, but aren't going to close off the northbound curb cut
- Attorney Hodge remarks: These issues were thoroughly discussed and vetted through the Planning Commission and Council. This site plan that comes before the Commission, this final development plan, is legally required to adhere to what got approved. Your code says if we come here and we want to make a revision to portions of the approved preliminary plan, we must come back to the Planning Commission for a preliminary development plan approval. The issue got studied, got contemplated, and this site plan got approved for preliminary development plan without the porkchop at that curb cut. These applicants and future property owners and this tenant have agreed to do everything they are able to do on the site to mitigate the likelihood of a trucker turning left out of there, but the site plan unfortunately can't do the right in/right out or else we are starting from zero here.

Randy: I remember a member of this Board requested that. What was previously approved, this seems more like a minor detail to be worked out in the final plans.

Greg: The site plan we have now was approved in the PUD, otherwise we wouldn't have done it the way we did.

Randy: I remember this Board...

Greg: the compromise we all came up with was that we would have heavy duty signage, and we would make it easier for them in multiple other spots to not encourage anyone to (unintell).

Todd: I don't remember it being agreed upon. I remember you saying it was non-negotiable for your tenant.

Atty: Whether it was agreed upon here at the Zoning Commission, it was ultimately agreed upon in the approval of the preliminary plan by Council, which is the zoning code.

- Widening a portion of Outville Rd, re-grade ditches, facilitate movement of storm water into streams, possibility to upsize culvert; the whole site will be built-up as it is on a floodplain; proposing multiple large detention areas to work with runoff; 2 main detention areas with a possible 3<sup>rd</sup>; multiple ways to deal with water; state law requires there be no negative impact on any adjacent property;
- 158 entrance has a culvert & bridge; specs will be worked with Randy; permits from Army Corp for crossings; there are multiple water crossings on site; rebuild culvert for trucks; also a pedestrian walkway
- Storm channelization; stream not lined per Army Corp; existing stream maintained in a way to ensure no rise up to a 100 year event to minimize the disruption of the stream as it is; grasses planted in that area
- C3.1, on underdrain details for the 4" perforated PVC, we prefer gravel be 8s over 57s because of compression damage to pipe; developer agreed
- Pg2 & pg12/17 (small pages); sign "G" should be with arrow; developer agreed
- Signage on Southbound Outville Rd at truck exit curb cut indicating that it's an exit only/no right turn into site, and directing truck traffic south to 158 bypass entrance; developer agreed
- C5.1, elevations around detention ponds; NW corner mounding level increases only 6 feet; request increase mounding height, increase number of trees to fill gaps, increase length of tree line southward on west boundary; developer agreed
- Randy: I need to see, regarding the Army Corp, there is fill being put in and then ponds dug out; I don't know if they offset or not; also there's localized storm water running into the ponds; are the ponds deep enough to handle?; Jason: that detail will be in the final engineering plan;  
Randy: That's my understanding too, I just want to be sure there is no misunderstanding on what is being approved tonight so they don't get in a, there's already been a question about the porkchop
- Security around detention ponds from people & vehicles; Closest detention pond to store proposed to be dry; only fills with water at rain events and empties within 24-48 hours typically; 2 wet ponds are graded with a safety bench flat area about 2-feet deep for a 10-foot stretch, then another drop;

with signs indicating no fishing or swimming; there is also a grass strip from the curb to the pond

- Within parking areas there is a hood that covers the outlet which is designed to be below normal water level and floating trash to catch clean water for outlet; also a trash sump where anything that doesn't float falls to bottom; all basins are designed for EPA water quality drawdowns where ponds empty slow enough over 24-48 hours for non-floatables to settle and clean water drawn from the top; requires occasional maintenance
- Randy still needs detailed roadway plans; general concern in all traffic studies is that eventually the intersection will need improved; doesn't want the necessity of right of way to be purchased by VOK in future, or of signs and structures needing moved; there needs to be coordination with group across the street (Anderson Layman); wants to see ROW dedicated now rather than later;

Developer: will do some research on proposed future expansion & development, but can't wait for Anderson Layman property development; there is excess land on the SE corner of the property and developer has no problem dedicating additional right of way land now and not asking anything for it; sign and canopy will be setback as long as it doesn't impact the site; unknown if ODOT will specify now what needs done to the intersection in the future; developer has not been told about a potential roundabout there;

- EV charging stations can go in when needed; conduit is under the ground to pop-up for EV; Columbus is requiring EV so developer is preparing for it
- Everbrite Full Code Research Form is for their internal use only
- Clarification there will be no outdoor eating area
- Again (B) vs (AB) setbacks in the PUD; sign is 20' back now;
- John: Has this been submitted to Licking County Planning Commission?

Developer: No, only for construction plans.

John: Subdivision Regulations, pg 19-20 says lot split goes to LCPC.

David interprets it as Licking County will look at the plan as involves the split, but full subdivision plans don't apply because the remaining parcel after the split is larger than 5 acres.

- Size and height of stop signs

- Some information on sanitary sewer is included in plans but there is still a lot of detail to be worked out; plans for a lift station needed because site doesn't have access to gravity sewer to pump sanitary water up to existing sanitary lines; the system is sized to give future access to sewer for the rest of the property and eliminate need for another forced main; this is not being approved at this time; developer has not submitted final plans to Randy
- Developer reached out to Southwest Licking water district early on, but still needs to coordinate getting plans approved; Mayor said they should talk with the new manager, Jim Roberts
- Rezoning for property is done in VOK; Lot split has preliminary stamp of approval from County. At closing seller will split property when deed goes to the County. Rezoning applies only to the parcel split from the whole. It is rezoned to PUD that has a text associated with it, designating an underlying district, which then reverts to those development standards. The developer is obligated to build the approved plan.
- Licking County requires 50-foot stream bank buffer from diesel fuel tanks
- There is a drive lane less than 25 feet that needs fixed
- Traffic study requires a widening on southbound lane before and after the car curb cut; this is not an additional lane created at the intersection
- Signage for no overnight trucks, as agreed previously; Speedway is adamant about no overnight trucks, they don't want it, it's a liability
- When will water study, flood study, and culvert information be available?  
Unknown

Attorney David Hodge read a list of items, compiled from this discussion, as a suggestion of conditions to approval:

- Increase the mound height at North property perimeter, running west from Outville Road, to the west boundary corner and running south;
- Top of mound planting or fencing or combination thereof as additional screening, with an increase of what was shown, to create complete blockage;
- Verify that the photometric plan considered the lighted signage such that there is no offsite spillage of light;
- Work with the Village Engineer to dedicate necessary right of way along road frontages at SR 158 to ODOT & on Outville Road to the Village of Kirkersville;

- Accurately reflect commitments related to truck ingress and egress at the northern access point, i.e. the signage package;
- Sign “K” setbacks shall adjust based upon the final determination of right of way location;
- Outville Road culvert shall be replaced and resized as necessary to mitigate storm water, subject to review of both the Licking County Engineer and Village of Kirkersville Engineer;
- Sanitary service to the property shall be reviewed and approved by Village of Kirkersville Engineer.

Discussion of timing; suggestion to table approval; allow developer time to make changes and submit them to Board with enough time to review before next meeting; decided Board needs at least a week

Discussion of process; does Council have final say; does this require public notice and/or notification letters to adjacent properties? Question must go to Brian Zets

MOTION to table approval of final plan with the following conditions until submission and review of final plan with corrections; 1<sup>st</sup> by Todd Merry; 2<sup>nd</sup> by John Roberts; Yes – 5; No – 0; motion passed.

End of Public Poll.

Discussion of details of process and legal requirements, with questions that need submitted to Brian Zets:

- Is there a 10-day notice required for hearing on final plan?
- Developer responsible to provide contacts for adjacent properties
- Who should be notified and how?
- VOK Zoning Code, p6, 1208 (b)(y) states properties within 300 ft
- 30-day review period stipulated in PUD is longer than the 1 week stated to the Developer in the earlier discussion
- Engineer and Zoning Inspector need more than 1 week to review the final plan; February 28<sup>th</sup> is too soon; The Board will plan for March 27 and Jack will notify the Developer

Board Poll:

An additional meeting was scheduled this month, January 31, 6:00 pm, to continue work on the new zoning code. To prepare for that meeting, the Board will read Hebron 1163 Exterior Property Maintenance Code on pgs 119-127. The clerk will post a notice.

The property maintenance code used in the Village, the “green book”, cannot be located and is out of print.

Terry told Jack there are 2 properties than need notices:

- Apartments at 321 5<sup>th</sup> St., fence falling and leaning into neighbor’s driveway
- Car lot at 100 W. Main., vehicles and lumber on Village property, a van without windows, and cars with flat tires and raised trunks

Public Poll: none

Motion to Adjourn: 1<sup>st</sup> by Todd Merry, 2<sup>nd</sup> by Terry Ashcraft. All in Favor.

Meeting adjourned. Approximately 8:33 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 31<sup>th</sup> of January, 2024.

Terry Ashcraft   Dave Engel   Todd Merry   John Thomas   Vicki Coe