

Village of Kirkersville Zoning and Planning Board

Final Development Plan Hearing Minutes

May 22, 2024

Opening: Dave Engel called the meeting to order at approximately 7:02 pm and opened with the Pledge of Allegiance.

Roll Call: Present were Terry Ashcraft, Dave Engel, Todd Merry, John Thomas, and Vicki Coe.

Also, Attorney Brian Zets, Randy Stoll, Jack Christy, and Vicki Coe acting as clerk.

Applicant Presentation:

- David Hodge, of Underhill & Hodge, representing GZD Development;
- Andrew Gardner of V3;
- Greg Gallas and Jason Zadeh of GZD Development

John: C4.1, discrepancies of 12" water main, notes call for 8" tapping sleeve & valve, building entrance has 2" water valve, outside has 1/5"x8, B coded notes say 1.5 AWV valve and pipe

Andrew: Has changed so many times; 12x8 tapping sleeve, domestic service will be 2", master metering in a meter pit, 8" tap off Outville, provides fire loop, pull 2" off that

Todd: will road improvements be done prior to construction of property?

Andrew: Typically, those things are done simultaneously.

Todd: would like to see more signs for the left turning truck traffic; Will the developer fix future field tile issues during construction? What will they do about run-off and erosion issues during construction?

Hodge: They have discussed and will continue to work with Village on signage. The property they develop will be engineered to current standards and is likely to improve conditions on the property and often on surrounding properties. Under Ohio law they must control all storm water on the property. In terms of field tiles, to the extent they fail resulting from

something occurring on property of the property owner the clients are purchasing from, they will engage with her to have someone come to the site to deal with it.

Todd: Have the Outville Rd. ditches and storm drain under Outville been addressed?

Andrew: We are replacing the culvert under Outville Rd with a 5'x3' concrete box culvert, roughly the same size as current one, because we cannot negatively affect flow downstream.

Todd: Can road widening be extended to deal with increased traffic?

Andrew: Road widening is dictated by the traffic study.

Todd: The lift station still isn't approved. The landscape plans look good.

Andrew: It is designed and Randy is working on it. It will be submitted to Ohio EPA for approval.

John: what are the culverts on the truck entrance on the west?

Andrew: It is a 9'3" x 3" tall, prefabricated metal structure, with headwalls; an open bottomed arched structure. Walkway will be a prefabricated metal walkway with a concrete deck.

Dave: On southbound Outville Rd, in addition to No Truck Entrance/No Right Turn signs, can there be posts in the road to prevent traffic? (Reboundable reflective post)

Hodge: Right-of-way is determined by the government traffic study and improvements to the ROW are dictated by the government that controls the ROW. This is not their decision to make.

Andrew: ROW is controlled by Village of K. This is a discussion between Village and County Engineer.

Jack: Do you have a cross section of the Outville Rd widening in these plans? Are you proposing a curb to prevent trucks.

Andrew: See C7.3 and C7.9 to C7.11. No curb is proposed. We intentionally signed it to deter truck traffic coming from or going to the north. The

proper entrance is from Rt 158. They will talk with Randy to explore the best solution.

Dave: On the photometric plan, is there any offsite light? Randy, is revision of ROW frontage completed? We would appreciate any help you can give with signage, flashing lights, etc.

Andrew: There is no offsite spillage of light.

Randy: they revised to pull the ROW as far back as they could to allow additional ROW for future improvements.

Jason: We have no issue advancing those goals, and will accomplish that with Randy at the staff level. Those are full engineering drawings. The requirements Kirkersville holds developers to is very high. In over 100 properties, we have never done a set of plans that detailed to get through a Final Development Plan. Generally, they would be much less detailed. We want to be able to do it at the staff level with Randy upon conditional approval.

Dave: When will split be done?

Greg: The lot split has been preliminarily approved by Council, but won't be done until after we close on the property. The seller won't sell until the FDP is done.

Todd: I'm here for the community and nothing more. You ask that seller to deal with the water tile issue and I'll approve.

Jason: We will absolutely help broker that situation.

Hodge: If there is an issue that has occurred on adjacent properties as a result of a failing tile on this property, the owner has to get out and take care of it.

Zets: The rezoning was only of the 9. whatever acres, so technically the property hasn't been rezoned at this stage because it will be rezoned once that piece is split off, and you will have a new parcel and that parcel will get rezoned. We have been dual tracking it. As with all development, they will not take possession of the property until they know the rezoning is going to

happen, and they won't go to the closing table, and get that parcel split off until the FDP happens, so that's why we have to dual track it. This is as sufficient control as they can give us, and I'm comfortable with it.

Jason: We staked the entire property at the request of the seller.

Terry: Do you have a deal put together with the water district?

Hodge: You know water is available to the site, Council entered into an agreement, it went to referendum, that referendum is at Licking County BOE and may be a subject at an upcoming meeting at the BOE. We have an agreement, not executed, but an agreement in principle with the water district. They have committed to us that water will be provided to us one way or the other, whether the referendum goes forward or not.

Terry: What about the lift stations, has that been approved, Randy?

Randy: The lift stations are an engineering detail that still needs worked on, to talk about flow rate. It's sized at 90 gallons/minute. If it was running full time for a day, it would produce 138,000 gallons of water, which is not capable of being handled by the system.

Andrew: When we designed it, we planned it to serve a much larger area, including the residual area south of the tributary that's north of our site. I believe the pump shown is probably for that whole tributary area. I think we need to talk about the size of the wet well for that feature, but we will put in a smaller pump that serves our site until such time.

Greg: That was done at the request of our seller because the remaining parcel is so much bigger than what they are selling to us.

Terry: So, the lift station,

Randy: I don't believe the lift station plans are ready to be submitted to the EPA. The previous submittal, the forced main was going to run off the east side of Outville Rd., which would have required a county ROW to occupy that side of the ROW. Now it's going up the west side of Outville Rd. It stays on the property until it gets to the next residential property, then it jumps to the ROW. The Village will have the question of the ROW occupancy. It

crosses the road and ties into the main on the west side. It makes sense to have the sewer on the west side as the water line is on the east side.

We have the flow rate to figure out. I understood Speedway was only going to generate about 5000 gallons/day. It only ties into an 8" gravity line with a carry capacity of 350 to 400 gpm.

Terry: Who is going to police trucks running all night?

Hodge: The tenant is. The tenant will not permit them to stay.

Andrew: There is signage all over, no idling trucks.

Terry: Lift station, Randy.

Randy: We need conversations and get it up to date.

Terry: I don't want to approve these plans if you don't have everything done on them. Why don't you just go back and do it right.

Hodge: The level of detail we have provided is far and away above and beyond what FDP process calls for. These are practically full engineering plans. In a FDP process you work through the preliminary and the final and there remains the full engineering work to be done, which gets worked out between engineers. I think we've listened and been responsive; we've made modifications. Details can be worked out between engineering professionals.

Randy: Who is going to own and operate the lift station? It must be operated by a licensed waste water operator. If it is dedicated over to the Village it would fall under the Village's system and operator's purview. If it is private, then it would need to be operated as a public system and would need its own operator.

Andrew: We are planning to make it a private lift station operated by 711 Speedway. They have facilities and it isn't unusual. We can work out the details.

Dave: It seems wise to have Speedway take responsibility. If there is expansion, I see it can be transferred to the Village.

Andrew: That is exactly what would ultimately happen

Dave: What is responsibility or relationship with the Village operator? Who decides responsibility over problems?

Greg: 711 is going to be hypervigilant.

Vicki: The signage pages aren't included; are they the same? The truck exit sign needs an arrow to the right.

Andrew: Yes, we will get that addressed.

Jack: Is there a plan for a flow meter/meter pit on the lift station?

Andrew: Typically, it's after the pump.

Hodge read PUD section 1210(d) 2nd paragraph.

Zets: It does say the planning commission has to find that the Development Plan complies in all respects with the regulations of the chapter. 1208(b)(2)(a) through (aa) identifies what the FDP has to be. That's what needs figured out. You have to actually comply. That is up to the PZC to decide.

Jason: We must meet the standards set by the controlling engineer and then submit to the EPA for approval. If we don't meet those standards or don't get approval, it doesn't go through. If EPA says no, they start over or they don't build.

Todd: I'd like to recommend a gravel road to the lift station, and landscaping.

Andrew: It's already planned. Also, truck signage has been updated.

Randy: The things remaining are engineering issue, details of sanitary sewer system, roadway, drainage, and traffic controls.

Dave: Are you satisfied with the things that need to come to you?

Randy: Yes.

Todd: Will your car exit have a traffic light?

Andrew: No.

Jason: We are disconnected from the process at that property.

John: These plans can be approved, but not a day will go by in the construction process that a change order isn't done.

Hodge: If change orders rise to level of needing to change the parameters of the FDP, we need to come back to the Board.

Public Poll:

Norma Welch, 9687 Loop Rd., expressed hearing the same issues discussed as in the beginning, smell, idling trucks all night, enforcement, EV charging. Has it changed size?

Andrew: 3 EV spaces with capacity to expand to 6

Jason: No showers and fast food; not inviting long stays; get in and get out service; small restrooms as in normal gas station.

Greg: Sheets are bigger at 4500 to 8000 sq ft, with average of 600 sq ft. This Speedway is 4700 sq ft; will contain limited seating; car and truck traffic are separated widely.

Judy Casto, 107 W. Main, expressing let's not lose them like others that pulled out of Village; would like to see some growth in town.

Dave: Our goal is to make it happen. These gentlemen worked with us.

Todd: We are working to make community grow, and are considering the majority of residents.

Kevin Yelton, 9542 Loop Rd., appreciates the scrutiny over businesses and development as teens and kids use Outville Rd; it's important if it affects people.

Renee Smith, 7025 Outville Rd., expressed this threatens the peace; not happy with it; trucks don't follow rules; this is an invitation to trucks to come north of the freeway which disturbs residents; trucks will go north on Outville and will go too fast; understands this isn't the Board's fault.

Ben Royster, 9515 Loop Rd., questioned in the grown of Village, why is a gas station so important.

Dave: SE of Village, E of Outville Rd., the Village resisted warehouses on 281 acres. That property detached and is not under the authority of the Village. Many moved out here to get away from Columbus. Columbus is moving out here and can't be stopped. For example, we decided storage units are not

right for the center of town. We are trying to manage growth and work with these gentlemen.

Todd Merry, 9741 Outville Rd., asked if they sell alcohol and does tax money come to the Village?

Jason: I'm sure they will sell beer.

Dave: They have to have a liquor license.

Dave: There could be JEDD, TIFF and RITA.

Todd: How soon do they build once approved?

Jason: close in June, finish with Randy, final permits, EPA applications, sitting on permits, contractor chosen, pull permits, 30-120 days to construction, with hope to break ground this summer.

Vicki: Brian, if we approve with conditions tonight, then if Randy gets to a point where he says "no," is Randy's say final, or does it fall back on our "yes?"

Zets: If you had a Motion to approve the final development plan with the condition that these final engineering details were resolved to Randy's sole satisfaction, as long as they work it out and Randy is satisfied, you don't have to see it again. It will never come back here.

Jack: Because in order to submit to EPA, you (Randy) have to sign the plans, correct? There's the stopper right there, if there are no approved plans to EPA or water and sewer district.

Zets: Restated, "Motion to approve the final development plan with the condition that the final engineering details are resolved to Randy Stoll's satisfaction."

Randy: I will give you a report on what happens. To ease your concerns, it will contain what was changed and addressed. I believe Terry and I have to sign the plan to pull the EPA permit.

Terry: I'm not going to sign a permit until the lift station project is worked out.

Randy: Yes, that is not tonight.

Terry: Wouldn't it be easier to wait and let them come back when it's done. I went through this in 1996-97 with the Flying J lift station on Keller Rd. I didn't get an answer. Is the water district going to give you water?

Greg: Yes, we've worked with Jim Roberts, CJ Gilcher, the staff, their attorney Nick. We have worked everything out to get water.

Vicki: Brian, if we didn't approve tonight and decided to vote when Randy said it is time, will we need another public hearing?

Zets: No, just a public meeting.

Jason: We have financial obligations, risk of development, approaching \$100,000 non-refundable payment coming due, trying to keep 711 hitched. The conditional approval allows us to get our lane brake with ODOT which is a \$250,000 item that can't be granted until then. Conditional approval lets us trigger to push through while still being obligated to protect you on the standards, and frees us to close on the property to obtain final permits and not get hit by the seller with additional dollars.

Greg: It also gives us a heightened responsibility once we close to meet Randy's standards.

Judy Casto: I, as a resident, ask you to move forward.

Todd: **"Motion to approve the final development plan with the condition that the final engineering details are resolved to Randy Stoll's satisfaction, and that the Board gets to see the plans on the lift station."**

Jack: We would like to see the final survey and detailed record after construction so we know what is out there.

Motion on the floor: 2nd by John Thomas. Vote on the motion recorded: Terry – yea; Dave – yea; Todd – yea; John – yea; Vicki – yea. Motion passed.

Next meeting: Wednesday, June 26, 6:00 pm.

Motion to Adjourn: 1st by Vicki, 2nd by Todd. All in favor. Meeting adjourned approximately 8:42 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 26th of June, 2024.

Terry Ashcraft Dave Engel Todd Merry John Thomas Vicki Coe