

RECORD OF PROCEEDINGS

Minutes of

Etna Township Zoning Commission

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

April 1st,

2009

Klema/Erk 181.22 Ag to M1
Held
Article 17 & 2

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The Etna Township Zoning Commission met in the Etna Township Hall on April 1st, 2009 for the purpose of conducting a regular meeting and public hearing. The meeting was audio taped and the public hearing was audio and video taped for the township records. The meeting was called to order at 7:00 p.m. by Chairman Stepp with the following members present: Dan Bravard, Randy Snider, Pam Munce, Trent Stepp, Bill Young, and Clerk Laura Brown. Alternate Jim VanDyne was present for the record. Bill Young led The Pledge of Allegiance.

Randy Snider moved that we adopt the agenda. Bill Young seconded the motion passed without objection.

Zoning Commission Announcements & Comments - none

Dan Bravard moved to waive the public reading and to approve the minutes from March 18th, 2009. Randy Snider seconded and the motion passed without objection.

Old Business

Dan Bravard moved to start the process of amending the Zoning Resolution by adding Article 19 – Planned Mixed-Use Development District. Bill Young seconded and the vote in favor was unanimous.

Public Hearing

Bill Young moved to begin the public hearing submitted by Connie Klema on behalf of Francis and June Erk requesting that 181.22 acres parcel number 010-017952-00.000 and 2.95 acres parcel number 010-017958-00.000 be rezoned from Agricultural District (AG) to Light Manufacturing District (M-1). These parcels are on the south side of State Route 40 East of York Road. Randy Snider seconded and the vote in favor was unanimous.

Chairman Stepp reviewed the Zoning Checklist, Licking County Planning Commission and staff recommendations along with the Etna Township staff recommendation.

Public Comments for the public hearing

Carol Costlow 7123 National Road supports the rezoning and stated it is good for taxes and close to State Routes. Ohio Department of Transportation maintains State Route 158.

Marvin Stout 9501 York Road is against the M1 zoning. He requested the board stay with the current land use plan and stated there is M1 zoning available in the township.

Steve Daugherty 6968 Palmer Road is against the M1 zoning and would like to see it remain agriculture.

Nelson Collins 9431 York Road is against the rezoning and stated there is limited access with two entrances into the property.

Elinor Milos 10081 York Road is neutral in regards to the rezoning. She is concerned with low income housing being developed on the property compared to light manufacturing.

Diana Brown 6659 National Road requested the board leave the property agriculture zoning.

Steve Hunziker 10246 Loop Road stated the community needs to look to the future. He spoke of concerns regarding traffic with the water tower access from the property onto York Road.

Bruce Love 113 Brookside requested the board leave the zoning as agriculture.

Sam Miklos 10081 York Road is against the rezoning and has concerns with noise.

Michael Johnson 9897 York Road requested the board leave the zoning as agriculture.

Applicant Connie Klema discussed the Future Land Use plan showing the 185 acres as residential. The property can be farmed under M1 zoning until developed. The zoning regulations require buffering for the adjacent properties. The manufacturing zoning would bring jobs. The Future Land Use Plan is currently being worked on. A CRA and possible a JEDD would be planned for this property. Connie Klema discussed the benefits to manufacturing versus residential. Ohio Department of Transportation, Brian Bosch would perform a traffic study regarding the property. A joint access out to Route 40 would probable be developed.

Diana Brown asked the board if the township has to rezone because the property owner wants to sell. Trent Stepp explained the property owner has a legal right to request a rezoning.

Steve Dougherty stated the township has M1 zoning that is undeveloped. He suggested the board wait to rezone the property in the future when the demand is up and they have a plan for the property.

Carol Costlow asked what the percentage of the 16 acres in the township of manufacturing currently and if the property at Smoke Road is spot zoning.

Connie Klema stated the property at Smoke Road was rezoned in 2001 from agriculture to M1 contrary to the land use map.

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~~Held~~ Nelson Collins asked what the tax income the school is receiving from ProLogis. He discussed the state funding for the schools being affected from the manufacturing tax income. 20

Jim VanDyne 7573 Refugee Road asked Dick Knapp if he knew the tax income from ProLogis. Jim VanDyne is concerned with more housing on the 185 acres.

Dick Knapp 108 Longwood Crossing discussed the different tax abatements. ProLogis has 100 % tax abatement. The school district agrees before hand. Dick Knapp discussed CAUV on the properties when agriculture.

Rhonda Stein 9501 York Road discussed working and living in the same neighborhood. She would rather drive to work.

Bill Young moved to close the public hearing. Randy Snider seconded and the vote in favor was unanimous.

Zoning Commission Comments

Dan Bravard spoke of the future land uses in Etna Township and more residential. He feels the township needs more taxes.

Randy Snider feels every property owner should have the right to sell their property. He also discussed business being a good tax base.

Pam Munce discussed the residential development next to her and the crime rate increase. She would rather live next to manufacturing over residential. The residential does not support schools.

Bill Young spoke of the location and tax base. He has concerns with the land use and spoke of the land use plan being revised. He requested the residence attend the land use open house to voice their concerns.

Trent Stepp discussed a MORPC study regarding fiscal impacts in Ohio specifically Dublin. Single family residential has the most negative impact to an economy. Multi-Family housing is also a negative impact. Professional is good for the economy. Retail sales are also a negative impact. Manufacturing is a plus for the economy. The ProLogis park for the JEDZ, Etna Township \$33,536.05 and the School also received \$33,536.05 for 2007 tax dollars. Etna Township and the school district receive 30% of the tax dollars collected. Trent discussed the State Route 158 bypass to access I-70. He also stated there is only one property required between this property and Kirkersville in regards to annexation.

Pam Munce asked Sam Miklos if he as a truck driver would travel State Route 310 or State Route 158. Sam stated he would choose State Route 158. Pam Munce discussed the buffering requirements.

Sam Miklos stated if the residents would have heard all the comments first he would rather have the M1 over residential. He has concerns with the crime that comes with residential and feels they need tax revenue with manufacturing.

Bruce Love stated the property owner would have to rezone to residential before it can be developed.

Dan Bravard discussed the traffic on Taylor Road from the residential and retail developments.

Dan Bravard moved to recommend to the Trustees to approve the rezoning request submitted by Connie Klema on behalf of Francis and June Erk requesting that 181.22 acres parcel number 010-017952-00.000 and 2.95 acres parcel number 010-017958-00.000 be rezoned from Agricultural District (AG) to Light Manufacturing District (M-1). Pam Munce seconded. Roll call: Dan Bravard, yes; Randy Snider, yes; Pam Munce, yes; Trent Stepp, yes; and Bill Young, no. Motion passed 4-1.

Trent Stepp recessed the meeting from 8:10 to 8:15 to allow those who do not want to participate to exit.

Public Hearing Article 17 and Article 2

Bill Young moved to begin the public hearing at 8:16 p.m. submitted by the Zoning Commission for text amendments to the zoning resolution to amend Article 2 Definitions and to add Article 17 Planned Residential Districts. Randy Snider seconded and the vote in favor was unanimous.

Chairman Stepp reviewed the Zoning Checklist, Licking County Planning Commission and staff recommendations along with the Etna Township staff recommendation. The recommendations from Eric Fox with the Licking County Prosecutor's office were reviewed.

Jim VanDyne 7173 Refugee Road feels the township Trustees should hold the bond or if the township and the county both hold the bond that would also be acceptable.

Dan Bravard moved to close the public hearing at 8:35 p.m. Bill Young seconded and the vote in favor was unanimous.

The Zoning Commission reviewed the Licking County Planning Commission and Prosecutor's office recommendations.

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Article 17 Section 1703 – Process (C) (b) #3 add “and if the plan complies with the Etna Township Zoning Resolution as applicable.”

In Section 1703 Process (C) (c) #1 add “written” before the word recommendation. At the end add “The written recommendation shall list specific findings of fact. For example if the recommendation is for denial the recommendation shall list specific sections of the zoning resolution for which the proposal does not comply.” In #2 add “two separate written” before the word recommendations. Also add at the end “The written recommendation for the preliminary development plan shall list specific findings of fact. For example if the recommendation is for denial the recommendation shall list specific sections of the zoning resolution for which the proposal does not comply.

Section 1703 Process (C) (d) #3 add “written” before findings.

Section 1703 (c) 5 b 1 the Zoning Commission chose not to use the recommended changes from LCPC. Refer to the legal opinion from Eric Fox with the Licking County Prosecutor’s office.

Section 1703 Process (D)(1)(b) #3 add the words “and if the plan complies with the Etna Township Zoning Resolution as applicable” to the end.

Section 1703 Process (D)(1)(c) #1 add “written” before recommendation.

Section 1703 Process (D)(1)(d) #2 add “written” before findings.

Section 1703 process (D)(2)(g) After discussion the Zoning Commission recommends the township hold the bond. It was decided to change g to the following: Upon dedication of public service facilities/infrastructure to the township, the applicant must post a one (1) year bond to the Etna Township Trustees equal to ten percent (10%) of the original bond posted to Licking County, to ensure the facilities/infrastructure continue to meet the Licking County subdivision regulations.

Section 1703 (D)(5) no change.

Section 1703 Process (E) Plat Required - At the end of the paragraph delete “and shall include” and the sentence “The final development plan application step with the Township shall be the preliminary plan application step in the subdivision regulations administered by Licking County. Delete items 1, 2, and 3.

Section 1706 Permitted uses (E) (1) and Section 1711 do not change. Section 1712 (E)(1)

The recommended definition changes from Licking County Planning Commission were approved. Under Conservation Subdivision strike the word “half” and add “a predefined percentage”. Under the Dwelling Unit, Common Wall Single Family Attached strike the word “housing” and add “single family dwelling units”. Under Historical Buildings add the following: The Board of Trustees shall utilize the Ohio Historical Society definition of Historic Structure as their standard for making this determination. The Ohio Historical Society defines a Historic Structure as any building or structure which has historic, architectural or archaeological significance and has been so designated according to the standards set by the Ohio Historical Society. The significance of a property to the history, architecture, archaeology, engineering, or culture of a community, state, or the nation. It may be achieved in several ways: A. Association with broad pattern of our history, events, activities, or patterns. B. Association with important persons. C. Distinctive physical characteristics or design, construction, or form. and D. Potential to yield information important in history or prehistory (archaeology).

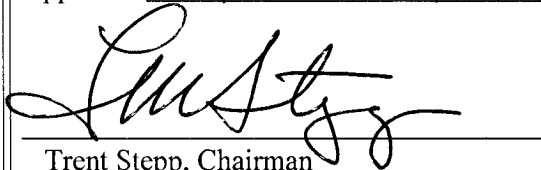
Chris Harkness will provide the Zoning Commission with a clean copy at the next meeting.

Public Comments - none

Trent Stepp adjourned the meeting at 9:22 p.m.

Approved April 15th 2009

Approved as corrected/amended _____





Trent Stepp, Chairman

Laura Brown, Clerk