

St. Albans Township Zoning Commission

August 27, 2024 Rezoning Hearings

Present: Greg Williams, Mary Fitch, Carolyn Andrews, David Lees, and Mike Washington

Mike called the meeting to order at 5:30 and led the Pledge of Allegiance

Commission members introduced themselves

Mike mentioned hearing rules - limit public comment to 3 min., state name and address, only speak one time per hearing, respect others and no back and forth between audience members, only 1 person at a time.

Court reporter swore in anyone wanting to speak

Mike read the **McCoy rezoning application for 6484 Davison Lane (1.86acres) parcel #066-317826.00.001 from AG to Commercial**. LCPC staff report recommended denial basically because it didn't confirm to the comprehensive plan and FLUM. Last night's meeting of the LCPC, they recommended approval of the rezoning because it did comply with comp plan and FLUM.

Lee Heckman is here on behalf of Hills family and all 3 applications were submitted together. The commission also pointed out transportation infrastructure supports growth in these areas. Lack of water and sewer is a non issue - many other approved rezonings without water and sewer. This area is a gateway for the area and ideal spot for future business. Staff had to correct themselves because they said in their report that the application doesn't comply with comp plan or FLUM but they all do. Comp Plan recognizes you can't eliminate growth but limits growth to the areas most suitable for business development. This isn't spot zoning since it complies with the comp plan zoning.

Doug Bennet asked if FLUM is binding?

Steve Meisel said no single family residence can be on commercial zone so will they be moving and they should give up their leadership roles.

Matthew Martin asked what is the difference between planned commercial and general business?

Jennifer Baer read ORC 2921.42 and 2921.43 sections

Jeff Mitchell asked if Doug got his question answered

Woody Fox, zoning inspector, said planned commercial and general business is the same and FLUM is not binding.

Doug Bennet said he was opposed to any Davison Lane zoning changes to commercial and in favor of area remaining AG and maintaining rural lifestyle. If you ask for zoning change you should have to declare intended use. Why would we want to change our rural atmosphere?

Ann Lodder FLUM is planned commercial but resolution is being updated and maybe this application is premature since we don't have planned commercial.

No more public comments so that is closed and commission members comment.

David said we have to have commercial business somewhere to help and support the lifestyle we want like our fire dept. and everything else. If we don't have commercial it's going to have to come out of yours and my pocket.

Greg said these applications are grandfathered under the present resolution per Peter Griggs and that's a consideration. There could be a lot more clarity with our township govt. and if everybody was upfront maybe we wouldn't be in some of these situations.

Mike said we have a good FLUM and a lot of work was put into it. Nothing is perfect and it's not very old and had the school district, govt. bodies and public input. But to Greg's comment, there was no chatter about these types of applications coming with the articles we were working on to make things better and tighten up. But once talk of a moratorium didn't have any clarity to it and caused a knee jerk reaction and need to protect their property and they are abiding by the present rules and it's hard for me to punish someone when they are following what is available right now.

Greg FLUM and comp plan was developed with help of Jim Lenner and understood it was the will of the people with public input but now maybe it isn't what they want. Puts us in an awkward position trying to align with these documents and we're sitting here in a vice.

Mary - I was a comp plan committee member and we met for months and public came and back and forth and we ended up with a product that we were comfortable with. Most people sat in this room and said they thought it was a good plan. It came to our aid when we were looking at a concrete plant on Moots Run cause it didn't align with our plan. Compared to other townships, ours isn't out of line - maybe some tweaking is needed since plans change but it's a guideline and a result of public input process. It's created as a guide for future zoning decisions and LCPC relies on it as they should since it was created with a lot of public input.

Greg said these applicants are above board and don't have devious intent and it's wrong to make any accusations that these people are trying to get in under the wire.

David moved and Mike 2nd to recommend approval of the McCoy rezoning application. Greg - no; Carolyn - abstain; David - yes; Mike - yes. Motion passed

McCoy's application hearing closed and adjourned.

Hill's application for rezoning from AG to commercial at 6414 Davison Lane (1.27 acres) parcel #066-317826.01-000.

Mike reminded all of the rules and everyone has been sworn in.

Mike summarized the staff recommendation for denial but LCPC voted to recommend approval of the application.

Lee Heckman - same components as McCoy - the primary purpose of the comp plan and FLUM is a primary guide for these applications as they do comply so should be approved.

Bruce Lane said the moratorium was not initiated or put in place before these 5 applications.

Jennifer Baer said these applications submitted by a public official and decided to get these applications ahead of doing what was in the best interest of the community.

Lenny Lane said this applicant sits on the zoning board and said the changes in the articles were important to close loop holes.

Jeff Baer reaffirmed what Jennifer and Lenny said.

Jeff Mitchell is curious to know why Pam lives on a 100 yr farm and why now - was it because she was afraid they were going to be revising the comp plan or having to follow new zoning resolution that she helped develop?

Ann Lodder reason for denial that without a specific use in mind property does have to follow the regulations in place.

Woody said zoning in place is the zoning they have to abide by and cited Geiger M1 situation needs to follow rules at that time - is doesn't move forward with current rules.

Susan Meisel said we've got a lot of work ahead of us as a township and why don't they have to share the intended use - why don't they have to answer that question - transparency is important.

No more public comments so that closed and commission comments.

Greg's concern these applications have good intentions and property owners have rights to do what they want with their property, that's why I think they might be premature.

Mary said we have an existing PUD and public office procedure to recuse yourself and that covers what is needed. They still have rights as property owners.

Mary moved and David 2nd to recommend approval of the Hill's rezoning application. Greg - no, Carolyn - abstain, David - yes, Mary - yes, Mike - yes. Motion passed.

Hills's public hearing adjourned.

Davison's Family Farm

Mike reminded everyone of rules and all were sworn in. Mary introduced herself since she was late.

Mike read Davison Family Farm application at 6472 Davison Lane and 6297 Worthington Rd. (139.65 acres) parcels #066-317820-00.000, 066-317826.00.000, 066-317514-01.000, 066-317514-01.001 and 066-317832.00.000 from AG to Commercial. Staff report recommended denial because not in compliance with comp plan and FLUM but LCPC recommended approval since they were in compliance with both.

Lee Heckman said 130+ acres with frontage on Davison and Worthington Rd and part of this is in SW Licking water and sewer areas and comply with comp plan and FLUM.

John Stover said it's absurd that your approving these applications without business plans and will destroy our community and the fact that you don't recognize this.

Jeff Mitchell said all members need to vote if you don't you should explain why. If you're representing the township, you need to make a decision and be ready to talk about it.

Ann Lodder said FLUM is planned commercial and don't have planned commercial district or overlay for this area and premature.

No more public comments so that is closed and commission members comment.

Greg said these potential developments will fall under the old resolution and maybe need the more stringent guidelines.

Mike doesn't disagree but in my mind have to follow what's in place now and they are following the rules and not going to penalize for following the rules. This commission has worked for 3 years to make it a better situation, and it's not perfect but we're in a better place than we were 3 years ago and working hard to take better care of our community.

Mary said real estate can take turns with new owners and this is a large parcel and what a new owner what might do. Because of the size, it might need a little more scrutiny but agree with what has been said.

David said we need to go with the rules we have now and people have a right to do with what they think they want to do, they pay the taxes on it.

David moved and Mike 2nd to recommend approval of the rezoning of Davison Family Farm application. Greg - no, Carolyn - no, David - yes, Mary - no, Mike - yes. Motion denied.

Mike reminded everyone of rules and those wanting to speak have been sworn in.

Reeves application for rezoning from Ag to Commercial on Hazelton Etna Rd (91 acres) parcels#066-318834-00.000 and 066-318834.00.001. Staff report recommends denial because not in compliance with comp plan and FLUM. LCPC recommended approval of this application because it is in compliance.

Kevin Reeves said the application does comply with the comp plan and FLUM under Jim Lenner. No end use is stated at this time but one is not required, this is a rezoning - any end use will have to comply with zoning when the development plan comes through for approval. Lack of stated end use is irrelevant. However, we can honestly state we have no plans at this time, our plans are to continue farming. The main reason is to position the property for the future commercial growth with the almost certain expansion of 310 and the possibility of eminent domain on the road frontage will significantly impact our farming practices from that point forward. With 10,000 jobs coming in 2-3 years because of Intel, we're just trying to be proactive. Water and sewer is currently available less than 1 mile south of this site and sewer plant permitted in same area. Notion that water and sewer has to be on site before zoning can be approved makes no sense at all. Utilities are not required to start the zoning planning process. Look at Coughlin Dealership, Contract Lumber, Lynde's Fruit Farm, Russel Tree Service all have continued to operate despite no water and sewer. Staff report pictures are not of our property. Our parcels do comply with the comp plan and FLUM and urge to approve the rezoning.

Bruce Lane said I object to these changes for the following reasons; it undermines the comp plan and spot zoning leads to fragmenting development and we have a zoning moratorium. I ask to deny application and they can resubmit under the new zoning articles or can be seen as favoritism to specific property owners or developers leading to questions of fairness and potential corruption. Zoning changes made to individual parcels makes special benefits to one owner at the expense of others. It is my opinion they are sneaking changes in before zoning is reformed for the township. Spot zoning can lead to unplanned

demands on infrastructures such as roads and water supply systems which are not yet equipped to handle sudden piecemeal changes in land use. We need time to plan and evaluate development in St. Albans Township.

Jeff Mitchell said I feel the comp plan and FLUM was not what residents wanted - they wanted little changed and that's not what we got. Comp plan committee was influenced by Jim Lenner's copy and paste plan. Moratorium is good so township can revisit FLUM and comp plan listening to residents and not those with personal agendas.

John Stover said we don't have intended use but at the end of the day, you should.

No more public comments so that is closed and commission members comment.

Mike - I have been on the zoning commission 4-5 years and never has any trustee approached me to say zoning was in horrible shape. Never any guidance or direction to push harder than we were pushing.

David said we are doing the best we can with what we have. When we did the comp plan, we got public comments and thought at the end of the day we thought what we had was good. We have to deal with what we have.

Carolyn lives on 310 and can't see to get out of her driveway, traffic is terrible. I'm out here because I didn't want to live in the city - out here because I chose to be in the country. Thinking that 3 or 4 people on this board or trustees can keep up with everything that goes on when you have corporate America, fed and state govt. knew what was going on long before we did. I don't have experience to go up against corporate America, it's not possible for me. But people worked very, very hard and many meetings and little pay.

Mary said this site on 310 is designated commercial and is as close as it gets to Intel in our township and state route, water already runs up 310. I used to live in Georgetown, Ky and real estate said don't move here, it won't grow and now the largest Toyota plant is there, largest in America. Development is coming and all we can do is direct it, we can't put a wall around our township. We're kidding ourselves if we think 310 isn't going to become commercial.

Greg said I've had a checkered past. I grew up close to a suburb of Cleveland close to I90 when it came through about 10 backyards from ours - we eventually moved - neighborhood changed. I've worked for developers, subdivisions, commercial sites and personally like knowing what's going into a site before we change it. Maybe we should try to do that unless it's too late. All I've heard is development is coming so we need to try and control it. We've got the comp plan and now people are pushing back on that, I guess we'll see where that goes. This commission is not easy and I'm losing sleep. I want to represent the voice of the people.

Dave moved and Mary 2nd to recommend approval of the Reeves rezone for 310 application.
Greg - no, Carolyn - no, David - yes, Mary - yes, Mike - yes. Motion passed.

Reeves Legend Lane rezoning

Mike reminded all of rules and everyone has been sworn in.

Kevin Reeves will withdraw this application.

These hearings adjourned at 7:00.