

RECORD OF PROCEEDINGS

Minutes of Union Township Trustees

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held December 23, 2010

Union Township Trustees met in regular session on Thursday, December 23, 2010. The meeting was opened at 7:00 P.M. with the Pledge of Allegiance.

Roll Call: Mr. Beamer, Mr. Donnellon, Mr. McGee
Mr. Campbell, Fiscal Officer

Chief Deimling
Chief Zinser
Administrator – Ken Geis
Assistant Administrator / Zoning Director – Cory Wright
Service Director – Matt Taylor
UTTV Director – Gina DiMario

Mr. McGee made a motion to approve the minutes from the December 9, 2010, regular meeting. Motion was seconded by Mr. Beamer. Mr. McGee –yea: Mr. Beamer – yea: Mr. Donnellon – yea.

Mr. McGee made a motion to approve the minutes from the December 9, 2010, zoning meeting. Motion was seconded by Mr. Beamer. Mr. McGee –yea: Mr. Beamer – yea: Mr. Donnellon – yea

Chief Deimling presented his bi-monthly report to the Trustees.

Chief Zinser presented his bi-monthly report to the Trustees.

Mr. Taylor presented his bi-monthly report to the Trustees.

Mr. Donnellon and Mr. McGee thanked Mr. Taylor for the good job on road snow removal.

Mr. Wright presented his bi-monthly report to the Trustees.

Ms. DiMario presented her bi-monthly report to the Trustees.

Mr. McGee thanked Ms. DiMario and her staff on the Christmas tree lighting. Mr. Donnellon and Mr. Beamer agreed.

Mr. Geis presented his bi-monthly report to the Trustees.

Mr. McGee, Mr. Beamer, and Mr. Donnellon thanked the Post Office staff for following up on the contract and for a job well done.

A public hearing was held on Zoning Case 11-10-O and Zoning Case 12-10-O.

Mr. McGee in accordance with Section 1310 of the Zoning Resolution made a motion to approve the application for the Focus Area Overlay District status, consisting of a request by Gavri LLC to allow for approximately 25 existing parking spaces located on Days Inn property (4056 Mt. Carmel-Tobasco Road) to be utilized as off-site inventory storage for neighboring LA Auto Sales (4044 Mt. Carmel Tobasco Road) as submitted, and with the recommended modification, number one and the statement that Mr. Wright has made to enter into that modification. Motion was seconded by Mr. Beamer. Mr. McGee – yea: Mr. Beamer – yea: Mr. Donnellon – yea.

Applicants wanting to speak on Zoning Case 12-10-O were sworn in by Mr. Donnellon.

Mr. McGee made a motion to pay the outstanding bills as prepared by Mr. Campbell. Motion seconded by Mr. Beamer. Mr. McGee – yea: Mr. Beamer – yea: Mr. Donnellon – yea.

Mr. McGee made a motion to accept the Monthly Financial report as prepared by Mr. Campbell. Motion seconded by Mr. Beamer. Mr. McGee – yea: Mr. Beamer – yea: Mr. Donnellon – yea.

Mr. Beamer made a motion to approve the purchase orders presented by Mr. Geis. Motion was seconded by Mr. McGee. Mr. Beamer – yea: Mr. McGee – yea: Mr. Donnellon – yea.

Mr. Beamer spoke about the progress toward the goals of the Board and recent developments from the Board.

Mr. Beamer, Mr. McGee, and Mr. Donnellon wished everyone Merry Christmas and Happy New Year.

Stuart Kennedy, 600 Kennedy Trails, asked about the personal guarantee from Jungle Jim, attorney client privileges, explanation of \$10,800,000, explanation of records request, and reorganizational meeting.

John Becker, 925 Locust Lane, asked about the personal guarantee from Jungle Jim.

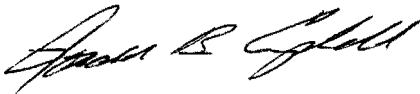
John McGraw, 4604 Blainfield, thanked the Township for the good job on the snow removal. He also asked about public records requests and duplication of documents.

Mr. Donnellon made a motion to hold the reorganizational meeting on Sunday, January 2, 2011 at 8:00 p.m. Motion was seconded by Mr. Beamer. Mr. Donnellon – yea: Mr. Beamer – yea: Mr. McGee – yea.

Mr. McGee made a motion to adjourn at 8:16 p.m. Motion was seconded by Mr. Beamer. Mr. McGee – yea: Mr. Beamer – yea: Mr. Donnellon – yea:

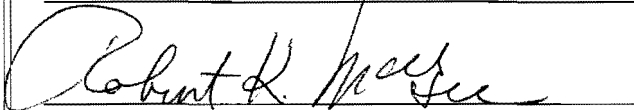
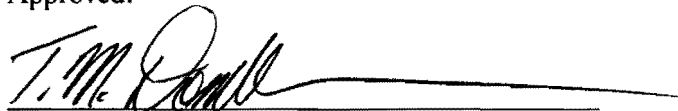
Meeting adjourned at 8:16 p.m.

Respectfully submitted,



Ron Campbell,
Union Township, Fiscal Officer

Approved:



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20 10

A public hearing was held on Zoning Case 11-10-O and Zoning Case 12-10-O.


The applicant has submitted an application requesting Overlay District Plan Approval from the Union Township Board of Trustees for a single parcel (PIN 413214C291), seeking relief from several provisions of the Zoning Resolution including Article 8, Section 812, generally, with respect to the regulation of required parking spaces for business uses, and Sections 1030 & 1050-1070 of the Zoning Resolution, thereby permitting L.A. Auto Sales to utilize approximately 25 spaces on the Days Inn property for excess inventory storage, with no sales to be conducted on the shared parking facilities. The applicant is proposing a Focus Area Overlay – Neighborhood Quality {FA-NQ} Overlay District classification within the Mt. Carmel Tobasco Road Mixed Use Corridor.

Mr. McGee in accordance with Section 1310 of the Zoning Resolution made a motion to approve the application for the Focus Area Overlay District status, consisting of a request by Gavri LLC to allow for approximately 25 existing parking spaces located on Days Inn property (4056 Mt. Carmel-Tobasco Road) to be utilized as off-site inventory storage for neighboring LA Auto Sales (4044 Mt. Carmel Tobasco Road) as submitted, and with the recommended modification, number one and the statement that Mr. Wright has made to enter into that modification. Motion was seconded by Mr. Beamer. Mr. McGee – yea: Mr. Beamer – yea: Mr. Donnellon – yea.

The applicant has submitted an application requesting Overlay District Plan Approval from the Union Township Board of Trustees for multiple parcels (including PIN's 413115D146 & 413115D166), seeking relief from several provisions of the Zoning Resolution including Article 9, generally, with respect to the regulation of freestanding and wall signage, and sections 1030 & 1050-1070 of the Zoning Resolution, thereby permitting Noble Family Eastgate LLC to commence with the redevelopment of the former Biggs Plaza to accommodate entertainment and retail uses in a manner consistent with the submitted application. The applicant is proposing a Focus Area Overlay – Commercial Corridor {FA-CC} Overlay District classification within the Central (State Route 32) Retail Corridor.

Mr. Beamer in accordance with Section 1310 of the Zoning Resolution made a motion to approve the application for the Focus Area Overlay District status, consisting of a request by Noble Family Eastgate, LLC, to establish alternative signage definitions and thresholds, to allow for expanded flexibility regarding the expansion of uses and structures, and to allow for administrative review and approval with regard to signage and general redevelopment at the former Biggs Hypermarket in anticipation of the Jungle Jims International Market development locating at the aforementioned site as submitted and will include recommended modification number one in the staff report. Motion seconded by Mr. McGee. Mr. Beamer – yea: Mr. McGee – yea: Mr. Donnellon – yea.

Respectfully submitted,



Ron Campbell,
Union Township, Fiscal Officer