

Minutes

Clark County Planning Commission

Regular Meeting ~ 2:00 p.m.
Wednesday, February 6, 2019

Springview Government Center
3130 East Main Street
Springfield, Ohio 45505

Chairperson Mark Scholl of the Clark County Planning Commission called the meeting to order at 2:01 pm. and asked for the Roll Call.

Present For Roll Call: Mr. Mark Scholl, Commissioner Lohnes, Commissioner McGlothlin, Mrs. Charlene Roberge, Mrs. Jo Anderson, Mr. David Stickney, Mr. Don Wallace and Commissioner Wilt.

Absent For Roll Call: Mrs. Elaine Stevenson and Ms. Louise Maurer.

Mr. Wallace announced he needed to abstain from Rezoning Case #Z-2019-02.

Approval of the January 9, 2019 Minutes

Motion by Mr. Wallace, seconded by Mrs. Anderson, to **Approve** the minutes as presented.

VOTE: Yes: Mr. Wallace, Mrs. Anderson, Mr. Scholl, Commissioner Lohnes, Mrs. Roberge and Mr. Stickney.

No: None.

Abstain: Commissioner McGlothlin and Commissioner Wilt.

Motion carried.

Chairperson Scholl stated he will abstain from Rezoning Case #Z-2019-01 and Mr. Wallace would be abstaining from Rezoning Case #Z-2019-02.

Mrs. Stevenson arrived at 2:02 pm.

Chairperson Scholl explained the public hearing process for the first case.

Chairperson Scholl asked for Staff to present the first case.

Subdivision Case: #SB-2019-01 ~ Property Owners/Applicants: Roy & Katrina Lycans Agent: Jack Spencer, Attorney ~ Location: 4639 Prairie Bluff Ave.; Moorefield Twp. Request: Preliminary & Final Plat approval of Prairie Land Subdivision.

Mr. Allan Neimayer, Senior Planner, stated the Prairie Bluff Subdivision was originally approved by the County Planning Commission on August 6, 2003. After the CPC approved a Time Extension on November 7, 2007, the Final Plat was recorded on November 29, 2007. The subject property is located at 4639 Prairie Bluff Ave. and consists of 1.049 acres. Mr. Neimayer summarized the history of zoning and building permits issued for a new single-family home construction (detailed in the Staff Report) leading to the home complies with zoning front setback requirement but does not comply with the building line setback of the subdivision plat. To address the building line setback issue, the Applicants have filed this subdivision application to remove the subject property from the Prairie Bluff

Minutes

Clark County Planning Commission

Subdivision and re-plat as Lot #1 of the Prairie Land Subdivision. This re-plat will establish a new minimum building setback line of 50 ft., reflective of the home's actual location.

The Prairie Land Subdivision Final Plat has been submitted to the Tax Map Office and has received their approval on January 16, 2019. The location and design of the well, septic and leach field for the subject property was approved by the Health District on September 17, 2018. The well is located in the northeast corner of the property with the primary and secondary leach field area located south of the home as shown on the attached mortgage survey dated September 25, 2018. As shown on the mortgage survey, the home is a minimum 55.7 ft. from the Prairie Bluff Ave. right-of-way. Staff recommends the Prairie Land Subdivision Final Plat be approved as presented.

Chairperson Scholl asked if there were questions for Staff. There were no questions.

Chairperson Scholl opened the public hearing at 2:08 p.m.

Mr. Jack Spencer, attorney representing the Applicant, 30 Warder St., was sworn in. Mr. Spencer stated he talked to the legal department and he felt they were both in agreement with the process. He stated the County Planning Commission had heard the facts of the case previously, and stated the only difference is the 50 ft. setback vs. 100 ft. setback. Mr. Spencer took all the concerns discussed at the previous CPC meeting and tied them into the new covenants and restrictions. He stated if anyone owns the lot and violates the restrictions, the other 20 lots (of the Prairie Bluff Subdivision) can seek court order to fix the issue.

Chairperson Scholl asked if there were any audience members wishing to speak for or against this case. No audience members spoke for or against the case. Chairperson Scholl closed the public hearing at 2:11 p.m.

Action on Subdivision Case #SB-2019-01 ~ Property Owners/Applicants: Roy & Katrina Lycans ~ Agent: Jack Spencer, Attorney ~ Location: 4639 Prairie Bluff Ave.; Moorefield Twp. Request: Preliminary & Final Plat approval of Prairie Land Subdivision.

Motion by Mrs. Roberge, seconded by Mr. Wallace, to **Approve** as presented.

VOTE: Yes: Mrs. Roberge, Mr. Wallace, Mrs. Stevenson, Commissioner Lohnes, Commissioner McGlothlin, Mrs. Anderson, Mr. Stickney, and Commissioner Wilt.

No: None.

Motion carried.

Rezoning Case #Z-2019-01 ~ Property Owners/Applicants: Barry & Tammy Laughlin ~ Location: 5350 Morris Rd.; Moorefield Twp. ~ Request: to rezone 6.0 acres from A-1 to B-2 to use the former club house of the Mitchell Hills Golf Club as an event center.

Chairperson Scholl removed himself from the Board to abstain from this case. Mrs. Anderson served as Acting Chairperson for Case #Z-2019-01.

Mr. Neimayer stated the subject property is located at 5350 Morris Rd (PID's 220-03-00010-000-182 & -046) and consists of 62.37 total acres. The property is currently zoned A-1 (Agricultural District). The Applicants would like to split off the existing club house site, 6.0 acres, and rezone it to B-2 to be used as an event center. The Applicants intend to convert the remaining land area to agricultural use.

As to the Zoning District, the B-2 zoning district “is intended to provide for a broad range of primarily retail, professional, and personal service uses which may require substantial frontage for visibility and access, and whose trade areas typically extend beyond a particular neighborhood.” Since the intent of the B-1 (Neighborhood) District is to provide retail and service uses only to the surrounding neighborhood area, Staff directed the Applicants to file for B-2 zoning, which is intended to serve the trade area beyond the immediate neighborhood.

The Comprehensive Land Use Plan identifies this subject area as Rural/Agricultural: “Areas that are primarily in agricultural use and include single-family residential, agriculture-related buildings, and civic uses. They may also include specific small-scale retail uses.” There is no floodplain in the immediate area of the subject property. The Mitchell Hills Golf Club facility was serviced by on-site well, septic and leach field. Public water and sanitary sewer utilities are not available. Although the subject property has over 1,300 ft. frontage along Mechanicsburg Rd. (SR 4), the Applicants intend on using the existing access drive off of Morris Rd. for access to the event center as well as the adjacent agricultural land. An ingress-egress easement will be required with the actual lot split.

The Applicants intended use as an event center is very similar in nature of the former golf club house. In recognition of those two uses, and to protect the rural character of the immediate area, Staff recommends the 6.0 acres to be split off be rezoned from A-1 to B-2S (Community Business District, Specific Use) for use as an event center with the condition that there is no direct access to Mechanicsburg Rd. Although Health District approval is not required for the lot split being five or more acres, he discussed the need to make sure there is enough room for a replacement leach field area.

Commissioner Lohnes asked about access from Route 4. Mr. Neimayer showed a slide identifying an existing access off of Route 4/Twitchell Rd.

Acting Chairperson Anderson asked if there were any other questions for Staff.

Mr. Neimayer spoke on the B-2 vs. B-3 zoning district. Under B-2, it allows restaurants without entertainment, but B-3 allows entertainment. He noted either way, the area is rural and stated the use should be controlled with Specific use designation.

Mrs. Stevenson asked if the ingress/egress would be deeded. Mr. Neimayer responded it would be a recorded easement.

With no further discussion from the Board, Acting Chairperson Anderson asked for a motion.

Action on Rezoning Case #Z-2019-01 ~ Property Owners/Applicants: Barry & Tammy Laughlin ~ Location: 5350 Morris Rd.; Moorefield Twp. ~ Request: to rezone 6.0 acres from A-1 to B-2 to use the former clubhouse of the Mitchell Hills Golf Club as an event center.

Motion by Mrs. Roberge, seconded by Commissioner Wilt, to **Approve** the rezoning from A-1 to B-2S (Specific Use) for use as an event center and no direct access to Mechanicsburg Rd.

VOTE: Yes: Mrs. Roberge, Commissioner Wilt, Mrs. Stevenson, Commissioner Lohnes, Commissioner McGlothlin, Mr. Stickney and Mr. Wallace.

No: None.

Abstain: Chairperson Scholl.

Motion carried.

Mr. Scholl returned as Chairperson.

Mr. Wallace removed himself from the Board for the next case.

Rezoning Case #Z-2019-02 ~ Property Owner: Connie Collier, Trustee ~ Applicant: Jon Stafford ~ Location 0 Snider Rd., PID #180-10-00012-000-049, Mad River Twp. ~ Request: to rezone 2.30 acres from B-3 to B-4 for an indoor self-storage facility

Mr. Neimayer corrected the acreage of the subject property as 2.3 acres. He stated the subject property is undeveloped land located on Snider Rd. north of O-Riley's Auto Parts Store, east of Mad River Twp. government offices and across from West Enon Church of God. The subject property consists of 2.3 acres and is currently zoned B-3 (General Business District). The Applicant would like to construct two indoor self-storage buildings and is requesting to rezone the subject property to B-4 for that use.

The Comprehensive Land Use Plan identifies this area as: *"Mixed Use, Low Intensity – Large-scale activity centers that may integrate places to work, shop and live in a walkable pattern. These centers should emphasize employment uses with secondary residential and commercial."* The subject property does lie partially in the 100-year floodplain. The Applicant is aware of the floodplain development application/review process. Both public water and public sanitary sewer service lines are located adjacent to the subject property. Snider Road is identified as a Collector Road on the county's Thoroughfare Plan with a right-of-way of 60 ft. / 30 ft. from centerline. The current right-of-way of Snider Rd. is 30 ft. / 15 ft. from centerline.

Because B-4 zoning would also allow uses that could be incompatible with the church on the opposite side of Snider Road, Staff recommends rezoning the subject property from B-3 to B-4S (Heavy Business District, Specific Use) limiting the use to indoor self-storage facility use and subject to the Applicant getting the required floodplain development permit approval. He noted that the Mad River Township Trustees has sent a letter recommending denial citing the following reasons:

1. The B-4 zoning will open the door to future uses that would not be compatible with the surrounding properties.
2. A large portion of the property is in the floodplain.
3. An additional driveway in that location poses traffic safety concerns.

Chairperson Scholl asked if there were any questions for Mr. Neimayer.

Commissioner McGlothin asked about total acreage and specific use. Mr. Neimayer responded that the acreage is 2.3 acres. He explained the specific use designation would limit the use of the property per staff recommendation.

Commissioner Wilt stated the B-4S addresses Mad River Township Trustee's first issue. She noted that items 2 and 3 on the Township Trustees' letter would be addressed during the permitting process. Mr. Neimayer confirmed stating development cannot happen without flood plain development approval and access has to be determined by the County Engineers Department.

Mrs. Stevenson asked if there was any data on high water in the area. Mr. Neimayer responded he had not heard from other property owners about having flooding issues. He stated floodplain maps

for Clark County were last updated by FEMA in 2010. Mrs. Stevenson noted the area did not have a record of water problems.

Mrs. Roberge stated the first item of concern from Mad River Township is taken care of with the specific use designation. She noted the CPC could not recommend denial due to flood plain if others have been approved in the area. All the surrounding parcels have access issues. She stated she understood the Mad River Township Trustees are looking out for the community, but she could not see recommending denial due to traffic for the requested type of use.

Commissioner Wilt asked if the main use was for boats and RVs. Mr. Neimayer responded yes.

Mr. Stickney stated the Applicant would have to redirect drainage.

Chairperson Scholl asked if the Applicant would like to comment.

Jon Stafford, Applicant, 9988 Union Road, stated the rear (west side) area of the property is for storm water/retention area. He explained there would be 40 storage units with basically 40 customers. He noted there would not be much traffic October to March due to weather. Mr. Stafford stated traffic will be minimal and noted there is not much traffic at the church during the week.

Commissioner McGlothin asked if it was just boats and RVs. Mr. Stafford responded yes.

With no further discussion from the Board, Chairperson Scholl asked for a motion.

Action on Rezoning Case #Z-2019-02 ~ Property Owner: Connie Collier, Trustee ~ Applicant: Jon Stafford ~ Location 0 Snider Rd., PID #180-10-00012-000-049, Mad River Twp ~ Request: to rezone 2.30 acres from B-3 to B-4 for an indoor self-storage facility

Motion by Mr. Stickney, seconded by Commissioner McGlothin, to **Approve** the rezoning from B-3 to B-4S (Specific Use) for use as an indoor-self storage facility subject to floodplain development approval.

VOTE: Yes: Mr. Stickney, Commissioner McGlothin, Mrs. Stevenson, Commissioner Lohnes, Mrs. Roberge, Mrs. Anderson and Commissioner Wilt.

No: None.

Abstain: Mr. Wallace.

Motion carried.

Mr. Wallace returned to Board.

Zoning Text Amendment Case #ZA-2019-01 ~ A reformatting of the current zoning regulations. Does not involve any text/substance changes.

Mr. Neimayer explained the Zoning Text Amendment, initiated by the Clark County Rural Zoning Commission on November 15, 2018. This text amendment is a reformatting only of the current Clark County Zoning Regulations. This amendment does not involve any text/substance changes. Staff recommends adoption of the reformatting of the current Clark County Zoning Regulations as presented.

Chairperson Scholl asked if there were any questions for staff. Hearing none he asked for a motion.

Action on Zoning Text Amendment Case #ZA-2019-01 ~ A reformatting of the current zoning regulations. Does not involve any text/substance changes.

Mrs. Roberge thanked staff for working on the new formatting.

Motion by Mrs. Roberge, seconded by Mr. Stickney, to **Approve** as presented.

VOTE: Yes: Mrs. Roberge, Mr. Stickney, Mrs. Stevenson, Commissioner Lohnes, Commissioner McGlothin, Mrs. Anderson, Mr. Wallace and Commissioner Wilt.

No: None.

Motion carried.

Mr. Neimayer asked Chairperson Scholl if he wanted to discuss site plans. Chairperson Scholl explained the different drawings and requirements for City of Springfield vs. county. He stated it helps clarify right-of-way, because a lot of people use edge of pavement.

Commissioner Lohnes asked about septic layout. Chairperson Scholl stated the sanitation layout is done by a soil scientist. Some of them flag the lot where the leach field will go. Chairperson Scholl stated a septic installer may also flag the lot. Commissioner Wilt stated she had just been through the process and if the septic installer is preapproved with the Health District, they can submit plan.

There was a discussion about how regulations had changed for septic and well.

Commissioner Lohnes introduced Jay Kitchen from Green Twp. who invited him to be part of the County Planning Commission. Mr. Kitchen lives near Locust Hills Golf Course.

Staff Comments

Mr. Neimayer stated the next scheduled CPC meetings are March 6 and April 3, 2019.

Adjournment

Motion by Mrs. Roberge, seconded by Mrs. Anderson, to adjourn.

VOTE: Motion carried unanimously.

The meeting was adjourned at 2:49 p.m.

Mr. Mark Scholl, Chairperson

Mr. Thomas A. Hale, Secretary