

Minutes

Clark County Planning Commission

Regular Meeting ~ 2:00 p.m.
Wednesday, March 7, 2018

Springview Government Center
3130 East Main Street
Springfield, Ohio 45505

Chairperson Stevenson 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: Mrs. Stevenson, Ms. Anderson, Commissioner Lohnes, Ms. Maurer, Commissioner McGlothlin, Mr. Minard, Mr. Scholl, Mr. Wallace, Commissioner Wilt and Mr. Stickney.

Absent For Roll Call: Mrs. Roberge

Approval of the February 7, 2018 Minutes

Motion by Mr. Wallace, seconded by Commissioner McGlothlin, to **Approve** the minutes as presented.

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

No: None.

Abstain: Ms. Anderson and Ms. Maurer.

Motion carried.

Approval of the December 6, 2017 Minutes

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

VOTE: Yes: Mr. Wallace, Mr. Minard, Ms. Anderson, Commissioner McGlothlin, Mrs. Stevenson, Ms. Maurer, Mr. Minard, and Mr. Scholl.

No: None.

Abstain: Commissioner Lohnes, Mrs. Roberge and Commissioner Wilt.

Motion carried.

Chairperson Stevenson noted that the November 1, 2017 minutes would be deferred to the next meeting due to lack of eligible voting members.

Chairperson Stevenson explained that the public hearing process to the audience.

Subdivision Case #SB-2018-01 ~ Property Owners/Applicants: Anthony & Monica Zimmerman ~ Agent: Frank Wood, attorney ~ Location: 5550 W. National Rd.; Bethel Twp. ~ Request: Replat Lots 1 and 14 of the Tecumseh Heights Subdivision

Chairperson Stevenson asked for the staff report.

Mr. Neimayer, Senior Planner, stated the subject property, Tecumseh Heights Subdivision, is located on the west side of N. Tecumseh Road just north of U.S. 40 (W. National Road), and was originally

platted in August 1948. He said when zoning was originally adopted in Bethel Township in November 1964, this subdivision property was zoned R-1 (Suburban Residence District). He noted the subdivision property remains zoned R-1 (now defined as Rural Residence District) except for portions of Lots 1 and 14, which were recently rezoned to B-1 to be used with the abutting property for a new retail store development. Mr. Neimayer stated the Applicants are now requesting to remove those portions of Lot 1 (0.085 acres) and Lot 14 (0.158 acres) by replatting that section of the Tecumseh Heights Subdivision.

In addition to the replat documents, a Consolidation Survey and legal description have also been prepared. Mr. Neimayer stated drafts of the replat, consolidation survey and legal description were reviewed by the Tax Map Office in November 2017 and comments were provided to the surveyor of record. He noted that all required corrections have been made and referenced the stamped approval from the Tax Map Office. He stated there are no open items from the Technical Review Committee. Mr. Neimayer stated that Staff recommends the replat of Lots 1 and 14 of Tecumseh Heights Subdivision be approved as presented.

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

Commissioner Lohnes asked for clarification of the existing Lot 1 and Lot 14. Mr. Neimayer explained the map that Mr. Lohnes was reviewing was the consolidation map. Mr. Neimayer reviewed the map showing the area of Lot 1 and Lot 14 that was being removed.

Commissioner Wilt asked if this action was for consolidating into one tax parcel. Mr. Neimayer responded yes.

Chairperson Stevenson asked if Lot 1 extended across the road. Mr. Neimayer showed the map and explained that Lot 1 does cross the street to ensure the private wastewater treatment facility was part of the replat.

Mr. Lohnes asked if the acreage (for the private treatment facility) was less than .25 acre. Mr. Neimayer responded it was .2735 acres.

With no further questions for Mr. Neimayer, Chairperson Stevenson opened the public hearing at 2:10 pm. and asked for the Applicant to speak.

Bob Gage, attorney with Wood & McDaniel, Cincinnati, OH, representing the Applicants was sworn in. Mr. Gage stated the re-plat is in response to the request to clean up the fragments of lots caused by the potential development that is being pursued.

Chairperson Stevenson asked if there were questions for Applicant.

Commissioner Lohnes asked if the request came from the County Engineer's Office or Community Development. Mr. Neimayer responded it was from the Community Development.

Commissioner Lohnes ask for a clarification on the actions being considered. Mr. Neimayer stated removing the portion of land from the subdivision and the combining of the parcels into one parcel. Commissioner Lohnes asked for clarification that both actions were being done at the same time. Mr. Neimayer responded yes.

Chairperson Stevenson asked if anyone in the audience wished to speak for the case. No one spoke.

Chairperson Stevenson asked if anyone in the audience wished to speak against the case.

Dawn Fisher, 5550 W National Rd. Lot 7, was sworn in. Ms. Fisher stated she was concerned with Lot 1 and Lot 14 taking the only entrance to the park. She stated that Dollar General was going to use the only other entrance. She also stated she was concerned about the sewer system. She asked what is going to happen to access and the sewer system.

Mr. Neimayer responded the wastewater treatment facility remains with subdivision plat and the (N. Tecumseh Road) entrance stays as well.

Commissioner McGlothlin stated the sewer will remain the same.

Charlotte Fogarty, 5630 W. National Rd., was sworn in. Ms. Fogarty stated that Lot 1 abutted her property and she was worried about her fence might get destroyed. Ms. Fogarty stated that no traffic study has been done. She was worried about property values and crime. She stated there are 300 people in the area against the proposed Dollar General store.

Ms. Anderson asked Ms. Fogarty to point out her property on map. She did and then Mr. Neimayer explained using the map that the replat did not affect her property.

Gary Cox, 128 N. Tecumseh Rd, was sworn in. Mr. Cox asked if any trailers will be removed. Mr. Neimayer explained using the map the area involved. He stated the trailers on the leftover portion of land are the property owners responsibility.

Mr. Cox asked if the entrance was moved off of N. Tecumseh Road. Mr. Neimayer responded he had not received information on the access point at this time. Commissioner Lohnes stated the access issue will go through the County Engineer's Office. He stated that is where the traffic study will also come into play. He stated everything viewed to this point is a preliminary plan and now that the rezoning has been approved, the official final engineering plans will need to be submitted and be approved. Commissioner Wilt reminded the audience that she added a condition to the rezoning that required a traffic study.

Mr. Cox said he understood that it is a replat, but stated there are also some fuel oil issues. He also wanted to make sure Dollar General was not going to use the sewer system.

With no further comments from the audience, Chairperson Stevenson asked Mr. Gage if he would like time for rebuttal.

Mr. Gage stated the proposed Dollar General would not be using the private sewer system.

Mr. Cox stated he understood Dollar General wanted a store on every corner to make money, but he has concerns. He stated he wished the township trustees were more involved. Commissioner Lohnes stated the township trustees are aware of the case. Chairperson Stevenson stated the Community Development Department keeps trustees notified.

Mr. Cox asked if there was an update from the EPA on the fuel oil leak. Mr. Gage stated he did get a notice from EPA, but did not have an all clear from them. He stated the current property owner, Mr. Zimmerman, is responsible for the cleanup.

Chairperson Stevenson closed the public hearing at 2:31 p.m. With no further discussion from the Board, Chairperson Stevenson asked for a motion.

Action Subdivision Case #SB-2018-01 ~ Property Owners/Applicants: Anthony & Monica Zimmerman ~ Agent: Frank Wood, attorney ~ Location: 5550 W. National Rd.; Bethel Twp. ~ Request: Replat Lots 1 and 14 of the Tecumseh Heights Subdivision

Motion by Commissioner McGlothlin, seconded by Mr. Wallace, to **Approve** as presented.

VOTE: Yes: Commissioner McGlothlin, Mr. Wallace, Mrs. Stevenson, Ms. Anderson, Commissioner Lohnes, Ms. Maurer, Mr. Minard, Mr. Scholl, Commissioner Wilt and Mr. Stickney.

No: None.

Motion carried.

Chairperson Stevenson thanked the audience for attending.

Connect Clark County Comprehensive Plan

Mr. Neimayer stated the final plan was due soon. He explained he wanted the CEDA and Planning Commission together to recommend the plan at one meeting. He explained the implementation team will be formed after the City Planning Board in March. He explained the BZA appointed Jerri Taylor to the Land Use team and the Rural Zoning Commission would be appointing someone at their March 15th meeting.

Staff Comments

Mr. Neimayer stated the next scheduled CPC meeting would be April 4, 2018.

Mr. Neimayer stated that there are pending items on the proposed Dollar General development due to some miscommunication among all representatives of Dollar General.

Commissioner Lohnes asked if a traffic study company was selected. Mr. Neimayer stated he was not aware of any. Commissioner Lohnes asked if Commissioner McGlothlin could get an update at an upcoming TCC meeting.

Mr. Neimayer stated Dollar General has proposed an onsite septic system, but according to the Health District, the site needs marked and they are waiting for all tanks to be removed. He noted there was no information on stormwater.

Chairperson Stevenson asked if there is a timeline for the outstanding items to be completed. Mr. Neimayer responded no.

Chairperson Stevenson asked about the private sewer system. Mr. Neimayer responded it is private. It is owned and maintained by the property owner. Commissioner Lohnes stated the Zimmermans are not new owners.

Chairperson Stevenson asked if the EPA monitors the system. Mr. Neimayer responded he thought a report gets submitted to EPA. Commissioner Lohnes stated the Clark County Combined Health District is responsible. Mr. Wallace said the state was also involved.

In other business, Mr. Neimayer asked how many members wanted a printed copy of the new comp plan. He asked if one printed copy would be enough for the Chairperson-position to keep and pass

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around for Board member's use. Commissioner Lohnes, Commissioner Wilt, Commissioner McGlothlin, Mr. Minard and Mr. Stickney expressed the need for a printed copy.

Adjournment

Motion by Mr. Minard, seconded by Mr. Wallace, to adjourn.

VOTE: Motion carried unanimously.

The meeting was adjourned at 2:53 p.m.

Mrs. Elaine Stevenson, Chairperson

Mr. Thomas A. Hale, Secretary