

# **Minutes**

## **CEDA Regional Planning Commission**

Regular Meeting ~ 4:00 pm.  
Thursday, May 2, 2019

Springview Government Center  
3130 East Main Street  
Springfield, Ohio 45505

Mr. Mike Hanlon, Chairperson of the CEDA Regional Planning Commission of Clark County Ohio, called the meeting to order at 4:00 pm. and asked for the Roll Call.

Present For Roll Call: Mr. Mike Hanlon, Ms. Theresa Hartley, Mrs. Charlene Roberge, Mr. Dick Shaw and Mr. Charles Morris.

Absent For Roll Call: Ms. Kathryn Lewis Campbell and Mr. Dan Kelly.

Chairperson Hanlon asked for a motion to approve the minutes.

### **Approval of March 7, 2019 Minutes**

Motion by Mrs. Roberge, seconded by Mr. Shaw, to **Approve** the minutes as presented.

**VOTE: Yes:** Mrs. Roberge, Mr. Shaw, Mr. Hanlon, Ms. Hartley and Mr. Morris.

**No:** None.

Motion carried.

Ms. Lewis-Campbell arrived at 4:02 p.m.

### **Case #2019-Z-01~ Property Owner/Applicant: Clark County Land Reutilization Corporation ~ Location: 4440 Laybourne Rd.; City of Springfield ~ Request: Request to rezone 4.33 acres from TWP-A to CH-1 for development.**

Chairperson Hanlon asked for the staff report. Mr. Neimayer explained the property was annexed years ago and now looking to rezone to a proper district for development. Mr. Steve Thompson, Planning, Zoning & Code Administrator for the City of Springfield, stated the Applicant seeks to rezone the property from Township A (Agricultural District) to CH-1 (Highway Commercial District). The Applicant intends to develop the property for hotels and restaurants.

Mr. Thompson stated the CONNECT Clark County Land Use Plan shows this future character area as "Mixed Use, High Intensity." He further explained CH-1 allows for the following uses:

#### **Principal Uses:**

- (a) Automobile and truck-oriented use
- (b) Commercial recreational facility
- (c) Community center
- (d) Daycare center
- (e) Financial institution
- (f) Hotel or motel
- (g) Office

- (h) Restaurant
- (i) Retail
- (j) Theater
- (k) Wholesale trade and warehouse establishment

Provisional Uses: None

Conditional Uses:

- (a) Public utility or public use
- (b) School, specialized private instruction
- (c) Used merchandise store, including an antique store and flea market. Small new items such as trinkets may be sold in conjunction with used merchandise up to 50 percent of gross sales.

Mr. Thompson stated CH-1 uses are compatible with the surrounding area. Staff recommends approval of the request to rezone the subject property from Springfield Township A (Agricultural District) to CH-1 (Highway Commercial District).

Mr. Neimayer showed the proposed slide with a proposed hotel and restaurant.

Chairperson Hanlon asked if there were questions for Mr. Thompson or Mr. Neimayer. Hearing none, Chairperson Hanlon asked for a motion.

**Action on Case #2019-Z-01~ Property Owners: Clark County Land Reutilization Corporation ~ Location: 4440 Laybourne Rd.; City of Springfield ~ Request: Request to rezone 4.33 acres from TWP-A to CH-1 for development.**

Motion by Mrs. Roberge, seconded by Mr. Shaw, to **Approve** the Applicant's request as presented.

**VOTE: Yes:** Mrs. Roberge, Mr. Shaw, Ms. Hartley and Mr. Morris.

**No:** None.

**Abstain:** Ms. Lewis-Campbell (arrived during presentation of the case)

Motion carried.

**Case #S-2019-01 ~ Property Owners: Schroeder Victor ~ Location: 1995 Rebert Pike., Springfield Twp. ~ Request: Request to rezone from R-1 and I-1 to B-2 for a landscaping business.**

Mr. Neimayer stated the subject property is located at 1995 Rebert Pike and consists of 4.55 acres. The property has split zoning: the majority of the land area is zoned R-1 (Single-Family Residential District) while the existing building site is zoned I-1 (Light Industrial District). As the current use of the property is for a landscaping business, the Applicant would like to rezone the property to a proper zoning district. The subject property was originally zoned A (Agricultural District). On August 2, 1979,

3.55 acres was rezoned to R-1 (undeveloped land area) and the remaining 1.0 acre (existing building) was rezoned to I-1. The I-1 zoning was for the manufacturing of sheet metal work (outdoor cookers, fire place supplies). In 1986 a rezoning application was filed to rezone the R-1 undeveloped land area to I-1 "to build a factory". This rezoning request was denied by the Township Trustees on July 23, 1986.

The Applicant's requested zoning is for B-2 (Community Business District). Upon further review of the zoning districts and allowed uses, Staff feels the landscaping business falls under the B-3 (General Business District): a similar use to garden stores, garden centers, greenhouses and nurseries – Section 1301, F. The CONNECT Clark County Land Use Plan identifies the subject area as Suburban Living, Low Intensity: Single family homes arranged along wide, curvilinear streets with few intersections and will either front or back onto shared natural areas. Public utilities (water and sanitary sewer) are not available to the subject property. The county Thoroughfare Plan identifies this section of Rebert Pike as a Secondary Arterial with a projected 80 ft. right-of-way. The current ROW for this section of Rebert Pike is 40 ft.

As stated above, Staff feels the Applicant's intended use falls under B-3 zoning (Section 1301, F). A B-3 zoning would also allow uses under B-2 and B-1 zoning. The Applicant's request to down zone from I-1 to B-3 would also benefit the residential neighborhood by reducing the "allowed" land uses of the property. Because the subject property is surrounded by single-family residential development with current zoning of A and R-1, Staff recommends the subject property (4.55 acres) be rezoned to B-3S (General Business District, Specific Use) with use of the property limited to the Applicant's landscaping business.

Mrs. Roberge asked how the split zoning and use of property was discovered. Mrs. Jennifer Tuttle, Planner, explained that she received a code complaint regarding a structure without permits and the keeping of goats. She stated the owner was notified and through that violation, it was discovered the zoning of the property needed to be resolved.

Mrs. Roberge asked if the goats were gone. Mr. Victor Schroeder, Applicant, 1995 Rebert Pike, stated the goats are gone and the accessory structure in question with the code complaint is currently coming down.

Chairperson Hanlon asked if there were questions for Staff. Hearing none, Chairperson Hanlon asked for a motion.

**Action on Case #S-2019-01 ~ Property Owners: Schroeder Victor ~ Location: 1995 Rebert Pike.; Springfield Twp. ~ Request: Request to rezone from R-1 and I-1 to B-2 for a landscaping business.**

Motion by Mrs. Roberge, seconded by Ms. Lewis-Campbell, to **Approve** the Applicant's request as presented.

**VOTE: Yes:** Mrs. Roberge, Ms. Lewis-Campbell, Ms. Hartley, Mr. Morris and Mr. Shaw.

**No:** None.

Motion carried.

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## **CEDA Regional Planning Commission**

### **Staff Comments**

Mr. Neimayer announced the next scheduled meetings as June 6 and July 10.

### **Adjournment**

Motion by Mrs. Roberge, seconded by Mr. Morris, to adjourn.

**VOTE: Motion carried unanimously.**

The meeting was adjourned at 4:16 pm.

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Mr. Michael Hanlon, Chairperson

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Mr. Thomas A. Hale, Secretary