

Minutes

Clark County Planning Commission

Regular Meeting ~ 2:00 p.m.
Wednesday, May 3, 2017

Springview Government Center
3130 East Main Street
Springfield, Ohio 45505

Chairperson Anderson 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: Ms. Jo Anderson, Commissioner Lohnes, Commissioner McGlothlin, Mr. David Minard, Mrs. Charlene Roberge, Mr. Mark Scholl, Mr. Don Wallace and Commissioner Wilt.

Absent For Roll Call: Mrs. Elaine Stevenson.

Present After Roll Call: Ms. Louise Maurer arrived at 2:03 p.m.

Approval of the April 5, 2017 Minutes

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

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

No: None.

Abstain: Ms. Anderson and Mr. Minard.

Motion carried.

Note: Ms. Maurer arrived after the voting of the minutes.

Rezoning Case #Z-2017-05 ~ Property Owner/Applicant: Mark Overholser ~ Location: 4530 Ridgewood Road W. in Moorefield Township ~ Rezone 2.85 acres from R-2A (Medium Density Single-Family Residence District) to R-4 (Multiple-Family Residence District) for condominium/apartment site.

Chairperson Anderson asked Mr. Neimayer for the Staff Report.

Mr. Allan Neimayer, Senior Planner, stated the subject property is located at 4530 Ridgewood Road W. and consists of 2.85 acres. He said the original zoning map adopted for Moorefield Twp. shows the property was zoned R-2A and remains as such today. He stated the Applicant would like to rezone the entire property from R-2A (Medium Density Single-Family Residence District) to R-4 (Multiple-Family Residence District) to allow for future condominium or apartment development. Mr. Neimayer stated the CROSSROADS Land Use Plan identifies this area of Moorefield Twp. as Mixed Use with some commercial in the area. He explained that the property is serviced by both public water and sanitary sewer services. Mr. Neimayer stated the subject area is predominantly a residential area of varying densities comprised of single-family and multi-family developments. As such, Staff recommends the Applicant's request to rezone the subject 2.85 acres from R-2A to R-4 to allow for condominium or apartment development be approved as presented. Mr. Neimayer stated he had a few inquiries about the rezoning and did not have a problem with condominiums but were

opposed to apartments. He stated a neighbor had voiced concern about having renters versus owners.

Chairperson Anderson asked if the Board had questions for Mr. Neimayer.

Mr. Wallace asked if the school made any comments. Mr. Neimayer stated no.

Mrs. Roberge asked the Applicant if he had decided on apartments or condos. Mark Overholser, Owner/Applicant, 6841 Johnson Rd., stated he was not sure if he was going to do condos or apartments at this point. He stated the pool is far past the point of repair. Mr. Overholser stated he was not going to start the project for a few years.

Commissioner McGlothlin asked if there would be an age limit on the multi-family dwelling. Mr. Overholser stated he needed to do a market study to determine that. He stated the school may be gone in a few years, so he needed to explore the market.

Commissioner McGlothlin asked if he was leaning on apartments. Mr. Overholser stated he really was not sure until he did a market study. He added if the school stays, it would be nice if families lived that close so the kids could walk to school.

Hearing no further questions or comments from the Board, Chairperson Anderson asked for a motion.

Action Rezoning Case #Z-2017-05 ~ Property Owner/Applicant: Mark Overholser ~ Location: 4530 Ridgewood Road W. in Moorefield Township ~ Rezone 2.85 acres from R-2A (Medium Density Single-Family Residence District) to R-4 (Multiple-Family Residence District) for condominium/apartment site.

Motion by Commissioner Wilt, seconded by Commissioner McGlothlin, to recommend **Approval** as presented.

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

No: None.

Motion carried.

Rezoning Case #Z-2017-06 ~ Property Owner: Richard Renner/Applicant: Mike Francis ~ Location: 5625 Lower Valley Pike in Bethel Township ~ Rezone 36.59 acres from B-4'S' (Heavy Business District Specific Use) to B-4 (Heavy Business District) to allow a full service landscape supply center including a parking/storage area for contractor equipment.

Chairperson Anderson asked Mr. Neimayer for the Staff Report.

Mr. Neimayer stated the subject property is located at 5625 Lower Valley Pike and consists of 36.59 acres. He noted the original zoning map adopted for Bethel Twp. shows the property was zoned A-1. The property had been a nonconforming topsoil business and was rezoned in 1993 to allow for construction of a new building. He stated due to floodplain related issues, the property was rezoned in 1993 to B-4'S' (Heavy Business District, Specific Use for a topsoil and mulch business with a structure to house soil and related excavating equipment and office) and remains as such today. Mr. Neimayer explained that the Applicant would like to rezone the property from that B-4'S' to a straight

B-4 to allow for expansion of the mulch and topsoil business to a full service landscape supply center and to include parking and storage for contractor equipment. The intent of the B-4 Heavy Business District is to provide for heavy businesses which are incompatible with local and community business districts. Mr. Neimayer stated the CROSSROADS Land Use Plan identifies this area as Agricultural/Rural Residential. He also explained that the subject property is located in Flood Zone AE in addition to being entirely in the floodway. Therefore, the Applicant will be required to file a Flood Development Application.

Mr. Neimayer explained that Staff does not support rezoning to a straight B-4 because it would allow all permitted businesses of B-4, B-3, B-2 and B-1 on the subject property. He noted that business development of the property is highly constrained from a building perspective due to its location in the floodplain and floodway. He said because SR 4 is a Limited Access highway, access to the property is reduced to "old" Lower Valley Pike which has a current road pavement width of approximately 18 ft. He added the road is not suitable for introducing "new" business traffic beyond what the Applicant is asking. Staff recommends denying the Applicant's request for straight B-4 zoning, and instead recommends amending the current B-4'S' zoning to allow a full service landscape supply center including parking/storage area for contractor equipment conditioned upon approval from the county Floodplain Administrator.

Chairperson Anderson asked if the Board had questions for Mr. Neimayer.

Commissioner Lohnes asked for the details of the specific use. Mr. Neimayer stated the specific use was for a topsoil business and structure to house soil, related excavating equipment, and office only.

Chairperson Anderson asked if the motion should be to amend the specific use. Mr. Neimayer responded yes.

Commissioner Lohnes stated a B-4 would allow things that should not happen on the lot due to the size, access and being in the floodplain.

Commissioner Wilt asked if amending the specific use would take care of the Applicant's needs. Mr. Neimayer responded yes.

Mike Francis, Applicant, 5625 Lower Valley Pike, stated he agreed with Staff's recommendation. He stated he would not want to do 95% of the uses included under B-4, B-3, B-2 or B-1. He stated he wanted to store large pieces of equipment and felt items 4 and 5 under Chapter 2, Section H uses (Contractor's Equipment Storage Yard or Storage of Rental of Contractor's Equipment and Motor Vehicle Storage) would cover his request. His brother expressed interest in storing landscaping materials on the property, so they decided it would be nice expand the business and be open year round. Mr. Francis stated he did not plan to asphalt or build any structures. He would like to possibly rent landscaping equipment to contractors and the public in the future.

Mr. Wallace asked if the expanded use would increase the traffic in the area. Mr. Francis stated he was not sure. He stated he hoped to grow the business, add residential deliveries and stay open year round. But, he did not know if that would affect traffic.

Mrs. Roberge asked if the Applicant owned most of the road back to the business (from the canoe business to his property) and if he had to maintain it. Mr. Francis stated that was his understanding.

Mr. Wallace stated he is concerned about increased traffic for the residents on (old) Lower Valley Pike near the canoe livery. Mr. Francis stated he did not feel there would be an immediate change in traffic. He stated his customers are 50 percent contractors and 50 percent regular customers.

Commissioner Wilt told the Applicant she appreciated that he is following procedure and getting approval before expanding the business.

Commissioner Lohnes asked if the Applicant owned the business. Mr. Francis stated he owns the business and is buying the land on land contract.

Hearing no further questions or comments from the Board, Chairperson Anderson asked for a motion.

Action Rezoning Case #Z-2017-06 ~ Property Owner: Richard Renner, Applicant: Mike Francis ~ Location: 5625 Lower Valley Pike in Bethel Township ~ Rezone 36.59 acres from B-4'S' (Heavy Business District Specific Use) to B-4 (Heavy Business District) to allow a full service landscape supply center including a parking/storage area for contractor equipment.

Motion by Mrs. Roberge, seconded by Mr. Wallace, to recommend **Approval** to amend the current B-4'S' specific use to include a full service landscape supply center including a parking/storage area for contractor equipment.

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

No: None.

Motion carried.

Staff Comments

Mr. Neimayer told the Board the next meeting would be held on June 7, 2017.

Mr. Neimayer updated the Board with the PUCO new transmission line map for Moorefield Township and informed them of upcoming public hearings.

Mr. Neimayer updated the Board on HB-175, a bill to amend Sections 303.21 and 519.21 and to enact Section 901.60 of the Ohio Revised Code. These proposed amendments would allow an owner of residential property to keep, harbor, breed or maintain small livestock on the property, and to prohibit zoning authorities from regulating certain agricultural activities conducted on residential property for noncommercial purposes. He believes the bill would eliminate any zoning authority on this subject matter in subdivisions. He informed the Board that he is waiting on advice from the county prosecutor's office before proceeding with the text amendments concerning animals.

Minutes

Adjournment

Motion by Mrs. Roberge, seconded by Commissioner McGlothin, to adjourn.

VOTE: Motion carried unanimously.

The meeting was adjourned at 2:35 pm.

Ms. Jo Anderson, Chairperson

Mr. Thomas A. Hale, Secretary