

Minutes

CEDA Regional Planning Commission

Special Meeting ~ 4:00 pm.
Thursday, June 14, 2018

Springview Government Center
3130 East Main Street
Springfield, Ohio 45505

Mr. Michael Hanlon, Chairperson of the CEDA Regional Planning Commission of Clark County Ohio, called this special meeting to order at 4 p.m. and asked for the Roll Call.

Present For Roll Call: Mr. Hanlon, Ms. Hartley, Mr. Kelly, Mr. Morris and Mr. Shaw.

Absent For Roll Call: Mrs. Roberge and Ms. Lewis-Campbell.

Chairperson Hanlon asked for a motion for the approval of the minutes.

Approval of the February 8, 2018 Minutes

Motion by Mr. Kelly, seconded by Ms. Hartley, to **Approve** the minutes.

VOTE: Yes: Mr. Kelly, Ms. Hartley, Mr. Hanlon and Mr. Morris.
No: None.
Abstain: Mr. Shaw .

Motion carried.

Approval of the April 5, 2018 Minutes

Motion by Mr. Kelly, seconded by Mr. Shaw, to **Approve** the minutes.

VOTE: Yes: Mr. Kelly, Mr. Shaw, Mr. Hanlon, Mr. Morris,
No: None.
Abstain: Ms. Hartley.

Motion carried.

Chairperson Hanlon called for discussion on allowing public comment for the meeting. He stated the case to be considered is not a public hearing for this Board, but asked the Board if they wanted to hear public comments. The Board unanimously agreed to allow public comment.

Chairperson Hanlon called for any abstentions. Mr. Kelly announced he would abstain from the case.

Chairperson Hanlon asked for the Staff report.

Case #2018-Z-03 ~ Property Owner: Bechtle Avenue Properties Limited ~ Applicant: DDC Management, LLC; Jonathan Bills ~ Location: PID 305-07-00016-201-048; 16.0 acres ~ PID 305-07-00016-201-002; 1.79 acres ~ PID 305-07-00016-201-007; 9.9 acres ~ PID 305-07-00016-201-038; 10.89 acres ~ PID 305-07-00017-409-007; 15.35 acres ~ Request: to rezone the above referenced parcels, 53.93 total acres, from City RM-12 with an OPD-H overlay, TWP R-1 and Twp B-3 to City RS-8

Jennifer Tuttle, Planner, stated the subject property is located at the end of S. Tuttle Rd. and along E. National Rd. (US 40). The subject property consists of five (5) separate parcels as identified above

and consists of 53.93 total acres. The Applicant would like to rezone the subject property from RM-12 (Low-Density, Multiple Family Residence District) with an OPD-H overlay (Planned Development Housing Overlay District), Twp R-1 (Single-Family Residential District) and Twp B-3 (General Business District) to a straight RS-8 (Medium-Density Single-Family Residence District). As stated in the city's zoning regulations, "The purpose of this district is to provide for the development of small lot single-family dwellings and to preserve the character of existing small lot subdivisions in the city. This district represents a relatively high density for single-family development, thus dwellings in this district should be in close proximity to all city services and facilities, especially parks, schools and recreational facilities. Special attention should be given to landscaping and site development in this district. Special provisions of this district are designed to permit dwellings with no side yard to accommodate single family attached dwellings."

Mrs. Tuttle explained the Development Standards: 8 units per acre; minimum 4,000 sq. ft. lots and minimum average 5,000 sq. ft. lots; min. 40 ft. frontage.

Mrs. Tuttle explained The CONNECT Clark County Land Use Plan identifies the subject property as Traditional Neighborhood, High Intensity and a portion as Suburban Living, Low Intensity. Mrs. Tuttle stated both public water and public sanitary sewer utilities are available to service the proposed development and are provided by the City of Springfield.

Mrs. Tuttle stated the main access to and from the adjacent Wal-Mart commercial Area would remain. She further explained a second access point into the proposed development is off of E. National Rd. (US 40) and will require review and approval from ODOT. She explained there was a small frontage on S. Bird Rd., but the proposed site plan does not show it being used for access.

Mrs. Tuttle referred the Board to the County Engineer's Department letter that raises various concerns with S. Bird Rd. as a potential access point to the proposed development. She stated similar concerns exist with regards to Brust Dr. and Elbron Rd. as potential access points due to the width of the roads. She stated the Engineer's letter also commented on storm water drainage.

Mrs. Tuttle explained that Staff has revised the original recommendation based on receiving the proposed site plan. She stated the request is to downzone the subject property for single-family development, and the proposed development is consistent with the recommended land use of the recently adopted CONNECT Clark County Comprehensive Plan. The requested City RS-8 zoning district will maintain a reasonable transition development from the existing Wal-Mart commercial area to the existing rural residential area along E. High St. (SR 41). Staff recommends the Applicant's request to rezone the subject property to City RS-8 be approved subject to the following:

1. RS-8 with OPD-H Housing Overlay that includes a proper buffering between proposed development and adjacent rural residential areas.
2. Proper access for the development to be reviewed and approved by ODOT, City of Springfield and Springfield Township/Clark County Engineer's Department as within their respective jurisdictions.
3. A drainage plan is prepared for review and approval by the authorities having jurisdiction

Chairperson Hanlon asked if there were any questions for Staff. There were none.

Chairperson Hanlon asked if the Applicant wished to speak.

Mr. Jonathan Bills, DDC Management LLC, showed a larger display of the development. Mr. Bills stated that the access to Bird Rd. will not be used; he stated it will be green space. He stated RM-12 Zoning is a downzoning and there is no multi-family structures planned. He stated the plan is for single family, detached homes. Mr. Bills stated there is no reason not to downzone. Mr. Bills explained that the second piece of property is under contract for additional access to US 40. Mr. Bills stated the additional entrance will set off the development as a community. He noted they were under contract with the second piece of land. A builder had not been selected yet, but most likely it will be Ryan Homes. Mr. Bills stated a comparable project was just completed in the City of Riverside. He stated it was a distressed site and the development revitalized the area. He stated it could be the same case for Springfield. Mr. Bills stated this market is being underserved.

Mr. Hanlon asked if there were questions for the Applicant.

Mr. Morris asked about the second access to US 40 and if there would be a crossover to allow traffic in both directions. Mr. Bills responded the crossover was already there. Mr. Morris asked if there will there be a traffic light. Mr. Bills responded it was not likely.

Mr. Morris asked how many houses are planned and the approximate sizes of the homes. Mr. Bills responded the average lot would be 51 ft. by 95 ft. with homes 40 ft. x 60 ft. He stated most of the homes will be two-story, but they have not designed or picked out home styles yet.

Mr. Morris asked for clarification about the access to Bird Road not being used. Mr. Bills responded that was correct.

Mr. Shaw asked about the impact on the school district. Mr. Bills responded he was in conversation with the school district.

Mr. Hanlon asked if there were any questions for the County Engineer's Department. There were none.

Mr. Hanlon asked if the Township Trustees wished to speak.

Tim Foley, Springfield Twp. Trustee, stated he had concerns. He asked if there was a tax abatement with project. He also asked if the City of Springfield would do the road maintenance and snow removal. Mr. Bryan Heck, Deputy City Manager, City of Springfield, responded yes.

Mr. Foley stated he felt people looking at the price range of \$200,000 would want more green space. Mr. Bills responded his company was working with Ryan Homes, but they are not under contract. He stated the market analysis done shows an average home price of \$190,000. They used the same assumption in the Riverside project and they just sold the last of 88 homes with an average of \$233,000. Mr. Bills stated he hoped the same would work here. He stated the home price range would probably be \$170-\$220,000.

Mr. Heck stated it was not a tax abatement; he stated it is a TIF, a tax increment financing. He stated the property tax is shifted to a separate account that pays for infrastructure improvements (for the water, sewer, road, etc.) Mr. Heck stated it is not subsidized housing. He stated the road would be a dedicated city road. He stated city police and fire have reviewed the plans and both recommend approval for the proposed development. He noted the Connect Clark County Comprehensive Plan guides what should be done with land use and one of the priorities with the plan was new housing. Mr. Heck noted that there has not been a new subdivision since the early 1990s. He noted that we need to continue to attract workers for the company's coming into the county. He stated the developers are looking at this market because of the jobs being attracted through Silfix and Topre.

Mr. Foley asked Mr. Heck to further explain what a TIF is. Mr. Heck explained that the property taxes go into a separate fund that pays for the public infrastructure cost. He explained that property tax is distributed to different entities with a large percent going to the schools. Mr. Heck explained that once an area has a TIF, the property taxes are diverted from the normal distribution for a period of time. He stated there would be a period of time the school board gets only the current amount of the property tax (for undeveloped land) but after the TIF expires, the school board would receive the full increased property tax (for developed land).

Mr. Shaw asked if the school district is involved in the TIF process. Mr. Heck responded it depends on the terms of the TIF. He stated a 10 year TIF at 75 percent would be automatic, i.e., does not require school board approval. However a TIF exceeding 75 percent would require school board approval.

Ms. Hartley asked what determines how long the TIF is in place. Mr. Heck responded the school board, developers work together and city commission approves.

Chairperson Hanlon asked if anyone wished to speak.

Dr. Susan Page, Clark Shawnee School Board Member, stated the concept has not yet been presented to the Clark Shawnee School Board. She stated she had several concerns with the TIF. She stated it took several years to pass a levy to build new schools. Under Ohio School Facilities funding, the state looks at how many children are in the district. They use history of native students (excluding open enrollment) to determine square footage for building. Dr. Page stated if the school gets 300-400 new kids, they could not handle it. Another levy would be needed to accommodate the students. She stated they would not have the allowance for the new students. She asked if different people would pay different property taxes.

Mr. Bills responded that residents pay the same amount of taxes. He explained during the TIF, a portion does not go to the school during the time. He noted he did not fully understand the financing of schools and that students are not coming for a few years. He explained the earth work would begin next year. Mr. Bills stated the model home would need to be built. He stated because the first kids would not enter the schools until 2020 at the minimum, it will give the school enough time to adjust projections. He stated it will be phased over 7 years, not starting for 2 years from now.

Dr. Page explained that the new school projections have already been determined. She stated it is set in stone and money has already determined; it will not change. She noted the new school should be open in 2020 or 2021. She stated they could not ask for more money.

Mr. Heck stated that the City has worked with the Superintendent and Assistant Superintendent and acknowledged it has not gone to the school board level yet. Mr. Heck noted that Clark Shawnee currently allows 300 open enrolled students and they have no intent of reducing that. He stated these new students would replace the open enrolled students.

Mr. Foley asked about the property tax distribution and if the city was willing to give up for tax distribution to fire and others. Mr. Heck responded it is the priority of City Commission to give up mil to get new housing because housing needs to be addressed.

Mr. Dan Kelly, 255 S. Bird Rd., stated he felt his role is to protect homeowners, the township and property values. He stated he has concerns with the project. He noted that a \$170,000 home will affect his property value. Mr. Kelly stated he is in the building industry and noted that if the economy goes down again, there would not be anything built. He moved to the area to get away from

people/development and now the city is bringing people/development to my (rural) area. Mr. Kelly asked if the proposed housing was low end housing. He asked if anyone could sell housing behind a Walmart to professionals. He noted the lumber market is inflated, there are tariffs affecting the market. It is a huge bubble. He stated he is worried about the long term financial status of this project. He asked what would happen if the plan changed or got adjusted. Mr. Kelly talked to Greg Morris, Superintendent of Clark Shawnee Schools, and Mr. Morris was not aware of the eight homes per acre formula. He stated Mr. Morris thought it was four homes per acre. Mr. Kelly stated he did not feel anyone could sell a house on such a small lot behind a Walmart. Mr. Kelly stated he is proud to live here, but crime is horrible. He stated he is worried about the type of development being proposed. It was not fair to the neighbors.

Mr. Heck stated the development could be built on the property with current zoning because the overlay falls off after two years of not being developed.

Mrs. Tuttle questioned Mr. Heck concerning the overlay. She questioned why the three condos that were built and later demolished were considered development. She further questioned why an Applicant and their attorney brought a request to the CEDA Board about one year ago requesting the overlay be removed. Mr. Heck responded he was not sure.

Mr. Kelly encouraged others to get up and speak now and more importantly at City Commission.

Mr. Heck stated after the RS-8 rezoning there will be a subdivision plat with specifics. He stated any change would have to go thru subdivision plat and the CEDA Board will have to approve. He said all alterations and changes would come to the CEDA Board.

Mr. Shaw asked what happens if the development falls apart. He asked what happens to this property. He asked if anyone could come in and change it or finish it. Mr. Heck responded whatever is approved by subdivision plat could be done. He stated the condo development started and three condos were built. He further explained that is when the housing bubble hit. He stated the City had to demolish the condos. Mr. Heck further explained this development would be a phased project, but the subdivision plat would remain for the further phases.

Ms. Kim Marshall, 5050 S. Charleston Pike, stated she is for development, but did not feel good about cramming that many homes into the area. She stated she just voted for new schools and she asked if reducing the number of houses could be considered to make it a better development. She stated she is not for duplexes.

Dumitru Rusu, 400 Brust Dr., stated he would like to see new houses. He stated he felt Springfield needed new houses, but he was not comfortable with the lack of green space in the proposed development. He stated he moved from Chicago because he wanted more green space. Mr. Rusu said he felt people coming to Springfield want more green, not small cramped yards. He stated people want a yard for kids. This development would give them a driveway and patch of grass, surrounded by lots that are so much larger. The surrounding lots have pools and extras. Mr. Rusu stated he felt the development should have the average lot sizes as the surrounding properties. He stated he did not like that the property next to him could potentially have 6-7 different types of fences. He explained that his house is close to the property line and he felt the new subdivision needs proper screening and fencing for all the neighbors. He recommended 8 to 10 ft. fence for screening and fencing of storm water detention basins. Mr. Rusu stated again that he felt the lots should be large. He stated Springfield is not Chicago, Boston or New York. He noted that everyone in the surrounding area has a big yard.

Josh Runyan, 315 S. Bird Rd., stated he use to live at 2744 Dwight Rd, until the apartments were built. He stated after the apartments there was an increase in crime so he moved to S. Bird Road. He stated the area is great, the neighbors are great and he loved the green space. Mr. Runyan stated he was really concerned with the number of houses planned. He also noted the area is wet and he is concerned about drainage. Mr. Runyan stated he works at Konecranes making \$60,000 a year and would not buy one of the proposed homes. He stated he did not know why someone from Topre or Silfex making \$45,000 to \$50,000 a year income could afford it or want to purchase one.

Mike Thompson, 341 S. Bird Rd., stated the area is a low area and it drains down my property and across road. He stated he felt the lots are too small and the house would take up the whole lot. He asked if the development can be done with the current zoning, why change it. Mr. Thompson referred to a similar case in Springfield Township where an Applicant said they had no intentions of doing something, but after it was rezoned they did it within 30 days. He asked what would prevent the same thing from happening. Mr. Thompson stated he was also concerned about increased crime. He encouraged the Board to not recommend the rezoning.

Mr. Rusu stated it would be nice to see a plan that is closer to the final product. Mr. Bills responded this concept is very close.

Mr. Kelly stated the development should be responsible and respect the wishes of neighbors.

Mr. Bills stated he understood and explained that his company does similar developments in a lot of areas. He acknowledged that construction costs are going up and that is where the TIF comes in to help.

Mr. Paul Kencheff, 333 S. Bird Rd., asked what would happen if the development did not work out.

Dr. Page asked for clarification on the TIF. She asked if the developer can impose a 10 year 75 percent TIF and whether or not the school board votes for it. Mr. Heck responded that was correct.

Mr. Kencheff, stated there was not enough information to approve the request. He stated they are talking about what they are going to build. He asked how the Board could approve something they do not know. Mr. Kencheff stated this plan could be for \$50,000 houses. Mr. Kencheff stated they are only stating general information. He stated there is nothing stating the houses will be \$200,000 houses. He stated there should be more information with a better concept. Mr. Mr. Bills responded we develop; we do not build.

Mr. Foley asked for clarification on 10 year 75 percent TIF. He asked, if passed, 75 percent goes in escrow. Mr. Heck responded yes, 75% in escrow.

With no questions from the Board, Chairperson Hanlon asked for a motion.

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

VOTE: Yes: None.

No: Mr. Shaw, Mr. Morris, Ms. Hartley and Mr. Hanlon.

Motion denied. A recommendation to deny the rezoning request will be forwarded to the City Commission.

Mr. Kelly rejoined the Board.

Adopting the new Thoroughfare Plan and Thoroughfare Map

Mrs. Tuttle explained the Thoroughfare Plan updates and how Planning and Zoning uses the Plan. She explained the Plan updates were prepared in conjunction with the Connect Clark County Comprehensive Plan update.

Hearing no question from the Board for Staff, Chairperson Hanlon asked for a motion.

Motion to adopt the new Thoroughfare Plan and Thoroughfare Map

Motion by Mr. Kelly, seconded by Mr. Morris, to **Adopt** the new Thoroughfare Plan as presented.

VOTE: Yes: Mr. Kelly, Mr. Morris, Mr. Hanlon, Ms. Hartley and Mr. Shaw.

No: None.

Motion carried.

Staff Comments

Mr. Neimayer announced the next scheduled meetings as July 5, and August 2, 2018.

Mr. Neimayer asked the Board for comments to go with the denial of the rezoning case. Board members gave the following comments:

1. Too many lots. Lots too small.
2. No research provided for the need of the housing.
3. Too close to existing Bird Road properties.

4. TIF is a problem for the school district. It is unfair to the school district to use the school as a draw and then TIF the project. The school loses.
5. Don't see the houses selling behind the Walmart, not a good location.
6. Not the type of development for professionals.
7. No protection if the development goes sour, like it did before.
8. Not a good risk to take.
9. Increased crime.

Mr. Neimayer gave the Board an example of another developer taking over a subdivision in Moorefield Twp. He explained because the original subdivision approval had expired, the (new) developer had to get re-approval of the subdivision even though the subdivision layout had not changed. Mr. Neimayer stated a subdivision final plat approval is good for two years, but it expires if the final plat is not recorded within that two year period.

Adjournment

Motion by Mr. Morris, seconded by Ms. Hartley, to adjourn.

VOTE: Motion carried unanimously.

The meeting was adjourned at 5:50 pm.

Mr. Michael Hanlon, Chairperson

Mr. Thomas A. Hale, Secretary