

Minutes

Clark County Planning Commission

Regular Meeting ~ 2:00 p.m.
Wednesday, July 5, 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 2:00 pm. and asked for the Roll Call.

Present For Roll Call: Ms. Jo Anderson, Commissioner Lohnes, Commissioner McGlothin, Ms. Louise Maurer, Mrs. Charlene Roberge, Mr. Mark Scholl, Mrs. Elaine Stevenson and Mr. Don Wallace.

Absent For Roll Call: Mr. David Minard and Commissioner Wilt

Approval of the June 7, 2017 Minutes

Motion by Mrs. Roberge, seconded by Commissioner Lohnes, to **Approve** the minutes as presented.

VOTE: Yes: Mrs. Roberge, Commissioner Lohnes, Commissioner McGlothin, Ms. Anderson, Ms. Maurer, Mr. Scholl and Mrs. Stevenson.

No: None.

Abstain: Mr. Don Wallace

Motion carried.

Rezoning Case #Z-2017-08 ~ Property Owner/Applicant: Timothy Wiskirchen ~ Location: 5785 Springfield-Xenia Rd.; Green Township~ Request: Rezone 1.35 acres from B-3 (General Business District) ~ to B-4 (Heavy Business District) for a self-storage facility.

Chairperson Anderson asked for the Staff Report.

Mr. Allan Neimayer, Senior Planner, stated the subject property is located at 5785 Springfield-Xenia Rd. and consists of 1.35 acres. The property is zoned B-3 (General Business District). The Applicant would like to rezone the property from B-3 to B-4 (Heavy Business District) to use the existing buildings for a self-storage facility. Mr. Neimayer explained the intent of the B-4 District is to provide for heavy businesses which are incompatible with local and community business districts. He said a self-storage facility must comply with the following: 1.) When conducted wholly within a completely enclosed building, said building must not be located within 100 ft. of any R District, PD District or existing residence; 2.) When conducted within an area enclosed on all sides with a solid wall or solid fence not less than 6 ft. high, said use shall not be within 200 ft. of any R District, PD District or existing residence; and 3.) Outside storage of motor vehicles, boats and recreational vehicles shall be kept in an organized manner and completely enclosed area with a solid wall or fence 8 ft. in height. This use shall not be considered to include junkyards, or disabled or inoperable vehicle storage.

Mr. Neimayer stated the CROSSROADS Land Use Plan identifies this area (west of SR 68) as Agriculture/Rural Residential with Mixed Industrial on the east side of SR 68. Predominantly rural portions of the County, where agriculture should remain the priority, are designated as Agricultural/Rural Residential. Mixed Industrial development will be directed to existing industrial

areas that are serviced or can be easily serviced with central water and sewer utilities, and where easily accessible by interstate and state highways and rail. Mr. Neimayer noted that there is no floodplain in the immediate area of the subject property. He stated the property does not have access to public utilities.

Mr. Neimayer stated Staff recommends the Applicant's request to rezone the subject property from B-3 to B-4, to use the existing buildings for a self-storage facility, be approved as presented. He noted the Applicant would need a Variance due to the building not being 100 ft. from the existing residence (to the south) as required by zoning regulations. Mr. Neimayer directed the Board to the County Engineer's Department's comment letter. He also stated the property owner to the north had called with questions including operation hours, access and traffic.

Chairperson Anderson asked if the Board had questions for staff.

Mrs. Stevenson asked Mr. Neimayer to show the property on the map. She then asked for clarification on the County Engineer's Department's letter; she asked for an explanation on what things needed to be in compliance. Mr. Neimayer stated that other self-storage site required storm water improvements because it was raw land. He explained that this site (the subject property) has no changes. According to the comment letter, no stormwater improvements are required. He noted that new pavement could trigger stormwater requirements.

Mrs. Stevenson stated she was concerned with the history of non-compliance. She stated it costs the county money to deal with it. She stated the Applicant could refuse to comply with the current project costing the county money.

Commissioner Lohnes asked the Applicant if he was the current owner or part of it.

Mr. Tim L. Wiskirchen, Applicant, 4624 Old Mill Road, stated he wants to use the existing buildings for self-storage. He stated the County Engineer's Department has no objections at the subject property. He explained that the prior project was in phases. He started phase 1 and put in temp soil/water retention area. He explained the future soil/water drainage was not put in because he did not want to destroy area until needed. He stated he did not complete the storm water because he did not complete project. He stated the buyout started after phase 1. He stated that TSW, LLC (new owner) is aware of the requirements.

Commissioner Lohnes asked if phase 1 was completed to requirements. Mr. Wiskirchen responded not 100%. He said to proceed they would have to do some upgrades. He said the County Engineer's Department was upset because it did not get completed. Mr. Wiskirchen stated he completed what he needed to proceed.

Mrs. Roberge asked when the Applicant purchased the property. Mr. Wiskirchen responded May 2017.

Mrs. Roberge asked the Applicant what he would use it for if he did not get the required variance. Mr. Wiskirchen stated the Variance is needed to use the buildings. Mr. Wiskirchen stated the neighbor's property is a residence, but it is zoned B-3.

Mrs. Roberge asked if he talked to the neighbors. Mr. Wiskirchen responded no.

Chairperson Anderson clarified that the Applicant would have to proceed with the rezoning at his own risk, stating the Variance approval would come from a different board. Mr. Neimayer stated the Variance is for the Board of Zoning Appeals to decide.

Mrs. Roberge asked if it is close to the residence and if there was a fence. Mr. Wiskirchen stated there is a 6 ft. chain linked fence.

Mrs. Roberge asked for the hours of operation. Mr. Wiskirchen stated general hours would be 8 a.m. - 5 p.m., but unrestricted access between 7 a.m. to 11 p.m. He noted after 11 p.m. emergency access would be by call only.

Mrs. Stevenson asked if there were any business condos planned. Mr. Wiskirchen said no business areas are planned. He stated some areas will have climate control.

Mrs. Stevenson asked if the camper and RV storage was going to be in the back building. Mr. Wiskirchen stated yes.

Ms. Maurer asked how many units would be rented. Mr. Wiskirchen stated he wasn't sure, but guessed 150 small units and 70 large. He stated he had no plans for new buildings now.

Mr. Scholl asked about pavement. Mr. Wiskirchen stated the front was concrete and he would have to pave some areas back to the RV storage.

Mr. Scholl asked the Applicant if he was aware that a storm water plan will have to be submitted for the review of the pavement. Mr. Wiskirchen stated he didn't think he would have to due to the size of the lot.

Mr. Neimayer stated in the past, the Engineer's Department didn't require if less than 1 acre.

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

Action Rezoning Case #Z-2017-08 ~ Property Owner/Applicant: Timothy Wiskirchen~Location: 5785 Springfield-Xenia Rd.; Green Township~ Request: Rezone 1.35 acres from B-3 (General Business District)~ to B-4 (Heavy Business District) for a self-storage facility

Motion by Mrs. Roberge, seconded by Commissioner McGlothin, to recommend **Approval** per Staff's recommendation as presented.

VOTE: Yes: Mrs. Roberge, Commissioner McGlothin, Commissioner Lohnes, Ms. Maurer, Mr. Scholl, Mrs. Stevenson and Mr. Wallace.

No: None.

Motion carried.

Rezoning Case #P-2017-02~ Property Owner/Applicant: Dena Rogers~ Location: 6737 Short Rd.; Pike Township~ Request: Rezone 5.0 acres from A-1 (Agricultural District) and I-1 (Industrial District) to R-1 (Rural Residence District)

Chairperson Anderson asked Mr. Neimayer for the Staff Report.

Mr. Neimayer stated the subject property is located at 6737 Short Rd and consists of 5.00 acres. He said the property is identified as being zoned I-1 (Industrial District) and A-1 (Agricultural District) according to the Clark County Auditor's website. He noted the 2005 Digital Zoning Map adopted on October 4, 2005, (Resolution 55/2005) and R#52/2006 on June 6, 2006, by Pike Township identifies the property has only having the I-1 (Industrial District) zoning. He said the Applicant would like to rezone the 5.0 acre residential property to R-1 (Rural Residence District) to sell the property. Mr. Neimayer explained the R-1 Rural Residence District is intended to reserve land at outlying locations in the Township for single-family residential development on lots of one acre or more in size, particularly where public sewerage systems are not available and development at a higher density would therefore not be appropriate. Mr. Neimayer stated the CROSSROADS Land Use Plan identifies this area as Agriculture/Rural Residential. Predominantly rural portions of the County, where agriculture should remain the priority, are designated as Agricultural/Rural Residential. This designation emphasizes agriculture as the dominant land use, but also recognizes that residential uses are appropriate if very low density in character. Mr. Neimayer explained there is no floodplain in the immediate area of the subject property and there are no public utilities. Mr. Neimayer explained the Thoroughfare Plan identifies the current right-of-way of Short Rd. is 40 ft. He stated the Thoroughfare Plan identifies Short Rd. as a Collector Street with a 60 ft. right-of-way. Mr. Neimayer summarized by saying the subject area is predominantly a rural residential and agricultural area. He said although the 5.0 acre property should have been rezoned to residential when it was split off in 1976, no rezoning records were found; therefore, Staff recommends the Applicant's request to rezone the subject property from I-1 and A-1 to R-1 be approved as presented.

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

Commissioner McGlothlin asked for the name of the business beside the property in question. Mr. Neimayer stated it was Kaffenbarger Truck Equipment.

Chairperson Anderson asked if the Applicant was present. The Applicant was not present.

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

Action Rezoning Case #P-2017-02~ Property Owner/Applicant: Denaë Rogers~ Location: 6737 Short Rd.; Pike Township~ Request: Rezone 5.0 acres from A-1 (Agricultural District) and I-1 (Industrial District) to R-1 (Rural Residence District)

Motion by Mrs. Roberge, seconded by Mrs. Stevenson, to recommend **Approval** per Staff's recommendation as presented.

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

No: None.

Motion carried.

Rezoning Case #G-2017-02~ Property Owner/Applicant: Tian Chen~ Agent: John Kibler~ Location: 1460 Upper Valley Pike; German Township ~ Request: Rezone 0.83 acres from B-1(Shopping Center District) to B-3 (General Business District) for a used car lot.

Chairperson Anderson asked Mr. Neimayer for the Staff Report.

Mr. Neimayer stated the subject property is located at 1460 Upper Valley Pike and consists of 0.83 acres. He said the property was originally zoned B-1 (Shopping Center District) in 1970 and has remained as B-1. He explained the Applicant would like to rezone the property from B-1 to B-3 (General Business District) for a used the existing building and land area for a used car lot. Mr. Neimayer explained the purpose of the B-3 District “is to provide land for general types of business and service establishments, which would not be compatible with the uses permitted in B-1 and B-2 Districts, and which would be detrimental to adjoining residential areas unless effectively controlled”. Mr. Neimayer stated the CROSSROADS Land Use Plan identifies this area as Community Commercial with development directed to existing business districts and major highway interchanges. He noted major commercial activity area is Upper Valley Mall and Bechtle Avenue, which is assumed to continue to serve a regional market. Mr. Neimayer stated the subject property is not in a floodplain, but floodplain does exist further to the east and south of SR 41. He stated the subject property is serviced by public water and sanitary sewer services. Mr. Neimayer explained that this section of Upper Valley Pike is identified on the Thoroughfare Plan as Primary Arterial with a future ROW of 100 ft. He noted the current ROW for this section of Upper Valley Pike is approximately 160 ft. Mr. Neimayer stated Staff recommends the Applicant’s request to rezone the subject property from B-1 to B-3 be approved as presented. Mr. Neimayer passed out the German Township Zoning pyramid. He stated it was very broad and even picks up R-4.

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

Commissioner Lohnes asked Mr. Neimayer if German Township has its own Zoning and why the Planning Commission is hearing this rezoning case. Mr. Neimayer told Commissioner Lohnes that State Law requires the case to be heard by the Planning Commission.

Mrs. Roberge questioned if a used car dealership was the best use of the property.

Commissioner McGlothlin stated there is increased traffic flow in the area with the additional new uses (Rural King and Bargain Hunt).

Mrs. Stevenson stated the building was once in really bad shape, but she has noticed someone has done some improvements.

Mr. Neimayer noted there has not been a change of ownership. He also stated any change of use has to have a new certificate of occupancy from the Building Regulations Department.

Commissioner Lohnes stated he didn’t feel the property was very big for a used car lot.

Mrs. Stevenson stated there isn’t much space. She also stated the property is such an eyesore and really needs a new business. She stated she wasn’t sure if a used car lot was the right use.

Mrs. Roberge asked who would check the building to make sure it met code requirements. Mr. Neimayer answered the Building Regulations Department.

Mrs. Stevenson stated she felt German Township watches the area pretty closely and they were strong with the other car lot. She noted that the other car lot was in a more residential area down the road.

Chairperson Anderson noted that this property is a better fit for a car lot than the location down the road in the more residential area.

Mrs. Stevenson stated that the other car lot has since moved.

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

Action Rezoning Case #G-2017-02~ Property Owner/Applicant: Tian Chen~ Agent: John Kibler~ Location: 1460 Upper Valley Pike; German Township ~ Request: Rezone 0.83 acres from B-1(Shopping Center District) to B-3 (General Business District) for a used car lot.t)

Motion by Mrs. Stevenson, seconded by Commissioner McGlothin, to recommend **Approval** per Staff's recommendation as presented.

VOTE: Yes: Mrs. Stevenson, Commissioner McGlothin, Commissioner Lohnes, Ms. Maurer, Mrs. Roberge, Mr. Scholl and Mr. Wallace.

No: None.

Motion carried.

Commissioner Lohnes left at 3 p.m.

Connect Clark County, Comprehensive Plan Update ~ Presentation by Sarah Kelly, AICP~ Senior Project Coordinator with Planning Next

Sarah Kelly, Planning Next, gave an update on the Comprehensive Plan. She explained the committee was about half way through the process. Ms. Kelly shared the opportunities map and land use map with samples of the draft character areas. She provided comments from the first round of public work sessions, steering committee and various stakeholder groups.

Mr. Don Wallace asked if anyone was on the steering committee representing southwest Clark County. Mr. Neimayer told the Board they evented a few people, but did not get a commitment.

Mrs. Roberge asked if the City of Springfield was participating. Mrs. Kelly answered yes.

Mrs. Stevenson asked how much of a focus was placed on demographics, poverty, millennials, baby boomer housing, assisted living, areas, etc. Mrs. Kelly explained that there is an economist working with the group and there is a possibility of a housing study.

Mr. Wallace said he would like to see the data. Mrs. Kelly stated the steering committee meetings are open to the public.

Mrs. Stevenson asked if the steering committee agenda could be sent to the Planning Commission.

Cory Lynn Golden, Transportation Planner, Clark County-Springfield TCC, explained that she and Mrs. Kelly had presented the update to trustees, city councils, and other interested parties. She explained that people didn't come out to the first round of public input sessions, so the committee was going to go out to them.

Minutes

Clark County Planning Commission

Ms. Anderson told the Board that a lot of consideration was put into the venues for the first round of public input.

Mrs. Kelly explained that the next round of public input sessions would be in September. She explained the steering committee would be working on the details.

Commissioner McGlothlin left at 3:13 p.m.

Staff Comments

Mr. Neimayer stated the next meeting would be August 2, 2017. He explained there were many changes to the subdivision regulations and the Tech Review committee would review them next week and the Planning Commission would review them at the August meeting. He noted that there hasn't been a new subdivision since 2010.

Mr. Don Wallace left at 3:30 p.m.

Adjournment

Motion by Mrs. Roberge, seconded by Ms. Maurer, to adjourn.

VOTE: Motion carried unanimously.

The meeting was adjourned at 3:36 pm.

Ms. Jo Anderson, Chairperson

Mr. Thomas A. Hale, Secretary