

# **Minutes**

## **Clark County Planning Commission**

Regular Meeting ~ 2:00 p.m.  
Wednesday, August 7, 2019

Springview Government Center  
3130 East Main Street  
Springfield, Ohio 45505

Chairperson Scholl of the Clark County Planning Commission called the meeting to order at 2:02 pm. and asked for the Roll Call.

Present For Roll Call: Mr. Kitchen, Commissioner Lohnes, Ms. Maurer, Commissioner McGlothlin, Mrs. Roberge, Mr. Scholl, Mrs. Anderson, Mr. Stickney, Mr. Wallace and Commissioner Wilt.

Absent For Roll Call: Mrs. Stevenson.

### **Approval of the July 2, 2019 Minutes**

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

**VOTE: Yes:** Mrs. Roberge, Mr. Wallace, Mr. Kitchen, Commissioner Lohnes, Ms. Maurer, Mr. Scholl, Mrs. Anderson and Commissioner Wilt.

**No:** None.

**Abstain:** Mr. Stickney and Commissioner McGlothlin.

***Motion carried.***

Chairperson Scholl asked for Staff to present the first case.

### **Subdivision Final Plat Case #SB-2019-04 ~ Property Owner/Applicant: Wenrick Family Limited Partnership ~ Location: Dayton-Springfield Rd.; Mad River Twp ~ PID #180-06-00031-200-020 ~ Request: Final Plat approval for two non-residential lots plus and the extension of Speedway Dr.**

Mr. Allan Neimayer, Senior Planner, stated the subject property is located on the north side of Dayton-Springfield Rd., PID #180-06-00031- 200-020, consists of 14.76 acres, and is zoned I-1 (Industrial District). The Applicant received conditional Preliminary Plan approval on July 2, 2019 for a two lot subdivision and the extension of Speedway Drive. Revised subdivision plat and construction drawings have been submitted and distributed to the Technical Review Committee. The Applicant is now requesting Final Plat approval. There is no specific development proposed at this time for Lots 1 and 2. Future development of those lots will have to comply with the I-1 development standards and other zoning regulations as applicable. The overall subdivision layout remains the same. As such, Staff recommends the Applicant's request for Final Plat approval be granted as submitted and subject to written verification that the Preliminary Plan Review comments from Planning Staff, the Tax Map Office, County Engineer's Office, County Utilities Department and the Village of Enon have been resolved.

Mrs. Roberge asked nothing has changed (subdivision layout), just need to approve the final. Mr. Neimayer responded yes.

Chairperson Scholl asked if the drainage issues raised at the last meeting had been taken care of. Mr. Neimayer stated it is being addressed (revised construction drawings) as is still under review. Mr.

Neimayer noted both the County Engineers Department and the Applicant's engineering firm are present to answer questions.

With no further discussion from the Board, Chairperson Scholl asked for a motion.

**Action on Subdivision Final Plat Case #SB-2019-04 ~ Property Owner/Applicant: Wenrick Family Limited Partnership ~ Location: Dayton-Springfield Rd.; Mad River Twp ~ PID #180-06-00031-200-020 ~ Request: Final Plat approval for two non-residential lots plus and the extension of Speedway Dr.**

Motion by Mrs. Roberge, seconded by Mr. Wallace, to **Approve** as presented.

**VOTE: Yes:** Mrs. Roberge, Mr. Wallace, Mr. Kitchen, Commissioner Lohnes, Ms. Maurer, Commissioner McGlothin, Mrs. Anderson, Mr. Stickney and Commissioner Wilt.

**No:** None.

***Motion carried.***

Mrs. Roberge thanked Speedway for investing and growing in the community.

**Rezoning Case #Z-2019-06 ~ Property Owner: Valley Creek Management ~ Applicant: T.C. Holzen Inc., Jessi McDaniel ~ Location: south end of Garfield St., PID: #015-05-00034-221-010, Bethel Twp. ~ Request: Rezone 21.43 acres from A-1 to PD-I for new construction facility location of T.C. Holzen, Inc.**

Mr. Neimayer stated the subject property is located at the south end of Garfield St. and consists of 21.43 acres. The property is currently zoned A-1 (Agricultural District). Valley Creek Management LLC, a property investment company owned by Timothy C. Holzen, Jr., purchased the property in April 2019. The Applicant, T.C. Holzen Inc., is requesting to rezone the property to PD-I (Planned District-Industrial) "to build a new facility for it's expanding construction company". The property is located in Bethel Township and is a land locked parcel. Access will be thru the adjacent 2-acre parcel to the north that fronts along Garfield St. This 2-acre parcel, also purchased by Valley Creek Management LLC in April 2019, is located in the City of New Carlisle.

Mr. Neimayer explained the intent of the Planned Development Districts is to establish a zoning procedure for the development of areas on a planned basis in accordance with an overall Development Plan and specific procedures for site plan review and approval. In addition, it is proposed to be flexible in the regulation of basic land planning and to encourage imaginative site planning that serves the overall development. Planned Development Districts are intended to be located in areas which are served with appropriate infrastructure. It is because of the inherent characteristics of the subject property, i.e. landlocked, access and floodplain, that Planning Staff directed the Applicant to request PD-I zoning. While promoting efficient land use, the PD-I zoning allows for flexibility in the location of the new building, setbacks from lot lines, provisions for off-street parking and parking surface types, and restrict new structure development in the floodplain.

Per Section 405.02, uses allowed under PD-I zoning are the Permitted Principal and Conditioned Uses, Accessory Uses and Conditional Uses of the I-1 District but excluding uses of the "B" Districts. The Applicant's development plan and narrative are included with this staff report. Under the PD-I Development Plan the Applicant seeks the following:

- Off-street will be provided on the adjacent parcel in the City of New Carlisle (same property owner). Section 501.04.03 allows for required parking located on an adjacent parcel but requires a written agreement signed by the parties involved assuring the retention of said off-site parking. This signed agreement shall be filed with the building permit application.
- Except for the off-site parking area and the new heavy duty asphalt drive from Garfield St., all parking areas and access drives will be gravel. Section 501.02 requires all parking areas, aisles and driveways to be of a paved/ hard surface.
- The new building is 13,136 sq. ft. NOTE: the Applicant has shifted the building approximately 61 south so that it will be entirely on the subject property (the 21.43 acre site).
- The Applicant proposes a front setback for the new building of 10 ft. from the subject property's front/north lot line. The standard front setback in the I-1 District is 50 ft.

Mr. Neimayer stated The CONNECT Clark County Land Use Plan identifies this area as Industrial: "Area is characterized by industrial uses and related office, and generally has low connectivity to surrounding context. Buildings have access to multi-lane thoroughfares. Very large to large footprint buildings are supported by parking and loading areas". The southern portion of the subject property is in the 100-year floodplain. As indicated on Applicant's Exhibit B, a "no work" area will exist along the west portion of the property (approximately 209 ft. in width parallel to the west lot line). This "no work" area also includes the south portion of the property, south of the proposed machine shed and proposed detention pond. Mr. Neimayer noted Clark County does not have public utilities (water or sanitary sewer) to serve the subject property. The Applicant intends to connect to the City of New Carlisle's public utilities with connection points at Garfield St. and Davis St. The Applicant will need to provide written verification from the City of New Carlisle that they will provide these public utility services.

Mr. Neimayer stated one of the PD Development Requirements is for the subject property to have direct access to a major street (defined as any street other than a Local Street as shown on the Thoroughfare Plan). Access to the subject property will be from Garfield St. which in-turn connects to SR 571. Garfield St. is a public road in the City of New Carlisle with a 66 ft. right-of-way. Garfield St. provides access to the existing residential neighborhood to the east and to the existing industrial district to the west and south. The Applicant's new development will cross over two separate parcels: one in Bethel Township and the other in the City of New Carlisle. These two parcels cannot be combined as they are located in different tax districts. From a land use and zoning perspective, and in the interests of both the City of New Carlisle and Bethel Township/Clark County, the deed to both parcels should be amended to include a statement saying both parcels "shall be used in conjunction with each other". Staff recommends the Applicant's request to rezone the subject property from A-1 to PD-I as presented and subject to the following:

1. Applicant to provide written verification from the City of New Carlisle that they will provide public utility services;
2. A revised deed for Parcels #030-05-00034-221-014 and #015-05-00034-221-010 shall be recorded that includes a statement saying both parcels "shall be used in conjunction with each other".
3. Applicant shall comply with Clark County Storm Water Management Regulations.
4. The allowed uses for the subject property (the 21.43 acre site) are limited to Principal Permitted and Conditioned Uses of the I-1 District; excluded are I-1 District Conditional Uses and "B" District uses.

Commissioner McGlothlin mentioned the various businesses in the area.

Ms. Maurer asked if the Applicant was rezoning the other parcel. Mr. Neimayer responded he could not answer that because it is in the City of New Carlisle.

Commissioner Lohnes asked about annexation. Commissioner McGlothlin stated per the Charter of New Carlisle if a property is contiguous to the city, annexation is required. Commissioner Lohnes asked if it could then be combined. Mr. Neimayer responded yes. He noted annexation was discussed with the Applicant, but was directed by New Carlisle to follow the county's rezoning process.

Commissioner Lohnes asked if this proceeds, they could build without connecting to utilities. Mrs. Roberge stated the Health Department and EPA will require annexation - anything 200 ft. or less from a lateral. She noted it is more beneficial for the Applicant to hook up.

Commissioner McGlothlin asked for the Applicant to speak.

To complete Staff's presentation, Mr. Neimayer noted that Bethel Township Trustees are okay with this rezoning request. He noted he also reached out to Randy Bridge at the City of New Carlisle but did not get a response.

Jessi McDaniel, Applicant representative, 3108 Gearhart Rd, Troy, OH, confirmed that she had conversations with Randy Bridge about annexation and water and sewer connections. She stated the initial intent was to annex to the City of New Carlisle first, but after researching, Randy Bridge recommended moving the business to the larger parcel to proceed with county rezoning based on timeframe to start building. She stated the business currently operates from the owner's farm property. The owner wants to move quickly. Ms. McDaniel stated Mr. Bridge told her annexation to the city and rezoning through New Carlisle would take longer, so he recommended to proceed with county rezoning.

Mrs. Roberge asked about the type of business. Ms. McDaniel responded construction. Mrs. Roberge asked if trucks would have issues on Garfield St. Ms. McDaniel responded no. A lot of trucks already utilize Garfield St..

Ms. Maurer asked if there were any objections from the city. Ms. McDaniel responded no.

Commissioner McGlothlin asked if it was Mr. Bridge's recommendation to move the building, rezone and then annexation. Ms. McDaniel responded Mr. Bridge advised her not to annex. Commissioner McGlothlin stated there is an issue with not annexing.

Mrs. Roberge asked Ms. McDaniel if she had any issues with annexing. She responded no.

Commissioner Lohnes stated he did not feel the Applicant was following the correct process - changing everything as opposed to annexation and then zoning change. Mrs. Anderson stated they could not force Mr. Bridge to do anything. Mrs. Roberge stated she did not want to hold up the Applicant. Commissioner McGlothlin stated he is all about bringing business in. Mrs. Roberge stated you would think New Carlisle would want the tax money.

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## **Clark County Planning Commission**

With no further questions for the Applicant, and with no further discussion from the Board, Chairperson Scholl asked for a motion.

**Action Rezoning Case #Z-2019-06 ~ Property Owner: Valley Creek Management ~ Applicant: T.C. Holzen Inc., Jessi McDaniel ~ Location: south end of Garfield St., PID: #015-05-00034-221-010, Bethel Twp. ~ Request: Rezone 21.43 acres from A-1 to PD-I for new construction facility location of T.C. Holzen, Inc.**

Motion by Mrs. Roberge, seconded by Ms. Anderson, to **Approve** the Applicant's rezoning request as presented subject to the following:

1. Applicant to provide written verification from the City of New Carlisle that they will provide public utility services;
2. A revised deed for Parcels #030-05-00034-221-014 and #015-05-00034-221-010 shall be recorded that includes a statement saying both parcels "shall be used in conjunction with each other".
3. Applicant shall comply with Clark County Storm Water Management Regulations.
4. The allowed uses for the subject property (the 21.43 acre site) are limited to Principal Permitted and Conditioned Uses of the I-1 District; excluded are I-1 District Conditional Uses and "B" District uses.

**VOTE: Yes:** Mrs. Roberge, Mrs. Anderson, Mr. Kitchen, Ms. Maurer, Commissioner McGlothlin, Mr. Stickney, Mr. Wallace and Commissioner Wilt.

**No:** Commissioner Lohnes.

***Motion carried.***

### **Staff Comments**

Mr. Neimayer stated the next scheduled meetings are on September 4 and October 2, 2019.

Mr. Neimayer introduced the Access Management Project as a follow up to the CONNECT Clark County Comprehensive Plan and informed the Board of the upcoming Stakeholders Meeting on October 3, 2019. He asked if a Board Member is interested in participating, representing the CPC, to let him know. A follow up Stakeholders Meeting is planned for December.

### **Adjournment**

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

**VOTE: Motion carried unanimously.**

The meeting was adjourned at 2:39 pm.

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Mr. Mark Scholl, Chairperson