

Minutes

Clark County Rural Zoning Commission

Regular Meeting ~ 9:00 am.
Thursday, August 15, 2019

Springview Government Center
3130 East Main Street
Springfield, Ohio 45505

Mr. Ken Brust, Chairperson of the Clark County Rural Zoning Commission called the meeting to order at 9:00 am. and asked for the Roll Call.

Present For Roll Call: Mr. Ken Brust, Mr. Bob Jurick, Mr. Pete Lane and Mr. Wayne Leis.

Absent For Roll Call: Mr. John Hays and Mr. Larry Spahr.

Chairperson Brust explained how the meeting will be held.

Chairperson Brust asked for the approval of the minutes.

Approval of the July 11, 2019 Minutes

Motion by Mr. Leis, seconded by Mr. Jurick, to **Approve** the minutes as presented.

VOTE: Yes: Mr. Leis, Mr. Jurick and Mr. Brust.

No: None.

Motion Carried.

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

Chairperson Brust introduced the case and asked for the staff report. Mr. Allan Neimayer, Senior Planner, stated the subject property is located at the south end of Garfield St., PID #015-05-00034-221-010, in Bethel Township. The Applicant is requesting to rezone the property from A-1 (Agricultural District) to PD-I (Planned District-Industrial) for the new construction facility location of T.C. Holzen, Inc. Mr. Neimayer reviewed location map and lot map slides identifying the subject property is in Bethel Township abutting the City of New Carlisle. He then reviewed an aerial of the surrounding area identifying land uses and followed with a zoning map of the surrounding properties.

Mr. Neimayer stated the purpose of Planned Development Districts is to provide a zoning procedure for developing property when a standard zoning district and its respective development standards do not necessarily work. He noted the southern part of the subject property is located in the floodplain, and the property is a landlocked parcel. These factors, in addition to being just west of the City of New Carlisle's wastewater treatment facility, raises concerns to Staff over future land use of the property. Mr. Neimayer stated under Section 405.02 of the County Zoning Regulations, uses allowed under a PD-I are limited to permitted principal uses, accessory uses and conditional uses in the I-1 Industrial District, except uses listed in the "B" Districts. Mr. Neimayer stated the comprehensive plan identifies the subject property as Industrial. Hence, the Applicant's proposed use of the property follows the comprehensive plan.

Mr. Neimayer then presented a slide to explain how the subject property would be accessed. The Property Owner/Applicant also owns the adjacent parcel (030-05-00034-221-014) in the City of New Carlisle, which fronts along the south end of Garfield Street. He again noted the floodplain at the southern portion of the property and that the development plan denotes "no work" areas to avoid the floodplain.

Clark County does not have public utilities available to the subject property. The Applicant intends to connect with the City of New Carlisle for these services. Mr. Neimayer commented that at the County Planning Commission meeting Commissioner McGlothlin had stated the Charter for New Carlisle requires annexation when connecting to the city's public utilities.

Mr. Neimayer stated the 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 rezoning the subject property from A-1 to PD-I be approved 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.

The County Planning Commission heard this case at their August 7, 2019 meeting. Following discussion, the CPC passed a motion recommending to the Rural Zoning Commission that the Applicant's request to rezone the subject property to PD-I be approved as presented and subject to the same four conditions identified by Staff.

Mr. Jurick asked in light of potential annexation if the City of New Carlisle has a similar zoning district to the county's PD-I. Mr. Neimayer responded he did not know. He did speak when property is annexed into a municipality the county zoning is carried over until such time when the property is rezoned under the municipality's rezoning process.

With no further questions for Staff, Chairperson Brust opened the public hearing at 9:14 am.

Mr. Tim Holzen, Owner/Applicant, 3108 Gearhart Rd., Troy, OH., was sworn in.

Mr. Jurick spoke on alternative methods to storm water management and then asked Mr. Holzen if he was open to using an alternative method, possibly a rain garden. Mr. Holzen responded he is open to utilizing a rain garden. He explained the development plan identifies four catch basins around the building that come together and drain into the proposed detention basin. He stated that the underlying soil around the detention basin is sand and gravel and, therefore, he does not see the basin holding storm water for any length of time.

Mr. Lane asked what the size of the building is. Mr. Holzen responded a little over 13,000 sq. ft. The front/north part is the office space. Mr. Lane then asked what the "gray shaded" building is. Mr. Holzen responded it is the proposed machine shed to keep equipment under cover.

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With no further questions for Mr. Holzen, and with no one else in the audience to speak on this case, Chairperson Brust closed the public hearing at 9:25 am.

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

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

Motion by Mr. Leis, seconded by Mr. Lane, to **Approve** rezoning of the subject property from A-1 to PD-I as presented subject to the following conditions:

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: Mr. Leis, Mr. Lane and Mr. Jurick.

No: None.

Motion Carried.

Mr. Jurick requested that the recommendation to the County Commissioners include the suggestion of using a rain garden, or similar method, for storm water management instead of a conventional detention basin be incorporated into the development of the site, to which the Applicant has indicated his willingness to do so.

Staff Comments

Mr. Neimayer informed the Board of the Access Management project as called for in the CONNECT Clark County Comprehensive Plan. He stated there will be a Stakeholders Meeting on October 3, 2019 at 2 pm and asked if a Board member would be interested in participating on behalf of the Rural Zoning Commission. He also stated a follow up Stakeholders Meeting is being planned for December 2019 (actual date to be determined). Mr. Neimayer stated if a Board member is interested to please contact him.

Mr. Neimayer stated the next scheduled meetings are September 12 & October 10, 2019.

Adjournment

Motion by Mr. Lane, seconded by Mr. Leis, to adjourn.

VOTE: Motion carried unanimously.

The meeting was adjourned at 9:30 pm.

Mr. Ken Brust, Chairperson