

Minutes

CEDA Regional Planning Commission

Regular Meeting ~ 3:00 pm.
Thursday, February 2, 2023

Springview Government Center
3130 East Main Street
Springfield, Ohio 45503

Dan Kelly, Chairperson of the CEDA Regional Planning Commission, called the Meeting to order at 3:00 pm. and asked for the Roll Call.

Present For Roll Call: Ms. Theresa Hartley, Mr. Dan Kelly, Mr. Charles Morris, Mrs. Kathryn Lewis-Campbell, Mr. Chuck Harris and Mr. Tony Davis

Absent For Roll Call: Ms. Susan Forman

Also in Attendance: Mrs. Jennifer Tuttle and Mrs. Rachel Ricketts of Clark County Community and Economic Development.

Approval of the January 5, 2023 Meeting Minutes

Motion by Mr. Morris, seconded by Ms. Hartley, to **Approve** the minutes as presented.

VOTE: Yes: Mr. Morris, Ms. Hartley, Mr. Kelly, Mr. Harris and Mr. Davis

No: None.

Abstain: Mrs. Kathryn Lewis-Campbell

Motion carried.

Chairperson Kelly asked Staff to present the case.

Case #2023-Z-02 ~Owner: Sheetz, Inc. ~ Applicant: Zoning Resources ~ Location: 4700 S. Charleston Pike; City of Springfield ~ Request: Rezone the sign District from M to CH

Mrs. Jennifer Tuttle that the subject property is located at 4700 S Charleston Pike, PID #305-07-00003-000-135 and consists of 11.03 acres. The property was annexed into the City of Springfield on 10/27/2022 per Ordinance No. 22-306. In accordance with Section 1175.01 (replaced in its entirety by Ord. 2-11, January 19, 2021) of the City of Springfield Codified Ordinances, the adjacent City CH-1, Highway Commercial District zoning classification and the City Manufacturing Sign District were assigned to the parcel.

Ms. Vaidehe Agwan, City Planner, explained the applicant is requesting to change the sign district for the proposed sign. The current manufacturing sign district (per Ord#22.306) does not allow for sign pole heights to exceed 35 ft. and limits the sq. ft. area of signs. The requested commercial highway sign district allows for the proposed pole height and provides additional bonus for the parcel's sign areas. In addition to city zoning, each parcel annexed to the city is assigned a sign district with specific regulations (Chapter 1175). Any amendments to the districts and regulations established per code are heard by the planning board, and for this request the CEDA planning board (Chapter 1174).

Ms. Agwan stated that there were no objections from the City Manager's Office, City Service Department, City Police Department, City Fire Department or City Building Inspections Division. She stated City Staff recommends approval. Ms. Agwan explained upon preliminary review of proposed signs it was found that the parcel required a change in sign district to suit the property owner's signage requirements. She stated if approved, the commercial highway sign district regulations (Chapter 1155) will apply for sign permit reviews.

Minutes

CEDA Regional Planning Commission

Mr. Davis asked when this project moved through the CEDA board. Ms. Agwan states it was annexed last year but it did not come through the CEDA Board because it was annexed.

Mrs. Tuttle states the City has used a process that they adopted into their ordinance that automatically assigns a zoning district and sign district.

Mr. Davis asked what process the CEDA Board had with this. Ms. Agwan states this is a request for a sign District change.

Mr. Kelly states once it's annexed it's pretty much a done deal, that's why it didn't come to us.

Mr. Davis states if we back up and go to some of the other stuff we have voted on like Walmart and surrounding area that stuff was already annexed and that came to this Board. This is not sitting right with me, I feel that we are missing something.

Mrs. Tuttle states those are questions for the City staff. It is a City ordinance passed by the City.

Ms. Agwan explained back when this parcel was annexed it was assigned a sign district. She stated that was administratively assigned. It is per the ordinances that each parcel annexed to the City will receive a sign district in addition to a zoning district. She stated any amendment to that district comes to this Board and then the City Planning Board.

Mr. Davis states I think you do a good job presenting what they give you, but I feel like the City set you up for failure because the questions I believe this Board needs answers to, needs to come from the folks making the votes and sit on the Board and with the City Commissioners.

Chairperson Kelly explained from my time on this Board I've found that once it is annexed there is not much we can do about it. It doesn't even come through us a lot of times before its annexed. They are not looking for an approval for annexation from us.

Mr. Davis states I fully understand that. He stated they can annex as they move further out into Clark County, but that's why when I first came on this Board I asked who our legal representation was so we could ask these hard questions.

Mr. Harris asked about negotiating of annexation with the City. Chairperson Kelly explained it is a subject we have all talked about. He stated the Township and County included as far as negotiating annexation, because once the County or Township loses that area it is gone to the City. The County and the Township do not have the power of the City when it comes to annexation.

Mr. Harris states there is something wrong there.

Mr. Davis adds, I agree with you. If you look at the City of Springfield there is so much room for growth within the City, why would they want to keep coming further out.

Mr. Harris adds, I keep pushing that on the City Planning Board because we have a lot of places in the City we could build.

Ms. Hartley states, let's go back to the sign question. When you're annexed in you automatically get a sign zoning. Which is currently M, what is the difference between M and CH? Ms. Agwan explained, Manufacturing signs are lesser in area and height and Commercial Highway signs will allow for more area. Ms. Harley asks so they just want a bigger sign so they can see it from the interstate. Ms. Agwan answered, correct.

Mrs. Tuttle states for clarification, prior to this City ordinance enacted/adopted you would have seen the request come through for the rezoning first. But when they adopted this ordinance they are now automatically applying the zoning district and sign district to that so it is not coming to this Board.

Hearing no further discussion, Chairperson Kelly asked for a motion.

Action on Case #2023-Z-02 ~Owner: Sheetz, Inc. ~ Applicant: Zoning Resources ~ Location: 4700 S. Charleston Pike; City of Springfield ~ Request: Rezone the sign District from M to CH

Motion by Ms. Hartley, seconded by Mr. Harris, to **Approve** as presented

VOTE: Yes: Ms. Hartley, Mr. Harris, Mrs. Lewis Campbell, Mr. Morris and Mr. Davis

No: None.

Motion carried.

Chairperson Kelly asked Staff to present the next case.

Case #SA-2023-01~Zoning Text Amendment ~ Applicant: Springfield Township Zoning Commission ~ Subject: Article 4.1, Section 4.1402, Add Agricultural Retail store inside the Champions Center Building only (No Outside Sales) as a Conditional Use

Mrs. Jennifer Tuttle stated that the subject property is PID# 3000700009000083 known as 4401 S. Charleston Pike and 4122 Laybourne Road and consists of 109.96 acres. The property is zoned "CP" Champions Park District. The specific district was created in 2018 to address the various land uses at the County Fairgrounds property. It was recently discovered, a retail store is operating inside the Champions Center building. Several activities were being conducted on the property under the A, Agricultural Zoning District prompting the creation of a specific Zoning District for the Fairgrounds in 2018. A retail use is permitted only when in conjunction with a permitted use. For example, County Fair, animal show, festival, flea market, swap meet, etc. In 2018, the following conditional uses were approved under Section 4.1402: expansion of the existing camping use, hotel, motel or similar lodging and restaurant. Staff discussed the use with the Zoning Commission at the January 18, 2023, regular meeting. The Zoning Commission discussed the use and initiated a text amendment to add the following text under Conditional Use in the Champions Park Zoning District: Agricultural retail store inside the Champions Center building only (no outside sales).

Mrs. Tuttle explained, the CONNECT Land Use Plan identifies the subject area as Institutional Campus and Mixed Use, High Intensity. The primary use of the subject property has been for the annual Clark County Fair and related activities.

Mrs. Tuttle explained Champions Park District was created due to several activities being held at the fairgrounds that did not comply with Zoning. Staff supports adding "Agricultural Retail Store inside the Champions Center building (no outside sales)" under Conditional Uses of Article 4.1., but further recommends the text to read: "Agricultural/Equine Retail Store inside the Champions Center building only (no outside sales).

Mr. Kelly asked for clarification on outside sales. Mrs. Tuttle answered the Zoning Commission did not want a lot of accumulation of stuff outside, so no storage or sales outside of the building.

Mr. Morris asked if they are functioning everyday. Mrs. Tuttle stated yes with limited hours on Sunday. Mr. Morris asked if this was leased to someone else. Mrs. Tuttle explained they are leasing

the space and someone is running the store full time. She noted it is more equine with agricultural as well.

Mrs. Tuttle states the biggest concern of the Zoning Commission when they initiated the Text Amendment is to make sure that the retail is very specific so that a Dollar General or other type of retail just can't come into the Fairgrounds.

Ms. Hartley asked if that is only store currently there. Mrs. Tuttle answered yes and by limiting it just to the Champion Center Building that means no other full-time retail can go on.

Ms. Hartley asked if that meant anyone else that wanted to start a retail store would have to come through. Mrs. Tuttle answered yes.

Mr. Davis states when the horse shows are going on I have noticed other vendors around the outside of that facility. Mrs. Tuttle states that is permitted if there is a show or event going on. If there is not a show or event then they can only operate inside.

Mr. Morris asked if they can have things other than equine. Mrs. Tuttle explained, if there is a show or event they can have multiple different retailers there. This protection is to limit other retail use, so it doesn't expand in any other buildings at the fairgrounds or a new one to be constructed.

Hearing no further discussion, Chairperson Kelly asked for a motion.

Action on Case #SA-2023-01~Zoning Text Amendment ~ Applicant: Springfield Township Zoning Commission ~ Subject: Article 4.1, Section 4.1402, Add Agricultural/Equine Retail store inside the Champion Center Building only (No Outside Sales) as a Conditional Use

Motion by Mr. Morris, seconded by Mrs. Lewis-Campbell, to **Approve** as presented

VOTE: Yes: Mr. Morris, Mrs. Lewis-Campbell, Ms. Hartley, Mr. Harris and Mr. Davis

No: None.

Motion carried

Mrs. Tuttle states that she submitted a request to the Prosecutor's office for legal counsel as it states in the Revised Code but has not heard back yet.

Chairperson Kelly states if that does happen we would like them in here to talk to for a brief period so we know our parameters.

Mr. Davis states my question is who do we have to bring our concerns to this Board or can we go through the municipality we are representing. Mrs. Tuttle answered, it depends. Some of the questions I know you want answered only the City can answer. Mr. Davis adds if you have someone that has the knowledge to put that in a legal format to send to the City, I think that's what we need. Mrs. Tuttle replied, that is correct. She stated right now the Board can question and then deal with whatever answer is provided. She stated the Board doesn't currently have that legal representation to forward a legal letter.

Mr. Davis states with the Champion Center (Springfield Township) and the City was able to make up another ordinance or rule that has to be adopted. We have that power with property that is not annexed. Mr. Davis states I am against annexation. I love the City of Springfield and I love Clark

Minutes

CEDA Regional Planning Commission

County. We need each other to survive, but the last thing that area needs out there is another gas station. We sit here and vote on the things but in the end do we really have a say.

Mr. John Roeder, Springfield Township Trustee, and the CEDA Board members had a discussion on annexation and the effect it has on the Township and the neighborhoods people live. They further discussed the crowded schools and making sure the voters and tax payers are knowledgeable on the topic. They spoke about the County and Township meeting with the City about annexation and the safety that could be affected due to not enough fire and police.

Staff Comments

Mrs. Tuttle stated that the next scheduled meetings are March 2 and April 6, 2023

Adjournment

Motion by Ms. Hartley, seconded by Mr. Davis to **Adjourn**.

VOTE: Motion carried unanimously

The meeting was adjourned at 3:31pm.

Mr. Dan Kelly, Chairperson