Clark County Planning Commission
Regular Meeting – 2 p.m.
Wednesday, October 5, 2005

County Offices – Municipal Courts Building
Public Chambers
5th Floor, 50 East Columbia Street
Springfield, OH 45502

AGENDA

1.		**Minutes – September 7, 2005 (Regular)**	*Discussion & Action*
2.	**Rezoning Case** P-2005-2	**Randall and Cynthia Bishop** Pike Township ~ 6.36 acres 4433 Spence Rd. A-1 to B-3 (General Business District)	*Discussion & Action*
3.	**Rezoning Case** Z-2005-8	**White Oak Communities** Mad River Township ~ 182.45 acres Dayton-Springfield Rd. to Enon-Xenia Rd. A-1 to PD-R (Planned Development (Residential) District)	*Discussion & Action*
4.	PL-2005-99	**Digital Zoning Map Adoption** Pleasant Township	*Discussion & Action*
5.	CR-2005-98	**Comprehensive Plan Text Modifications** Pleasant Township	*Discussion & Action*
6.	CR-2005-97	**Comprehensive Plan Text Modifications** Mad River Township	*Discussion & Action*
7.	CR-2005-96	**Comprehensive Plan Map Modifications** Mad River Township	*Discussion & Action*
8.		**Staff Comments**	*Discussion*
9.		**Adjournment**	*Action*

www.clarkcountyohio.gov/planning

Minutes

Clark County Planning Commission

Regular Meeting ~ 2 p.m.
Wednesday, September 7, 2005

County Offices/Municipal Courts Building
Public Chambers
5th Floor, 50 East Columbia Street
Springfield, Ohio

Mr. Elliott Turner, Chairperson of the Clark County Planning Commission, called the meeting to order at 2:00 p.m.

Present: Mr. Elliott Turner, Mr. Lowell Bicknell, Mr. Max Cordle, Ms. Diane Jordan, Mr. Robert Jurick, Mr. Allen Perkins, Mrs. Regina Rollins, Mrs. Elaine Stevenson, Mr. John Detrick, Mr. David Hartley, and Mr. Tackett.

CPC: 9-31-2005: Minutes ~ August 3, 2005 (Regular Meeting)

Motion by Mr. Perkins, seconded by Mr. Cordle to adopt the minutes.

VOTE: Motion carried unanimously.

Mr. Philip Tritle, Planning Staff announced that:
1. SB-2005-8 Baldwin View Number Three Subdivision (Preliminary and Final) was withdrawn.
2. SB-2005-9 Echo Hills Estates Section Five Subdivision (Preliminary and Final) was withdrawn.

Z-2005-5 Rezoning Case ~ Ron Boling ~ Bethel Township ~ 14 acres ~ northeast corner of Schiller Rd. and Lake Rd. ~ R-1 to B-2 (Community Business District)

Mr. Tritle presented the report for the rezoning case submitted by Ron Boling. He highlighted information contained on the staff report and on the map.

- The County Engineer noted that access to Schiller Rd. is directly available to the site. Changes or modifications to the property may require the applicant to secure updated access permits. Drainage appears to adequate under the present use, however, additional building and parking that encompass more than one acre may require development of a stormwater facilities plan. Based on their review, the County Engineer's Dept. has no objections to the request.
- Soil Conservation does not object to the proposed zoning request, since the owner does not plan any major modification to the property or wetlands.
- There is no report from the Combined Health District since the area will be served by sewer and water. The sewer comes up to the last lot on Schiller Rd. and the water is located just off to the west.
- The Utilities Department indicated the availability of sewer and water. The extension of the vacuum sewer system will require engineering plans and a Permit-to-Install from the Ohio EPA. The Utilities Department will have to review and approve the engineering plans prior to submittal to the Ohio EPA. The Utilities Dept. does not object to the rezoning subject to the comments outlined in the report.

The Planning Department noted that this parcel was formerly a gravel pit and has been dormant for many years. The area is not suitable for residential development because of the muck soils. Planning recommends that the rezoning area be reduced to 7.3 acres and that it be rezoned to B-2'S' with the Specific Use being a business to service water towers including an equipment storage building and office for that business.

Mr. Jurick asked if the entire 7.3 acres would be needed or if a smaller parcel would be sufficient.

Mr. Tritle responded that the owner could get by with a slightly smaller area.

Mrs. Stevenson asked if the rezoned parcel would be split off and have its own parcel number.

Mr. Tritle said yes.

CPC: 9-32-2005: Z-2005-5 Rezoning Case ~ Ron Boling ~ Bethel Township

Motion by Mrs. Rollins, seconded by Mr. Cordle to recommend ***Approval*** to the Rural Zoning Commission for the request of Ron Boling to rezone approximately 7.3 acres located at the northeast corner of Schiller Rd. and Lake Rd., Bethel Township from R-1 (Rural Residence District) to B-2'S' (Community Business 'Specific Use Control' District) with the "Specific Use" being a business to service water towers including an equipment storage building and office for said business.

VOTE:
Yes: ***Mr. Bicknell, Mr. Cordle, Mr. Jurick, Mr. Perkins, Mrs. Rollins, and Mrs. Stevenson.***
Pass: ***Mr. Detrick, Mr. Hartley, and Mr. Tackett.***

Motion carried.

Z-2005-6 Rezoning Case ~ Daniel E. Demmy ~ Mad River Township ~ 340.28 acres ~ 5855 Enon Xenia Rd. and 8535 Dayton Springfield Rd. ~ A-1 to R-2 (Low Density Single-Family Residence District)

Mr. Tritle presented the report for the rezoning case submitted by Daniel E. Demmy. He highlighted information contained on the staff report and on the maps.

- The County Engineer's comments included:
  1. Access to a public roadway is directly available at several possible locations:
     - Emmons Street – an existing stub street off Philadelphia Drive, which connects directly to Dayton Springfield Road.
     - Cliffty Street – a proposed stub street south off Bluff Boulevard currently scheduled for development. Bluff Boulevard is a proposed collector street off Enon Xenia Road with an approved access location.

- Frontage along Enon Xenia and Dayton Road, but the spacing between existing intersections is not desirable.

2. Drainage appears adequate under the present agricultural use. There are several drainage related issues, which may be considered:
   - The existing 100 year floodplain along Mud Run encompasses approximately 25% of the area requested for rezoning. This area would most likely be preserved in a natural state.
   - A portion of the parcel near Enon Xenia is being utilized for a detention basin for the Bluffs at Hunter's Glen. The detention basin could be built and remain as presently designed, or relocated with the proper approvals.
   - Additional detention would be required, based upon the proposed land use. There are several areas that potentially meet the needs for this use, based upon the existing topography of the area.
3. Traffic:
   - The county currently has capacity on both Dayton Springfield Road and Enon Xenia Road.
   - The county is pursuing a long-range plan to make improvements along Dayton Road to address growing traffic concerns.

The County Engineer does not object to the proposed rezoning, subject to the limited access locations and floodplain restrictions.

- Soil Conservation noted:
  1. Drainage: About 75 acres is in the 100 year floodplain and development should not be permitted in this area. A stormwater management plan will be required to deal with the accelerated runoff for future development.
  2. Prime Farmland: About 270 acres of the 340 acres is prime farmland. The soils are capable of producing the 5th highest yield of corn and the 3rd highest yield for soybeans.
  3. Existing Natural Features: Existing woodland and stream buffers should be preserved to the maximum extent, possibly by incorporating open space into the plans.

  Due to the large size and numerous concerns Soil Conservation would like to have more information prior to making a recommendation. Many of the details will be addressed in the subdivision phase.
- County Utilities Department noted that sewer and water service is available. The sanitary sewer is along Mud Run. There is a water line along Dayton Springfield Road. A new water tower will be needed. Water will be purchased from the Village of Enon. Approval has not been given by the Village although contact has been made. Based on review of the information provided, they have no objections to the rezoning.
- Mad River Township Planning Committee noted several issues in a letter:
  1. Mad River Township representatives objected to the designation of this area as Medium Density Residential.
  2. The Mad River Comprehensive Plan shows this area as agriculture.
  3. The applicant has not met with Township Planning Committee.
  4. Indications are that this will be subject to referendum.
  5. The size of the rezoning is unprecedented.
  6. The rezoning is an attempt to avoid Township Zoning.

7. There is concern that the land will be made available to another developer.
8. The land contains storm water retention for the Bluffs. No easement has been provided.

The Mad River Township Planning Committee objects to this rezoning and requests a disapproval and denial.

The Planning Department noted that new residential development should not be located in close proximity to established or planned industrial areas. Supporting commercial uses are appropriate, but only at key intersections. There are several important development issues which will need to be addressed, most of the said issues are better addressed at the subdivision level. Of the 340 acres, buildable area will encompass approximately 208 acres. Since the applicant has indicated a lot density consistent with half acre lots but the R-2 Zoning District allows a lot size of 12,000 sq. ft. (or quarter acre) staff feels that it would be prudent to approve an R-2'S' with a "Specific Use" of no more than 420 single-family residential lots. It should be noted that this rezoning will not affect the current Flood Plain Overlay District which will remain in place as is.

Mr. Perkins stated his objection to Mr. Jurick's participation in this issue as a Clark County Planning Commission Board member due to his position as President of BW Greenway.

Mrs. Stevenson noted that the letter was not received by the board members until the day of the meeting.

Mr. Farnsworth responded that the letter was received by the Planning Commission office on the afternoon of September 6th.

Mrs. Stevenson pointed out that the letter was not dated.

Mr. Jurick stated that he would abstain, but that he would like to ask some questions.

Mr. Cordle objected to Mr. Jurick's involvement if Mr. Jurick abstains.

There was brief discussion regarding the calculations used to determine the buildable area, specifically with regard to the flood plain area.

Mr. James Peifer, attorney for the owner, stated that the flood plain area will be left alone no matter what the actual size is determined to be. He also stated that the subdivision will be done in several phases.

Mr. Perkins asked if the type of residence will conform to the area.

Mr. Peifer responded that the plan is to develop the area in a manner similar to the Bluffs. The only possible exception would be in the area on the west side of the flood plain area. That will most likely be the last area developed.

Mrs. Stevenson asked if a market study has been done to determine whether the market will support this project.

An unidentified speaker responded that people are constantly calling saying that they want to move up and many folks are moving to Beavercreek.

Mrs. Stevenson agreed that our community is losing many professionals to Beavercreek because they cannot find the type of housing that they want here.

CPC: 9-33-2005: Z-2005-6 Rezoning Case ~ Daniel E. Demmy ~ Mad River Township

Motion by Mr. Cordle, seconded by Mrs. Rollins to recommend ***Approval*** to the Rural Zoning Commission for the request of Daniel E. Demmy to rezone 340.28 acres located at 5855 Enon Xenia Rd. and 8535 Dayton Springfield Rd., Mad River Township from A-1 (Agricultural District) to R-2'S' (Low Density Single-Family Residence 'Specific Use Control' District) with a "Specific Use" of no more than 420 single-family residential lots.

VOTE:
Yes: Mr. Bicknell, Mr. Cordle, Mr. Perkins, Mrs. Rollins, and Mrs. Stevenson.
Abstain: Mr. Jurick.
Pass: Mr. Detrick, Mr. Hartley, and Mr. Tackett.

Motion carried.

Z-2005-7 Rezoning Case ~ C. Merrill and L. Joy Flory, Trustees ~ Mad River Township ~ 14.79 acres ~ 5779 Enon Xenia Rd. ~ A-1 to R-2 (Rural Residence District)

Mr. Tritle presented the report for the rezoning case submitted by C. Merrill and L. Joy Flory, Trustees. He highlighted information contained on the staff report and on the maps.

- County Engineer noted that access to a public roadway is directly available off Enon Xenia Road, but prefers that Bluff Blvd. be utilized. Bluff Blvd. is the road that is to be built along the southern boundary of the applicant's property. Drainage appears to be adequate under the present use. If developed in a similar manner to the Bluffs, detention facilities will be required. The existing pond on site may be utilized for storage. The County Engineer has no objections to the rezoning.
- Soil Conservation noted that the proposed use will require management of storm water. Information shall be provided for the management of stormwater , including the control and treatment of accelerated on-site runoff, to a stable receiving outlet. Currently, an adequate outlet is not available onsite. An NPDES permit must be obtained. The owner/developer shall submit a Notice of Intent application to the Ohio EPA. This office does not object to the proposed rezoning request, providing the owner addresses these issues.
- The Health District did not submit a report since the developer indicated that public sewer and water would be utilized.

- County Utilities Dept. noted that public sewer and water are not currently available to the property but there will be extensions through the Bluffs that will provide access at some future date. They have no objection to the rezoning.
- Mad River Township Planning Committee objected because two issues regarding sewer and water are unresolved.

The Planning Department states that the owner plans to develop this property with similar lot size and type of homes located at the Bluffs at Hunters Glenn. Approval by the Village of Enon will be necessary to utilize the Village's public water supply. It is Staff's understanding that the owner is in contact with the Village of Enon concerning this matter. Staff recommended approval of R-2'S' with a "Specific Use" of no more than 23 single-family residential lots.

CPC: 9-34-2005: Z-2005-7 Rezoning Case ~ C. Merrill and L. Joy Flory, Trustees ~ Mad River Township

Motion by Mrs. Rollins, seconded by Mr. Cordle to recommend ***Approval*** to the Rural Zoning Commission for the request of C. Merrill and L. Joy Flory, Trustees to rezone 14.79 acres located at 5779 Enon Xenia Rd., Mad River Township from A-1 (Agricultural District) to R-2'S' (Low Density Single-Family Residence 'Specific Use Control' District) with a "Specific Use" of no more than 23 single-family residential lots.

VOTE:
Yes: Mr. Bicknell, Mr. Cordle, Mr. Perkins, Mrs. Rollins, and Mrs. Stevenson.
Abstain: Mr. Jurick.
Pass: Mr. Hartley and Mr. Tackett.

Motion carried.

CR-2005-99 ~ Modification to "Crossroads" Land Use Plan

Mr. Farnsworth presented the staff report regarding the proposed modification to "Crossroads" Land Use Plan. The new language is needed so that the community can participate in development of a regional growth fund which will target manufacturing companies that are demonstrating global competencies, advanced technology adaptation, and new marketing development.

CPC: 9-35-2005: CR-2005-99 ~ Modification to "Crossroads" Land Use Plan

Motion by Mr. Perkins, seconded by Mr. Stevenson to recommend ***Approval*** of the proposed modifications to the "Crossroads" Land Use Plan to the Board of County of County Commissioners.

VOTE:
Yes: Mr. Bicknell, Mr. Cordle, Mr. Jurick, Mr. Perkins, Mrs. Rollins, and Mrs. Stevenson.
Pass: Mr. Hartley and Mr. Tackett.

Motion carried.

Staff Comments:

None.

Board Comments:

None.

Adjournment

CPC: 9-36-2005: Adjournment

Motion by Mr. Perkins, seconded by Mrs. Rollins to adjourn the meeting.

VOTE: Motion carried unanimously.

The meeting was adjourned at 3:16 p.m.

Mr. Elliott Turner, Chairperson

Mr. Shane Farnsworth, Secretary

NOTE FOR MINUTE BOOK: See additional information included following the minutes.

Rezoning Case # P-2005-2

To: Clark County Planning Commission	**Date of Meeting:** October 5, 2005
From: Planning Staff	**Date of Report:** September 27, 2005

Applicant: Randall & Cynthia Bishop

Request Action: Rezone from A-1 (Agricultural District) to B-3 (General BusinessDistrict)

Purpose: To zone existing business.

Location: PIKE TOWNSHIP - 4433 Spence Rd.

Size: 6.36 acres out of 62.51 acres

Existing Land Use: Residence & Business

Surrounding Land Use and Zoning

	Land Use	*Zoned*
North	Agricultural	A-1 (Agriculture)
South	Agricultural & Scattered Residential	A-1 (Agriculture) & R-1 (Residential)
East	Agriculture & Village of North Hampton	A-1 (Agriculture) & R-1 (Residential)
West	Agricultural	A-1 (Agriculture)

ANALYSIS

This property was zoned A-1 as part of the original zoning map.

County Engineer

The County Engineer received a request from Randall and Cynthia Bishop to rezone approximately 6 acres, from the existing 25.71 and 36.80 acre tract(s) of record

Concerning access, the site has frontage along Spence Road, an existing public road maintained by Pike Township. A recent improvement was made to widen and resurface Spence Road, north of 41 to an 18' wide paved surface width. Sight distance does not appear tote an issue for the present access points, or possible future access points along Spence Road.

Concerning drainage, the site appears to be located in the watershed for the East Fork of Donnels Creek, but is located on the extreme western edge of the drainage area. No drainage problems are evident under the present use, which is mixed business and agricultural In the event that a significant expansion occurs, the owner will be required to comply with the Clark Country Stormwater Regulations.

In general, the County Engineer has no objection to the proposal to rezone the requested acreage. However, it appears the configuration of the area being rezoned could be improved. If the applicant ever intends to sell or divide the business from the existing parcels, frontage for the remainder tract(s) may be insufficient. Also, the buildings for the commercial use appear to be located on the 25.71 acre tract, which would allow aligning the rezoning boundary with the parcel boundary. *(See Sept. 23, 2005 letter)*

Soil Conservation

The Clark Soil & Water Conservation District has reviewed the site regarding soils and drainage. There are existing structures on this site.

There is a distinct drainage swale with subsurface drainage tile which flows from the north around the western portion of the proposed rezoning area. This drainage system is need of repair. There are concerns that if this business expands in the future, the drainage system may be negatively impacted. Provisions to protect the existing drainage swale should be included, such as a minimum of 40 foot drainage easement or exclude the swale from the rezoning. It is also unclear why the applicant wishes to include the grain bins and additional acreage in the rezoning.

This office does not object to the above request, providing the above issues are addressed. *(See Sept. 23, 2005 letter)*

County Health Department

No report from the Health District as commercial uses are regulated by OEPA.

Planning Department

This property is classified by the Clark County Land Use Plan 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 (less than one dwelling per two acres - gross density) and/or clustered to preserve significant open space features (such as prime agricultural soils).

The applicant states " . . . We currently have a commercial variance, but feel it would be a good idea to get rezoned due to our increased business and our children expressing an interest in being involved with the family operation. . . ."

Staff Recommendation

Staff recommends **denial** of rezoning to the B-3 (General BusinessDistrict) due to the uses that could be established at this location in the future. The existing business can remain for many years without the need to rezone.

Attachments:

1. *County Engineer Letter*
2. *Soil & Water Conservation District's Letter*
3. *Pike Twp. B-3 Zoning Regs*
4. *Applicant's request*
5. *Location Map*
6. *Zoning Map*

Clark C unty
Engineer's Department
4075 Laybourne Rd Springfield, Ohio 45505-3613
Bruce C. Smith, P.E., P.S.
Clark County Engineer

Office # (937) 328-2484 Fax # (937) 328-2473 www.clarkcountyohio.gov/engineer

September 23, 2005

Clark County Planning Commission
Shane Farnsworth, Director
25 West Pleasant Street
Springfield, Ohio 45506
Attention: Phil Tritle

Re: **P-2005-2 Rezoning Request**
Pt of 25.71 & 36.80 acres
Randall & Cynthia Bishop

Mr. Tritle

The County Engineer received a request from Randall and Cynthia Bishop to rezone approximately 6 acres, from the existing 25.71 and 36.80 acre tract(s) of record.

Concerning access, the site has frontage along Spence Road, an existing public road maintained by Pike Township. A recent improvement was made to widen and resurface Spence Road, north of 41 to an 18' wide paved surface width. Sight distance does not appear to be an issue for the present access points, or possible future access points along Spence Road.

Concerning drainage, the site appears to be located in the watershed for the East Fork of Donnels Creek, but is located on the extreme western edge of the drainage area. No drainage problems are evident under the present use, which is mixed business and agricultural. In the event that a significant expansion occurs, the owner will be required to comply with the Clark County Stormwater Regulations.

In general, the County Engineer has no objection to the proposal to rezone the requested acreage. However, it appears the configuration of the area being rezoned could be improved. If the applicant ever intends to sell or divide the business from the existing parcels, frontage for the remainder tract(s) may be insufficient. Also, the buildings for the commercial use appear to be located on the 25.71 acre tract, which would allow aligning the rezoning boundary with the parcel boundary.

Sincerely,

Bruce C. Smith P.E., P.S.
Clark County Engineer

Kenneth D. Fenton

Kenneth D. Fenton P.S.
Deputy Engineer

Cc: Pike Township

Donald Boyle – Road Superintendent
Paul W. DeButy P.E. – Design Engineer
Kenneth D. Fenton, P.S., Deputy Engineer
Doug Frank – Bridge Superintendent
Pamela Fulton – Office Assistant
William A. Pierce, P.S. – LIS Director
Shayne Gray – GIS/CAD Coordinator
Mark Niccolini – Ditch Maintenance Supervisor
Lew Richards – Traffic Supervisor
Ned G. Weber, Deputy Engineer

Clark Soil & Water Conservation District

4400 Gateway Blvd. - Suite 103
Springfield, Ohio 45502

Phone (937) 328-4600/4601
Fax (937) 328-4606

With the Right to Own – Goes the Duty to Conserve

BOARD OF SUPERVISORS
Paul Snyder, Chairman
Alan Donaldson, Vice Chairman
John Ritter, Treasurer
David Stickney, Fiscal Agent
Adam Agle, Secretary

September 23, 2005

Mr. Phil Tritle
Clark County Planning Department
25 West Pleasant St.
Springfield, OH 45506

RE: Proposed zoning of 6.358 acres ~ A1 to B3
Randall Bishop~4433 Spence Road ~ Pike Twp.

Dear Mr. Tritle,

The Clark Soil & Water Conservation District has reviewed the site regarding soils and drainage. There are existing structures on this site.

There is a distinct drainage swale with subsurface drainage tile which flows from the north around the western portion of the proposed rezoning area. This drainage system is need of repair. There are concerns that if this business expands in the future, the drainage system may be negatively impacted. Provisions to protect the existing drainage swale should be included, such as a minimum of 40 foot drainage easement or exclude the swale from the rezoning. It is also unclear why the applicant wishes to include the grain bins and additional acreage in the rezoning.

This office does not object to the above request, providing the above issues are addressed.

Respectfully,

Christine Pence, CPESC
Urban Coordinator

BUSINESS DISTRICTS

B-1 NEIGHBORHOOD	B-3 GENERAL
B-2 COMMUNITY	B-4 HEAVY

PRINCIPAL PERMITTED AND CONDITIONED USES:	ZONING DISTRICTS: B-1	B-2	B-3	B-4	MINIMUM ZONING LOT REQUIREMENTS: LOT SIZE (Area)	FRONTAGE WIDTH * (Feet)	YARD REQUIREMENTS (Feet): FRONT (Setback) **	SIDE LEAST WIDTH	SIDE SUM OF BOTH	REAR (Setback)	MAXIMUM HEIGHT (Feet)	(Stories)	FOOT-NOTES (Restrictions)
1. Business and/or Professional Offices	Y	Y	Y	Y	7,500 SF	60	25	--	--	--	35	3	1, 2, 3, 4, 5, 6
2. Banks & Financial Institutions	Y	Y	Y	Y	7,500 SF	60	25	--	--	--	35	3	1, 2, 3, 4, 5, 6
3. Eating and Drinking Places, excluding Drive-in or Carry-out	Y	Y	Y	Y	7,500 SF	60	25	--	--	--	35	3	1, 2, 3, 4, 5, 6
4. Radio and Television Broadcasting Studios	Y	Y	Y	Y	7,500 SF	60	25	--	--	--	35	3	1, 2, 3, 4, 5, 6
5. Funeral Homes & Mortuaries	Y	Y	Y	Y	10,000 SF	60	25	--	--	--	35	3	1, 2, 3, 4, 5, 6, 7
6. Automotive Service Stations	Y	Y	Y	Y	10,000 SF	100	50	--	--	50	35	2	1, 2, 3, 5, 9
7. Custom Butcher Shops	Y	Y	Y	Y	10,000 SF	100	50	--	--	50	35	2	1, 2, 3, 5
8. Indoor Motion Picture Theaters	N	Y	Y	Y	10,000 SF	100	50	--	--	--	45	3	1, 2, 3, 4, 5, 6
9. Retail Food Stores	N	Y	Y	Y	10,000 SF	100	50	--	--	--	35	2	1, 2, 3, 4 5, 6
10. Drive-in, Fast Food, Drive-in Carry-out Restaurants and/or Drive-through Retail Establishments	N	Y	Y	Y	10,000 SF	100	50	--	--	50	35	2	1, 2, 3, 5, 14
11. Garden Centers, Greenhouses	N	Y	Y	Y	10,000 SF	100	50	--	--	50	35	1	1, 2, 3, 5,
12. Automotive Repair Garages	N	Y	Y	Y	10,000 SF	100	50	--	--	50	35	2	1, 2, 3, 5, 15
13. Car Washes	N	Y	Y	Y	10,000 SF	100	50	--	--	50	35	1	1, 2, 3, 5, 16
14. Air Conditioning, Plumbing, Heating, and Roofing Shops	N	Y	Y	Y	10,000 SF	100	50	--	--	50	45	3	1, 2, 3, 5, 6
15. Automotive & Auto Accessory Sales	N	Y	Y	Y	10,000 SF	100	50	--	--	50	45	3	1, 2, 3, 5, 6
16. Building and Related Trades	N	Y	Y	Y	10,000 SF	100	50	--	--	50	45	3	1, 2, 3, 5, 6
17. Commercial Recreation Establishments	N	Y	Y	Y	10,000 SF	100	50	--	--	50	35	2	1, 2, 3, 5, 11
18. Animal Hospitals, Veterinary Clinics, and Kennels	N	N	Y	Y	10,000 SF	100	50	--	--	--	45	3	1, 2, 3, 4, 5, 6, 12
19. Building Material Sales Yard	N	N	Y	Y	10,000 SF	100	50	--	--	--	45	3	1, 2, 3, 4, 5, 7, 18
20. Drive-In Motion Picture Theater	N	N	Y	Y	3 Acres	200	50	--	--	--	--	--	2, 4, 5, 19
21. Private and Public Outdoor Recreation Areas	N	N	Y	Y	--	--	--	--	--	--	--	--	1, 2, 5, 20
22. Motels and Hotels	N	N	Y	Y	1 Acre	150	100	20	40	50	45	3	2, 5, 21
23. Hospitals and Auxiliary Facilities	N	N	Y	Y	3 Acres	150	100	100	200	150	45	3	2, 5, 22
24. Automotive Body Shop	N	N	Y	Y	10,000 SF	100	50	--	--	50	45	3	1, 2, 3, 5, 23
25. Carpenter, Sheet Metal & Sign Painting Shop. Bakery, Laundry, Wholesale Business	N	N	N	Y	10,000 SF	100	50	--	--	40	45	3	1, 2, 3, 5, 27, 28

Y = Yes (Permitted)
N = No (Not permitted)

B-1, B-2, B-3, & B-4

Continued on next page

PIKE TWP. ZONING

SECTION H (con't.) | BUSINESS DISTRICTS

B-1 NEIGHBORHOOD	B-3 GENERAL
B-2 COMMUNITY	B-4 HEAVY

PRINCIPAL PERMITTED AND CONDITIONED USES:	ZONING DISTRICTS: B-1	B-2	B-3	B-4	MINIMUM ZONING LOT REQUIREMENTS: LOT SIZE (Area)	FRONTAGE WIDTH * (Feet)	YARD REQUIREMENTS (Feet): FRONT (Setback) **	SIDE LEAST WIDTH	SIDE SUM OF BOTH	REAR (Setback)	MAXIMUM HEIGHT (Feet)	MAXIMUM HEIGHT (Stories)	FOOT-NOTES (Restrictions)
26. Bottling of Soft Drinks and Milk or Distributing Stations	N	N	N	Y	10,000 SF	100	50	- -	- -	40	45	3	1, 2, 3, 25, 26, 28
27. Contractor's Equipment Storage Yard or Storage & Rental. Contractors Equipment	N	N	N	Y	10,000 SF	100	50	- -	- -	40	35	1	1, 2, 3, 26, 28
28. Motor Vehicle, Boat, & Camper Storage	N	N	N	Y	10,000 SF	100	50	- -	- -	40	35	1	1, 2, 3, 26, 28, 29
29. Trucking and Motor Freight Station or Terminal	N	N	N	Y	10,000 SF	100	50	- -	- -	40	45	3	1, 2, 3, 26, 28
30. Carting, Express, or Hauling Establishments	N	N	N	Y	10,000 SF	100	50	- -	- -	40	45	3	1, 2, 3, 26, 28
31. Stone or Monument Works	N	N	N	Y	10,000 SF	100	50	- -	- -	40	45	3	1, 2, 3, 26, 27, 28
32. Mini-Warehouse or Self Storage Facilities	N	N	N	Y	10,000 SF	100	50	- -	- -	40	35	1	1, 2, 3, 26, 28
33. Private and Public Outdoor Recreation Areas	N	N	N	Y	10,000 SF	- -	- -	- -	- -	- -	- -	2	2, 10, 20

Y = Yes (Permitted)
N = No (Not permitted)

CONDITIONALLY PERMITTED USES (Requires BZA Approval):	ZONING DISTRICTS: B-1	B-2	B-3	B-4	MINIMUM ZONING LOT REQUIREMENTS: LOT SIZE (Area)	FRONTAGE WIDTH * (Feet)	YARD REQUIREMENTS (Feet): FRONT (Setback) **	SIDE LEAST WIDTH	SIDE SUM OF BOTH	REAR (Setback)	MAXIMUM HEIGHT (Feet)	MAXIMUM HEIGHT (Stories)	FOOT-NOTES (Restrictions)
1. Commercial Recreation Establishments	Y	-	-	-	10,000 SF	100	25	- -	- -	- -	35	2	1, 2, 3, 4, 5, 6, 11
2. Day-Care Centers	Y	Y	Y	Y	10,000 SF	100	50	- -	- -	50	35	2	1, 2, 3, 5, 6, 8
3. Nursing Homes, Convalescent Homes, Rest Homes	Y	Y	Y	Y	1 Acre	150	50	30	60	50	35	2	1, 2, 3, 5 10
4. Clubs, Fraternal or Lodge Organizations	Y	Y	Y	Y	10,000 SF	100	25	- -	- -	- -	35	2	1, 2, 3, 4, 5, 6
5. Animal Hospitals, Veterinary Clinics, and Kennels	Y	Y	-	-	10,000 SF	100	25	- -	- -	50	35	2	1, 2, 3, 5, 12
6. Bars and Taverns	N	Y	Y	Y	10,000 SF	100	50	- -	- -	50	35	2	1, 2, 3, 4, 13
7. Wholesale Establishments	N	N	Y	Y	10,000 SF	100	50	- -	- -	50	35	2	1, 2, 3, 5, 24
8. Adult Entertainment Establishments	N	N	N	Y	10,000 SF	100	50	- -	- -	50	35	2	1, 2, 3, 30

Y = Yes (Permitted)
N = No (Not permitted)

* The frontage is measured at the minimum zoning front setback line. Lots 5 to 10 acres in size shall have a minimum frontage of 250 feet and lots more than 10 acres in size shall have a minimum frontage of 350 feet.

** The front yard setback shall be measured from the right-of-way established on the Official Thoroughfare Plan for Clark County.

NOTE: A. Off-street parking and loading/unloading requirements specified in Chapter 5.

B. Any other use which is of the same general character as the above Principal, Conditioned or Conditionally Permitted Uses as determined by the Zoning Inspector and/or by the Board of Zoning Appeals.

(All lot lines shall be identified on site)

B-1, B-2, B-3, & B-4

PIKE TWP. ZONING

RC ENTERPRISES

4433 SPENCE RD.
SPRINGFIELD, OHIO 45502
937-964-0270

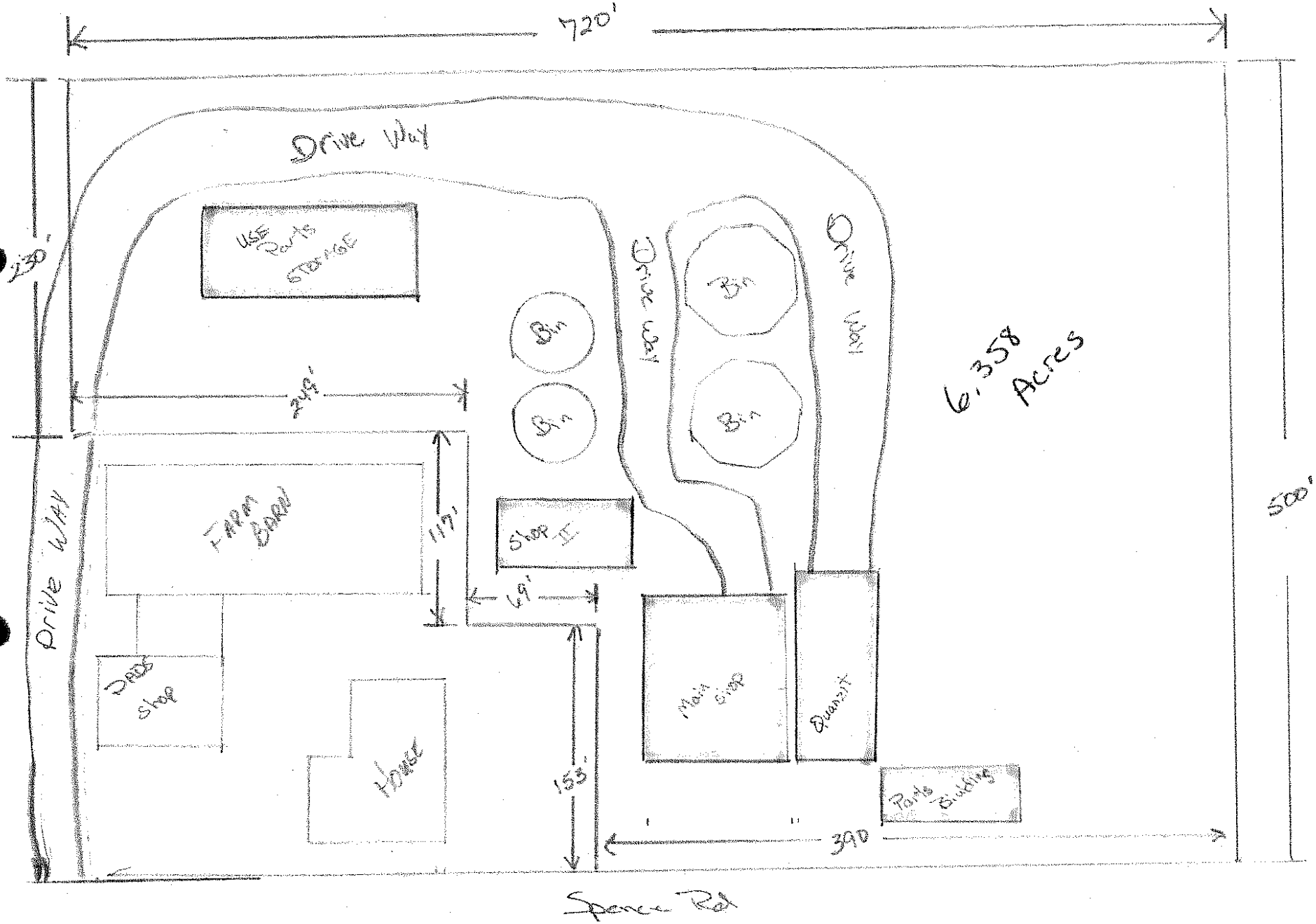
DEAR PIKE TOWNSHIP ZONING COMMITTEE,

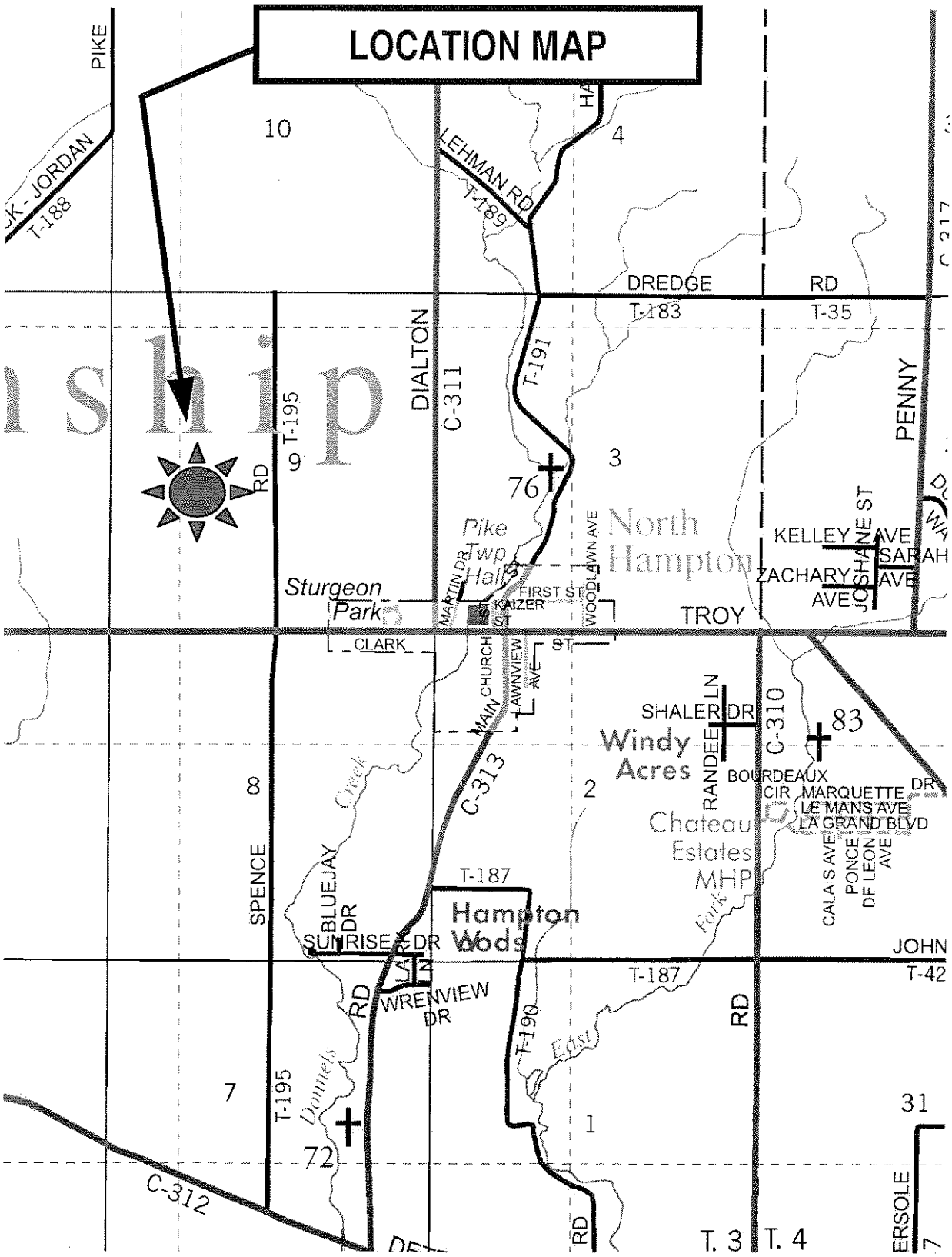
WE ARE APPLYING FOR REZONING OF OUR BUSINESS. WE CURRENTLY HAVE A COMMERCIAL VARIANCE, BUT FEEL IT WOULD BE A GOOD IDEA TO GET REZONED DUE TO OUR INCREASED BUSINESS AND OUR CHILDREN EXPRESSING AN INTEREST IN BEING INVOLVED WITH THE FAMILY OPERATION. WE ARE LOOKING TO TAKE THIS STEP, SO IF SOMETHING WERE TO HAPPEN TO EITHER OF US, OUR CHILDREN WOULD NOT RUN INTO PROBLEMS TAKING OVER SERVING OUR COMMUNITY.

SINCERELY,

RANDALL BISHOP: Randall Bishop

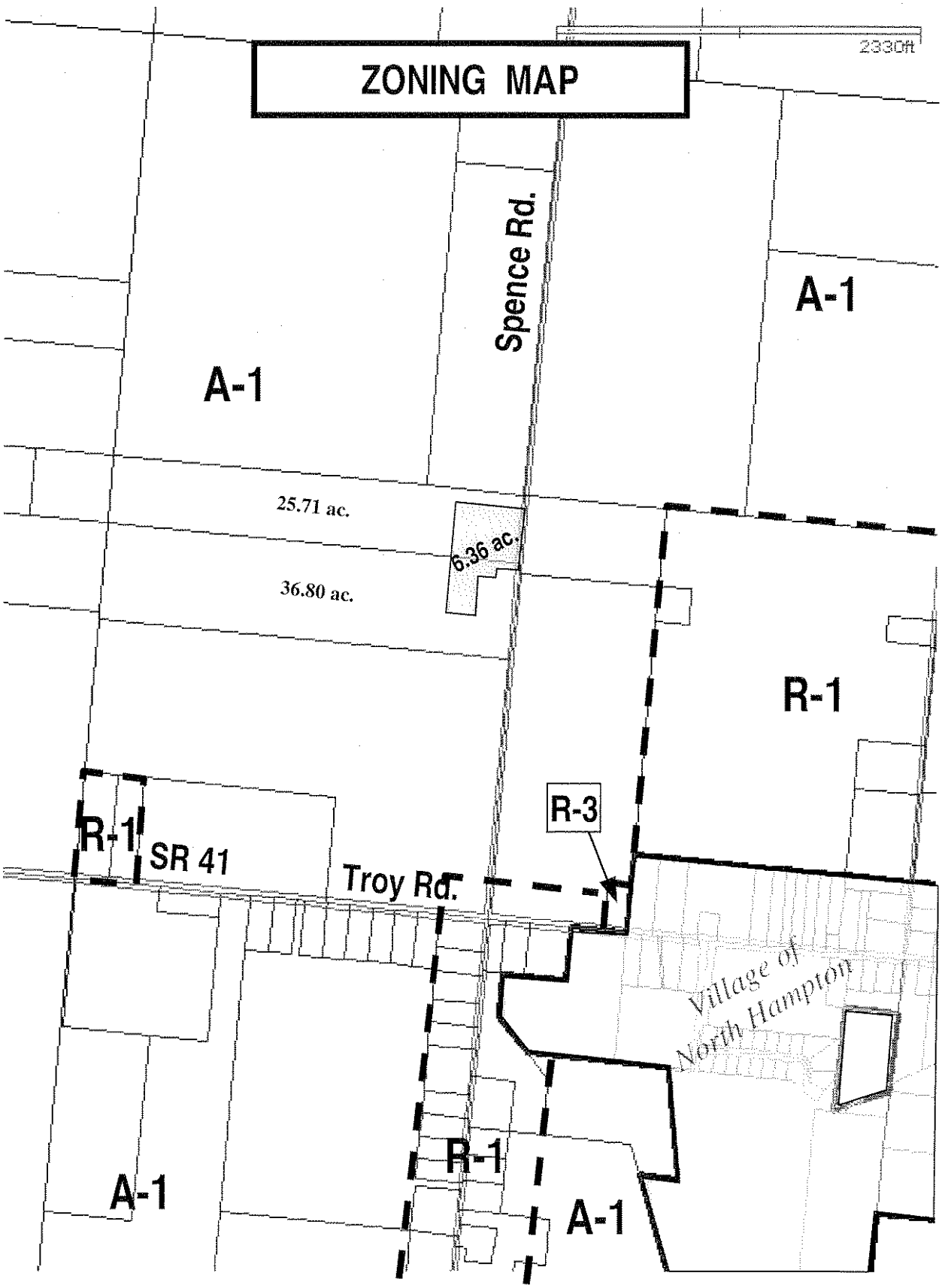
CYNTHIA BISHOP: Cynthia L Bishop


720'
Drive Way
USE Parts STORAGE
230'
Bin
Bin
Drive Way
Bin
Bin
Drive Way
6.358 Acres
249'
FARM BARN
117'
Shop II
69'
500'
Drive Way
DADS Shop
House
153'
Main Shop
Quonset
Parts Building
390
Spence Rd



REZONING CASE #P-2005-2 **4433 Spence Rd.**

A-1 to B-3 **6.36 ac.** **Pike Twp.**



REZONING CASE #P-2005-2		4433 Spence Rd.
A-1 to B-3	6.36 ac.	Pike Twp.

Rezoning Case # Z-2005-8

To: Clark County Rural Zoning Commission	**Date of Meeting:** October 5, 2005
From: Planning Staff	**Date of Report:** September 27, 2005

Applicant: White Oak Communities

Request Action: Rezone from A-1 (Agricultural District) to PD-R (Planned Development - Residential District)

Purpose: 251 Single-Family lots with 79.53% open space

Location: MAD RIVER TWP. - behind 7601 Dayton-Springfield Rd. & behind 5075 Enon-Xenia Rd.

Size: 182.45acres

Existing Land Use: agriculture / undeveloped

Surrounding Land Use and Zoning

	Land Use	*Zoned*
North	Residential & Agriculture	A-1 (Agricultural District) R-1 (Rural Residence District) & PUD (Planned Unit Development District)
South	Agriculture & Residential	A-1 (Agricultural District) & R-2 (Low-Density Residence District)
East	Residential & Agriculture	A-1 (Agricultural District) & R-1 (Rural Residence District) & Village of Enon
West	Residential & Commercial	R-2 (Low-Density Residence District)

ANALYSIS

This property was zoned A-1 as part of the original zoning map. This area was submitted for rezoning in 2000 as a PUD consisting of 312 lots with open space. This case was withdrawn by the applicant. This area was submitted for rezoning in 2003 as a PD-R with 311 lots. The plan included lots in clusters with open space between groupings and a hiking/bike trail. This rezoning was approved but was reversed on a referendum vote by the voters of the Township.

County Engineer

The County Engineer has reviewed the request by White Oak Communities to rezone 182.45 acres from A-1 to PD-R, Planned Development in Mad River Township. According to the requirements of Chapter 4, Planned Development District, the following items require further clarification:

1) Existing site drainage
   a) The development plan appears to match the site topography and characteristics. The flood plain areas have been avoided and there are significant green space or open areas being proposed.

b) The written development plan calls for curbed streets with an enclosed drainage system. Accordingly, the developer will be required to plan, design and construct facilities for storm drainage and provide storage from accelerated runoff. These "dry" basins will be incorporated into the overall design and construction improvement plan. Maintenance of these facilities must be addressed prior to finalization of the plans.

2) Access
   a) The site does have direct access to at least one major street, Dayton Road classified as a major arterial and also to Enon Xenia Road, classified as a minor arterial.
      i) Impacts on these roads based upon the development plan, phase schedule, etc. may dictate the need for a Traffic Impact Study.
      ii) The written development plan refers to a system of "collector streets" that go through the development and secondary, or minor streets that branch out to create clusters of housing. We disagree that a system of collector streets is not being proposed, rather a series of circuitous minor type streets are being proposed. This plan varies widely from the previous plan reviewed and approved by this office, relative to street and lot layout. We previously attempted to avoid direct access to the main or collector streets. In this case, unlimited access is being proposed along all the streets. The movement of traffic on these types of streets may be reduced, and the overall efficiency reduced as well. Additional clarification is needed from the applicant to address street classification issues.
      iii) The development plan refers to the submission of plans and is referenced in Phase IV of the project timetable. The County Engineer requests more in the way of a commitment to design and erect a suitable bridge structure over Mud Run, along the proposed roadway alignment off Dayton Road.
3) Internal access
   a) Vehicular access appears suitable, with the following exceptions:
      i) Streets classified as collectors must meet the design standards for 35mph
      ii) All other streets must be designed to meet 25 mph design standards. Based upon the concept plan provided, some of the streets do not appear to meet design requirements.
      iii) No variance requests have been received to date.
   b) Pedestrian access-
      i) There are walk paths being proposed and public street standards will most likely dictate the construction of sidewalks along all streets, where the average lot frontage is 100' or less.
   c) Street lighting may be discussed further, subject to rezoning approval.

The County Engineer has no objection to the request to rezone the requested area to PD-R Planned Development Residential, subject to the above comments.

Soil Conservation

The Clark Soil & Water Conservation District has received information regarding the above site and provided the following information relative to soils and drainage.

Soils -

Eldean (EmA, EmB) soils are nearly level to gently sloping, well drained and not subject to flooding. Soil limitations regarding dwellings with basements are rated Slight-soil properties and site features are generally favorable for the indicated use; dwellings without basements are rated Moderate due to shrink/swell - features are not favorable and special planning, design, or maintenance is needed to overcome limitations. **Lippincott (Lp)** soils are nearly level and very poorly drained with an apparent seasonal high water table from 1 foot above the surface to 1 foot below from December to May. Soil limitations dwellings with or without basements are rated Severe due to ponding - features are so unfavorable that special design, significant costs, and increased maintenance are required.

Ockley (OcA) soils are nearly level and well drained. Soil limitations for dwellings with or without basements are rated Moderate due to shrink/swell - features are not favorable and special planning, design, or maintenance is needed to overcome limitations.
Warsaw (WeA) soils are nearly level and well drained. Soil limitations for dwellings with or without basements are rated Slight - soil properties and site features are generally favorable for the indicated use.
Waupecan (WpA) soils are nearly level and well drained. Soil limitations for dwellings with or without basements are rated Moderate due to shrink/swell - features are not favorable and special planning, design, or maintenance is needed to overcome limitations.

Drainage -

1. Stormwater Management.
   a) Information shall be provided for the management of stormwater, from both on-site and from upper watershed areas, including the control of accelerated on-site runoff, to a stable receiving outlet. Stormwater management facilities should be placed on a maintenance program.

   b) Federal regulations require Construction activities that result in the disturbance of one or more acres of land must obtain coverage by the National Pollutant Discharge Elimination System (NPDES) permit. The owner/developer shall submit a Notice of Intent application to Ohio EPA at least 21days prior to the start of construction.

   c) In addition to submittal of the NOI application, a Stormwater Pollution Prevention Plan (SWPPP) shall be developed. The plan shall identify potential sources of pollution, which may affect the quality of storm water discharges associated with construction activity. All standards and specifications shall conform to "Rainwater and Land Development" and Clark County Stormwater and Sediment Control Regulations.

In summary, this office does not object to the proposed request.

County Health Department

No report. Will be served by public sewer & water.

County Utilities Department

The Clark County Utilities Department has reviewed the referenced rezoning case and has the following comments.

Public water and sewer service is available to the property from the County's Mud Run Sanitary Sewer trunk line that runs across the property and the 8-inch diameter water line owned by the Village of Enon located along Enon-Xenia Pike. Public extensions of water and sewer mains will be required for the development. Public water service to the property will be required to loop to the north side of Mud Run and connect to the future waterline extension that will be constructed as part of the Creekside Condominium development. Construction of a new water master meter will also be required at the end of the Village of Enon's water main prior to extension of public water service to the property.

Current water and sewer capacities in Mad River Township as they relate to the possible development of this property are discussed below.

The County Utilities Department purchases water from the Village of Enon to provide service to the surrounding areas of Mad River Township. The following summarizes the Enon water plant production capacity (reference 2-23-05 OEPA evaluation survey):

Plant Production

Average Daily:	0.640 million gallons per day ("MGD")
Design Capacity:	1.50 MGD
2004 Peak:	0.980 MGD

A new one million gallon water storage standpipe owned by the County located southeast of Holiday Valley has recently gone into service. Bringing this new water storage tank online should reduce the peak production of Enon's water plant.

The County's Southwest Regional Wastewater Treatment Plant's ("WWTP") service area includes Mad River Township and the areas being considered for rezoning. The plant's average daily design capacity is 2.0 MGD. Current average daily flow rates are about 1.4 MGD. The County is working toward expansion of the Southwest WWTP. Any development resulting from this rezoning will be required to pay a proportionate share of the cost WWTP expansion. We presume the proposed development will be built in phases over a period of years. The County anticipates the WWTP expansion will occur prior to full build-out of the development.

Based on our review of the information provided, we have no objections to the proposed rezoning. Please let me know if you have any questions or comments concerning the above.

Mad River Township Trustees

The Mad River Township Trustees concur with our township Planning Committee in their support of the White Oak Communities conservation PUD. We commend Scott Owens and Jerry Bird for their work with both the township planning committee and members of our community at numerous public meetings. We are pleased to have the opportunity to have a quality conservation style development that meets the needs and desires of our citizens.

Mad River Township Planning Committee

The Mad River Township Planning Committee has reviewed this request and recommends this request be granted.

White Oak is to be commended for the hours senior members of the company have spent working with this Committee and township citizens in developing this proposal. The proposal is in substantial compliance with the development goals set forth in the Mad River Township Comprehensive Land Use Plan. The rezoning request is:

- Within an area of the Township designated for development,
- Conducted the development as a Planned Unit Development (PUD),
- Follows Township recommendations as it is being proposed as a conservation subdivision, and
- Is served by central utilities.

While this rezoning request does not meet the goal of an overall density of one residence per acre, the rezoning request represents approximately 58% of the total acreage held by White Oak. White Oak has discussed their tentative plans for the remaining acreage with the Committee. The Committee believes as these plans progress and the dialog with the citizens of Mad River Township matures the overall density target will be met when the entire 315 acres White Oak owns are considered.

The White Oak proposal is a noteworthy departure from traditional subdivision paradigms in Clark County and Mad River Township. The White Oak approach clusters homes, offers significant areas of green space. and uses roads and bike paths to offer the proposed development a sense of community and livability. All of this should enable White Oak to have a development with a high degree of customer appeal, and allow Mad River Township to showcase a progressive development that is responsive to the desires of its citizens.

Planning Department

This property is classified by the Clark County Land Use Plan as Medium density residential development (4 to 6 dwellings per acre - gross density) and should be directed to existing residential growth areas, where it can be serviced by central water and sewer service. New residential development should not be located in close proximity to established or planned industrial areas. Supporting commercial uses are appropriate, but only at key intersections

The Village of Enon has indicated that the applicant has not received approval for water from the Village Council. This must be addressed as soon as possible. There are discrepancies concerning the tax parcels being rezoned. The applicant submitted a copy of a tax map that is not up to date. Also no photos or drawings were submitted indicating the style or type of structures to be built. The text indicates that "Streets and clusters will be lined with trees (see Exhibit D)". However said Exhibit D does not show these trees as noted in the text.

As noted this PD-R will developed to include:

- 182 acres
- 251 Single-family lots with 80', 90' and 100' frontage
- 79 acres of open space including a bike/walking trails
- 157 lots on green space
- 62.5% of lots on green space
- Roads connecting to Enon-Xenia Rd. & Dayton-Springfield Rd. with bridge over Mud Run
- Flood plain and slope areas will remain undeveloped
- All development will be connected to public sewer & water
- Open space/trails to be maintained by Homeowner's Association
- Six phases with starting dates noted but subject to market conditions & demand

Staff's Recommendation

Approval of rezoning from A-1 to PD-M with the development subject to items noted in this report which must be addressed as soon as feasible.

Attachments:

1. County Engineer's letter
2. Soil & Water Conservation District's Letter
3. Utilities Dept: Letter
4. Mad River Township Letters
5. Surrounding Property Owner Letters
6. PD-M Matrix & List of Approved Uses
7. Applicant Exhibits
8. Location Map
9. Zoning Map

Clark County
Engineer's Department
4075 Laybourne Rd Springfield, Ohio 45505-3613
Bruce C. Smith, P.E., P.S.
Clark County Engineer

Office # (937) 328-2484 Fax # (937) 328-2473 www.clarkcountyohio.gov/engineer

September 23, 2005

Clark County Planning Commission
25 West Pleasant Street
Springfield, Ohio 45506
Attention: Phil Tritle

Re: Rezoning Request- 182.45 acres A-1 to PD-R
White Oak Communities

Mr. Tritle,

The County Engineer has reviewed the request by White Oak Communities to rezone 182.45 acres from A-1 to PD-R, Planned Development in Mad River Township.

According to the requirements of Chapter 4, Planned Development District, the following items require further clarification:

1) Existing site drainage
   a) The development plan appears to match the site topography and characteristics. The flood plain areas have been avoided and there are significant green space or open areas being proposed.
   b) The written development plan calls for curbed streets with an enclosed drainage system. Accordingly, the developer will be required to plan, design and construct facilities for storm drainage and provide storage from accelerated runoff. These "dry" basins will be incorporated into the overall design and construction improvement plan. Maintenance of these facilities must be addressed prior to finalization of the plans.
2) Access
   a) The site does have direct access to at least one major street, Dayton Road classified as a major arterial and also to Enon Xenia Road, classified as a minor arterial.
      i) Impacts on these roads based upon the development plan, phase schedule, etc. may dictate the need for a Traffic Impact Study.
      ii) The written development plan refers to a system of "collector streets" that go through the development and secondary, or minor streets that branch out to create clusters of housing. We disagree that a system of collector streets is not being proposed, rather a series of circuitous minor type streets are being proposed. This plan varies widely from the previous plan reviewed and approved by this office, relative to street and lot layout. We previously attempted to avoid direct access to the main or collector streets. In this case, unlimited access is being proposed along all the streets. The movement of traffic on these types of streets may be reduced, and the overall

Donald Boyle – Road Superintendent
Paul W. DeButy P.E. – Design Engineer
Kenneth D. Fenton, P.S., Deputy Engineer
Doug Frank – Bridge Superintendent
Pamela Fulton – Office Assistant
William A. Pierce, P.S. – LIS Director
Shayne Gray – GIS/CAD Coordinator
Mark Niccolini – Ditch Maintenance Supervisor
Lew Richards – Traffic Supervisor
Ned G. Weber, Deputy Engineer

efficiency reduced as well. Additional clarification is needed from the applicant to address street classification issues.

iii) The development plan refers to the submission of plans and is referenced in Phase IV of the project timetable. The County Engineer requests more in the way of a commitment to design and erect a suitable bridge structure over Mud Run, along the proposed roadway alignment off Dayton Road.

3) Internal access
   a) Vehicular access appears suitable, with the following exceptions:
      i) Streets classified as collectors must meet the design standards for 35mph
      ii) All other streets must be designed to meet 25 mph design standards. Based upon the concept plan provided, some of the streets do not appear to meet design requirements.
      iii) No variance requests have been received to date.
   b) Pedestrian access-
      i) There are walk paths being proposed and public street standards will most likely dictate the construction of sidewalks along all streets, where the average lot frontage is 100' or less.
   c) Street lighting may be discussed further, subject to rezoning approval.

The County Engineer has no objection to the request to rezone the requested area to PD-R Planned Development Residential, subject to the above comments.

Sincerely,

Bruce C. Smith P.E., P.S.
Clark County Engineer

Kenneth D. Fenton

Kenneth D. Fenton P.S.
Deputy Engineer

Cc:

Clark Soil & Water Conservation District

4400 Gateway Blvd. - Suite 103
Springfield, Ohio 45502

Phone (937) 328-4600/4601
Fax (937) 328-4606

With the Right to Own – Goes the Duty to Conserve

BOARD OF SUPERVISORS
Paul Snyder, Chairman
Alan Donaldson, Vice Chairman
John Ritter, Treasurer
David Stickney, Fiscal Agent
Adam Agle, Secretary

September 23, 2005

Mr. Phil Tritle
Clark County Planning Department
25 West Pleasant St.
Springfield, OH 45506

Re: PUD request of 182.45 ac., A-1 to PDR, 251 lots
White Oak Communities, Mad River Twp.

Mr. Tritle,

The Clark Soil & Water Conservation District has received information regarding the above site and provided the following information relative to soils and drainage.

Soils

- Eldean (EmA, EmB) soils are nearly level to gently sloping, well drained and not subject to flooding. Soil limitations regarding dwellings with basements are rated Slight-soil properties and site features are generally favorable for the indicated use; dwellings without basements are rated Moderate due to shrink/swell - features are not favorable and special planning, design, or maintenance is needed to overcome limitations.

- Lippincott (Lp) soils are nearly level and very poorly drained with an apparent seasonal high water table from 1 foot above the surface to 1 foot below from December to May. Soil limitations dwellings with or without basements are rated Severe due to ponding - features are so unfavorable that special design, significant costs, and increased maintenance are required.

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- Warsaw (WeA) soils are nearly level and well drained. Soil limitations for dwellings with or without basements are rated *Slight* - soil properties and site features are generally favorable for the indicated use.

- Waupecan (WpA) soils are nearly level and well drained. Soil limitations for dwellings with or without basements are rated Moderate due to shrink/swell - features are not favorable and special planning, design, or maintenance is needed to overcome limitations.

DRAINAGE

1. Stormwater Management.
   a) Information shall be provided for the management of stormwater, from both on-site and from upper watershed areas, including the control of accelerated on-site runoff, to a stable receiving outlet. Stormwater management facilities should be placed on a maintenance program.

   b) Federal regulations require Construction activities that result in the disturbance of one or more acres of land must obtain coverage by the National Pollutant Discharge Elimination System (NPDES) permit. The owner/developer shall submit a Notice of Intent application to Ohio EPA at least 21days prior to the start of construction.

   c) In addition to submittal of the NOI application, a Stormwater Pollution Prevention Plan (SWPPP) shall be developed. The plan shall identify potential sources of pollution, which may affect the quality of storm water discharges associated with construction activity. All standards and specifications shall conform to "Rainwater and Land Development" and Clark County Stormwater and Sediment Control Regulations.

In summary, this office does not object to the proposed request.

Respectfully,

Christine L. Pence, CPESC
Urban Coordinator

Clark County Department of Utilities

Garfield Building • 25 W. Pleasant Street • P.O. Box 1303 • Springfield, Ohio 45501-1303
Tel: (937) 328-2493 • Fax: (937) 328-2616 • www.clarkcountyohio.gov

Alice Godsey, P.E., *Director*
Stephen Worl, P.E., P.S., *Deputy Director*

Christopher Neary, *Business Manager*
Priya Krishna, *Customer Service Supervisor*
David Leist, *Chief Operator*
Dave Hasting, *Field Services Supervisor*

September 23, 2005

Clark County Planning Commission
25 West Pleasant Street
Springfield, Ohio 45506
Attention: Mr. Phil Tritle, Senior Planner

Re: Review Comments – Rezoning Case Z-2005-8, White Oak (182.45 ac. – 251 lots)

Mr. Tritle,

The Clark County Utilities Department has reviewed the referenced rezoning case and has the following comments. Public water and sewer service is available to the property from the County's Mud Run Sanitary Sewer trunk line that runs across the property and the 8-inch diameter water line owned by the Village of Enon located along Enon-Xenia Pike. Public extensions of water and sewer mains will be required for the development. Public water service to the property will be required to loop to the north side of Mud Run and connect to the future waterline extension that will be constructed as part of the Creekside Condominium development. Construction of a new water master meter will also be required at the end of the Village of Enon's water main prior to extension of public water service to the property.

Current water and sewer capacities in Mad River Township as they relate to the possible development of this property are discussed below.

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Plant Production

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Based on our review of the information provided, we have no objections to the proposed rezoning. Please let me know if you have any questions or comments concerning the above.

Sincerely,

Charles W. Bauer, P.E.
Deputy Director of Utilities

cc: Director Godsey, email

MAD RIVER TOWNSHIP

Mad River Township Planning Committee
260 East Main Street, Box 34, Enon, OH 45323
www.madrivertownship.org

September 15, 2005

Clark County Planning Commission
25 West Pleasant Street
Springfield, Ohio 45506-2268

RE: Rezoning Case Z-2005-8, White Oak Communities

Dear Sirs:

The Mad River Township Planning Committee has reviewed this request and recommends this request be granted.

White Oak is to be commended for the hours senior members of the company have spent working with this Committee and township citizens in developing this proposal. The proposal is in substantial compliance with the development goals set forth in the Mad River Township Comprehensive Land Use Plan. The rezoning request is:

- Within an area of the Township designated for development,
- Conducted the development as a Planned Unit Development (PUD),
- Follows Township recommendations as it is being proposed as a conservation subdivision, and
- Is served by central utilities.

While this rezoning request does not meet the goal of an overall density of one residence per acre, the rezoning request represents approximately 58% of the total acreage held by White Oak. White Oak has discussed their tentative plans for the remaining acreage with the Committee. The Committee believes as these plans progress and the dialog with the citizens of Mad River Township matures the overall density target will be met when the entire 315 acres White Oak owns are considered.

The White Oak proposal is a noteworthy departure from traditional subdivision paradigms in Clark County and Mad River Township. The White Oak approach clusters homes, offers significant areas of green space, and uses roads and bike paths to offer the proposed development a sense of community and livability. All of this should enable White Oak to have a development with a high degree of customer appeal, and allow Mad River Township to showcase a progressive development that is responsive to the desires of its citizens.

Respectfully,

W. R. Cottrel, Chmn

MAD RIVER TOWNSHIP

Trustees: Robert McClure,Jr., Richard J. Schumann, Kathy Estep
Deputy Clerk: Debra Maurer
260 East Main Street, Box 34, Enon, OH 45323
www.madrivertownship.org

September 22, 2005

Clark County Planning Commission
25 West Pleasant St.
Springfield, Ohio 45506

Dear Commissioners,

The Mad River Township Trustees concur with our township Planning Committee in their support of the White Oak Communities conservation PUD. We commend Scott Owens and Jerry Bird for their work with both the township planning committee and members of our community at numerous public meetings. We are pleased to have the opportunity to have a quality conservation style development that meets the needs and desires of our citizens.

Sincerely,

Robert McClure, Jr. Richard J. Schumann Kathy Estep

Clark County Planning Commission
25 W. Pleasant St.
Springfield Ohio 45506-2268

Dear Shane Farnsworth and Phil Tritle,

Please register my support for the proposed rezoning of 184.25 acres behind Dayton-Springfield Rd and 5075 Enon-Xenia Rd. in Mad River Township from A-1 (agricultural district) to PD-R (planned development residential district. Please also note my support to rezone 14.836 acres on Dayton Springfield Rd. from R-2 to PD-R Thank you,

Sincerely,

Susan E. Snyder

June & Bob Laybourne
3034 Willow Run Circle
Enon, Oh 45323

Sept. 21, '05

To the Clark Co. Rural zoning Commission,

We are not in favor of additional housing in our neighborhood. Lets keep it as it is. No more houses in the area.

Sincerely
June Laybourne
Robert C. Laybourne

CHAPTER 4 PLANNED DEVELOPMENT DISTRICT REQUIREMENTS AND PROCEDURES

Section A PD Planned Development Districts
Requirements and Procedures

1. Intent. 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.

2. Purpose. The PD Planned Development District is established to:

   (a) Permit flexibility in the use and design of structures and land in situations where conventional development may be inappropriate and where modifications of requirements of the underlying zone will not be contrary to the intent and purpose of the Zoning Code, inconsistent with the Land Use Plan, nor harmful to the neighborhood.

   (b) Conserve land through more efficient allocation of an overall development design through new techniques not available through strict adherence to usual zoning standards.

3. Applicability. The provisions of this Chapter may apply to any land within the unincorporated area of the County that are regulated by County Zoning, which are to be developed in a more flexible manner than permitted by the provisions of Chapter 2 of these Regulations. All requirements of the Clark County Subdivision Regulations shall be complied with.

ZONING REGULATIONS	COMMENTS
4. Development Requirements.	
(a) The physical character of the site shall be suitable for development in the manner proposed, without hazards to persons or property on or off the site from possible flooding, erosion, subsidence or other dangers, annoyances or inconveniences.	The proposed development excludes housing in the flood plain and steep slopes.
(b) The site shall have direct access to a major street* and not generate traffic on minor residential streets outside the district. This requirement does not apply to single family detached residential developments having an overall density of four dwelling units per acre or less.	Access to Enon-Xenia Rd. & Dayton-Springfield Rd. Is proposed.
(c) Utilities and public facilities for the proposed development shall be installed at the expense of the developer.	Sewer, water & roads will be constructed by the developer.
(d) The development shall provide for efficient, safe, convenient and harmonious grouping of structures, uses and facilities.	Lots are grouped in 3 distinct areas. Ample open space is provided.
(e) There shall be an appropriate relationship of space, inside and outside buildings, to the intended uses and structural features.	
(f) Provision shall be made at points of ingress, egress and within the district to ensure a free and safe flow of vehicular and pedestrian traffic.	Separate bike/walking trails are provided.
(g) Common areas and open space may be required.	Open areas are provided.
(h) All off-street common parking for more than five cars, all service areas for loading and unloading vehicles, and all areas for storage and collection of trash and garbage shall all be properly screened.	
5. Standards for Planned Development "PD" Districts.	
(a) The planned development should be completed within the period of time specified in the schedule of development submitted by the developer.	Six Phases - 2006, 2007, 2008, 2009, 2010, & 2011 are noted in the Plan.
(b) The planned development shall not jeopardize public health, safety and morals.	

* Major street is any street other than a "Local street" as shown on the Thoroughfare Plan.

Section A (continued)

ZONING REGULATIONS	COMMENTS
(c) The street system within the site shall be designed to adequately serve the proposed development, relative to use and type. If warranted or recommended by the County Engineer, the developer may be required to submit a traffic study to determine whether offsite improvements or devices are needed to maintain a suitable level of service on the adjacent public roadways.	Per County Engineer - A traffic study may be necessary; no collector streets shown, only circuitous minor streets.
(d) The development should not impose an undue burden on public services, utilities, or other infrastructure and facilities, including fire and police protection.	Sewer & water capacity is available.
(e) The development plan shall contain such proposed covenants, easements and other provisions relating to the proposed development standards, as are reasonably required for public health, safety and morals.	List of covenants provided.
(f) The location and arrangement of structures, parking areas, walks, lighting and appurtenant facilities shall be compatible with the surrounding land uses, and any part of the planned development not used for structures, parking and loading areas, or accessways, shall be landscaped, improved, or otherwise used appropriately in concert with the overall development.	Development compatible with other uses in the area. Open areas provided.
(g) When a planned development provides for common open space, the total area of common open space provided at any stage of development shall, at a minimum, bear a relationship equal to or greater than to the total open space to be provided in the entire planned development as such stages or units completed or under development bear to the entire planned development.	See phasing of development.
(h) A major change in the development plan is defined as:	
(1) an increase in the proposed baseline density of the entire project or any phase/section thereof of greater than 15%	
(2) a change in the proposed uses	
(3) a change in the proposed utilization of public infrastructure of more than 15%	
6. Criteria for Approval. In approving an application for a Planned Development the reviewing authorities shall determine:	
(a) That the proposed development is consistent with the purpose and intent applicable standards of these Zoning Regulations and the Comprehensive Plan.	Yes.
(b) That each individual section of development, as well as the total development, can exist as an independent unit capable of creating an environment of sustained desirability and stability, or that adequate assurance will be provided that such objective will be attained.	Yes.
(c) That the uses proposed will not be detrimental to present and potential surrounding uses, but will have a beneficial effect which could not be achieved under other Zoning Districts in these Regulations.	Yes.
(d) That the internal streets and thoroughfares proposed are suitable and adequate to carry anticipated traffic.	Possibly. See County Engineer comments.
(e) That any part of the development not used for structures, parking and loading areas, or streets, shall be landscaped or otherwise improved unless left in a natural state.	Yes.
(f) The plan is acceptable, or will be acceptable, to the County Engineer, Clark Soil & Water Conservation District, the Combined Health District or Ohio EPA and the provider of public sewer and water (if applicable).	Subject to adjustments at "Final Plan" stage.

Section A (continued)

ZONING REGULATIONS	COMMENTS
(g) That significant cultural, historical, and natural amenities of the site are preserved and protected.	Yes.
(h) That common areas and open space will be managed and maintained for the long term.	Yes.
(i) That infrastructure, including sewer and water, will be sufficient for the needs of the occupants and not precipitate health or safety problems in the future.	Yes.
7. The applicant/owner/developer is encouraged to undertake informal discussions of a concept plan with the County Planning staff prior to submitting a preliminary PD plan.	
8. Preliminary PD Plan. The owner of land who wishes to develop his property according to the provisions of this chapter, shall submit six (6) copies of a preliminary PD plan and application for preliminary approval. The preliminary PD plan for the use and development of the area of land shall list all requested variations from requirements of the underlying district in which the tract of land is located. The preliminary PD plan may show a range of dimensions and need not have the specificity of the final plan. The application shall be accompanied by the following:	
(a) A location map affixed to the plan.	
(b) A preliminary PD plan of the proposed development drawn to an appropriate scale, showing:	
(1) Existing and proposed uses.	Existing Use: agricultural-undeveloped Proposed Use: Single-Family PD development with open space. The development will consist of approximately 251 single-family lots with 80', 90 and 100' front feet with over 62.5% of the lots backing on green space. Each lot will meet or exceed R-2 zoning require ments. The subdivision will be intertwined with green space and walking trails connecting the surrounding residential to the development and to each other. Approximately 79 acres of green space will be dedicated for this purpose.
(2) Topographic contours at two (2) foot intervals or less on the PD property and within two hundred (200) feet of the proposed development.	The topography of the site is relatively flat and poses no problems to pedestrians or vehicular traffic. See enclosed topo map (Exhibit 1).
(3) Location of floodplain and wetlands on the PD property and adjacent thereto.	See enclosed topo map (Exhibit I).
(4) Location of existing and proposed streets, including points of connection.	Will connect to Dayton Rd. and Enon-Xenia Rd. See enclosed Master Plan development drawing (Exhibit D). The plan provides for a system of collector streets that go through the development and secondary streets that branch out to create clusters of housing. Plans for a bridge to cross Mud Run will he submitted to Clark County for approval at the appropriate time.

(5)	Location of existing and proposed utilities, including points of connection.	See enclosed utility maps (Exhibit H). Will connect to Clark County sanitary sewer along Mud Run. Will connect to Village of Enon water along Dayton Rd. and Enon-Xenia Rd.
(6)	Location and type of drainage and storm water management facilities.	Surface drainage will be handled with a storm sewer system and dry retention in the open space areas. Since over 45% of the site is open area, a system of dry retention areas will be designed to work in conjunction with the bike and walking trails on Exhibit D (proposed retention areas are outlines).
(7)	Approximate number of structures, by type use and size, proposed for the planned development.	251 new single-family houses w/ minimum floor area of 1,600/1,800 sq. ft. each (see covenants). Typical 1 story, 1 1/2 story, split level and 2 story dwellings. Suggested styles include ranch and traditional American houses with fronts of wood, brick and stucco as noted in the covenants (see Exhibit F). Styles will vary by builder and cluster locations within the development. One (1) existing single- family dwelling (old farm house).
(8)	For non-residential uses: a) building size-to-lot ratio b) plans for storage of any items outside of buildings c) signage standards	Not applicable.
(9)	Proposed general arrangement of the buildings.	Standard subdivision lots (see Exhibit D) and single-family residential structures. All dwellings are subject to the County Zoning setback requirements.
(10)	Location and area (size) of proposed open spaces either to be held in common or publicly, and whether it is to be used for active recreational purposes or only as an environmental amenity.	Approximately 79 acres of open space intertwined among lots and along Mud Run (flood plain) will serve as combination recreational and environmental purpose to include pedestrian/bike trails which will he owned/operated/maintained by a Homeowner's Association. The flood plain will be protected from encroach-ment of buildings. filling, and detri-mental uses to its natural purpose. This includes the area wound the existing farm house. Also included is a landscaped buffer strip along new road leading from Dayton Rd. to Mud Run. See Exhibit D.
(11)	Sketches to show the general architectural design of buildings, types and character of the development.	Photographs are available showing previous residential developments by White Oak.
(12)	Legal description of the tract of land for the planned development.	See legal description prepared by Sands Decker, Ltd., March 28. 2003 (Exhibit B-six pages).

Section A (continued)

ZONING REGULATIONS	COMMENTS
(13) Parking provisions.	Each dwelling will have a 2 or 3 car attached garage (see covenant #2-Exhibit F).
(14) Loading facilities, if any.	N/A
(15) Proposed landscaping approach (theme).	Rural theme. Trees will typically consist of Red Oak, Sugar Maple, White Oak, Imperial Honey Locust, Little Leaf Linden, White Ash, Shumard Oak. Red Sunset Red Maple and Emerald Queen Norway Maple.
(16) Such other information as is necessary to ascertain compliance with the requirements of this chapter.	a)Provide flexibility in architectural design, placement and clustering of buildings, use of open space, provision of traffic circulation facilities and parking, and related site design considerations- The plan provides for traffic circulation through the development. Houses are clustered together with open space and/or trails intertwined among the clusters. Streets and clusters will be lined with trees (see Exhibit D). We have consulted a professional land planner and local engineer to formulate the concept giving foresight to final engineering. White Oak Communities has completed numerous developments in Grove City and Canfield, Ohio areas. We are familiar with standards and requirements associated with subdivision developments. b) Encourage the preservation and best use of existing landscape features through the development sensitive to the natural features of the surrounding area- The flood plain and hillside area will comprise part of the open space and be set aside as either open space or remain in a natural setting. c) Promote efficient land use with smaller networks of utilities and streets- The homes and utilities are being developed in clusters. Utilization of open space as storm water retention promotes efficient use of the land. d) Promote an attractive and safe living environment that is compatible with surrounding residential developments- This development will be compatible with the surrounding area and provide more open space than previous developments. Trees and landscaping will bean integral part of the development. The flood plain and hillside areas will not be developed.

(17) An overview of existing and planned uses in surrounding area and expected impact of the proposed development on them.	The Clark County Comprehensive Plan shows the surround area as Medium Density Residential. This development is in concert with that plan and the current uses. Surrounding areas are already mostly developed. Due to the isolation of this parcel by Mud Run to the North, the hillside to the South and vacant parcels to the East and West, there should be no disruption to any surrounding area. White Oak Communities does own additional acreage adjacent to this parcel which will he submitted for approval at a later date.
(18) General description of natural features of the site (trees, vegetation, floodplain, wetlands, streams) and approach for preserving and protecting them during construction and final build out.	The natural features include Mud Run and the hillside. The flood plain along Mud Run will be part of the open space area of the development. The hillside is mainly off site and will not be encroached upon. A buffer strip along new road leading from Dayton Rd. to Mud Run is part of the development (see Exhibit D). See plan for layout. Development will comply with NPDES requirements.
(19) Proposed timetable for development including general description and diagram of phases of development.	We feel the development will take in excess of 6-8 years to complete and will be developed according to Exhibit G, included. Development would be proposed in this order so as to complete the through collector street as quickly as possible. The development is planned in six (6) phases as noted on the enclosed drawing. PHASE I projected to start in 2006 and contain approximately 44 lots and designated open area. PHASE II projected to start in 2007 and contain approximately 42 lots and designated open space/trail area. PHASE III projected to start in 2008 and contain approximately 39 lots and designated open space/trail area. PHASE IV projected to start in 2009 and contain approximately 43 lots and designated open space/trail area. (farm house area, bridge across Mud run with access to Dayton Road.) PHASE V projected to start in 2010 and contain approximately 43lots and designated open space/trail area. PHASE VI projected to start in 2011 and contain approximately 40 lots and designated open space/trail area. * Starting dates are subject to market conditions and demand. NOTE: Phases may be broken down into sections for subdivision recording purposes.

9. Preliminary PD Plan Approval. Approval of a preliminary PD plan shall be in accordance with procedures set forth herein. Approval of the zoning of the land to a PD district shall constitute approval of the preliminary plan. A preliminary PD plan shall be valid for no more than 36 months, unless specifically provided otherwise in the PD approval. The Preliminary Plan shall be considered void unless a Final PD Plan has been submitted for the development within the 36 month period for the area of land to which the PD applies unless an application for a time extension is submitted and approved. 10. Report of County Planning Commission. Upon completion of review of the preliminary PD plan of the planned development, the Commission shall recommend either approval or denial of the plan and shall report its findings to the Rural Zoning Commission and County Commission. The report shall address the following: the variations in setbacks, lot area requirements, building heights, building types, sizes of buildings, consistency with the Comprehensive Plan, the combination of land uses, and traffic flow will be in the public interest, in harmony with the purposes of this code and other building regulations of the County and will not adversely affect nearby properties. 11. Changes in an Approved Preliminary PD Plan. Major changes in an approved preliminary PD plan shall be subject to the same procedures for approval as for the original approved plan. A major change is defined in Section A., 5., (h). Any other changes are considered minor changes and may be approved by the Planning Director. 12. Final PD Plan. Applications for approval of the final PD plan shall meet all the requirements of the preliminary PD plan and include the following: (a) Detailed plans and specifications of the planned development. (b) Building elevations and floor plans for all structures. (c) Details of materials to be used for exterior construction. (d) A landscape plan including screening and buffering, if necessary, between the proposed and existing development. (e) Maintenance/ownership details of open space areas including stormwater facilities.	

Section A (continued)

ZONING REGULATIONS	COMMENTS
13. Final PD Plan of Phase/Section. After preliminary approval of the entire planned development is given, a final plan of a Phase/Section within the planned development may be approved if: (a) The plan of the Phase/Section meets all requirements of a final plan. (b) The dwelling unit density within the Phase/Section does not exceed the dwelling unit density allowable for the least restrictive use for that area under existing zoning. (c) The Phase/Section can function as an independent development unit with adequate access, services, utilities, open space, etc. (d) The developer subdivides and improves all public rights-of-way necessary to support the Phase/Section. (e) The remaining Phase/Section is not left as an undevelopable remnant. 14. Final Plan Approval. Final approval of any PD plan, or Phase/Section thereof, shall be by: (a) Administrative Staff review for a PD not requiring the immediate or future subdividing of property, i.e. the PD is contained on one parcel and shall not be subdivided. (b) Review and approval by the Planning Commission as a subdivision when lots or parcels are shown or proposed, i.e. the normal subdivision process is required but only as a Final Subdivision Plat. Approval shall be based on compliance with an approved preliminary PD plan and any modifications required by the County Rural Zoning Commission and County Commission at the time the land was zoned to PD. The Final Plan shall be onsidered void unless a building permit has been issued for the development within the 36 month period for the area of land to which the PD applies unless an application for a time extension is submitted and approved. 15. Recording of Final Plan. After approval of the PD Final Plan noted in 3. above, said approved Final Plan shall be recorded in the office of the County Recorder. 16. Building and Zoning Permits. After the PD Final Plan has been recorded as noted in 15. above, the final plan, or parts of the final plan, as finally approved, shall be filed with Building and Zoning Officials. Building and zoning permits may be issued only for structures conforming to the PD plan. 17. Changes in an Approved Final PD Plan. Major changes in an approved final PD plan shall be subject to the same procedures for approval as for the original approved plan. A major change is defined in Section A., 5., (h). Any other changes are considered minor changes and may be approved by the Planning Director. 18. Denial of PD Final Plan or Denial of Minor Change. Should a PD Final Plan be denied or a minor change be denied based on non-compliance with the PD Preliminary Plan, the applicant may request a review by the Rural Zoning Commission for a determination of compliance or non-compliance.	

Section B PD-R Planned Development - Residential District Requirements and Procedures

1. Intent. The intent of the PD-R district regulations is to:

   (a) Provide flexibility in architectural design, placement and clustering of buildings, use of open space, provision of traffic circulation facilities and parking, and related site and design considerations;

   (b) Encourage the preservation and best use of existing landscape features through development sensitive to the natural features of the surrounding area;

   (c) Promote efficient land use with smaller networks of utilities and streets;

   (d) Encourage and preserve opportunities for energy efficient development;

   (e) Promote an attractive and safe living environment that is compatible with surrounding residential developments; and

   (f) Provide an alternate method for redeveloping older residential areas and to encourage infill development.

2. Permitted Uses. Those uses specified as permitted principal uses, permitted accessory uses, and conditional uses in the "R-I", "R-2", "R-2A", "R-3", and/or "R-4" residential zoning districts, developed in a unified manner in accordance with the approved development plan.

3. Applicability. Housing shall be permitted as follows:

   (a) For development of land of two (2) acres or more.

   (b) For development of land less than two (2) acre where such development is more appropriate and more efficient than conventional development because of environmentally sensitive areas, existing natural features or scenic assets, the amount of land available for infill development, or because of the age of existing development in the vicinity.

4. General Requirements. All PD-R developments shall meet the following criteria:

   (a) Land uses. Any residential uses are permitted. Combinations of land uses may include single-family, multifamily, and group care facilities.

   (b) Variations. Variations in the requirements of the underlying district may be permitted. However, setbacks required by the Ohio Basic Building Code, legislated by the State of Ohio, or the Ohio Residential Code For One-, Two-, and Three-Family Dwellings, whichever is applicable, shall be provided.

   (c) Dwelling unit density. The dwelling unit density shall be calculated on the buildable acreage (gross acreage less public and/or private street right-of-way, flood plain, etc.) divided by the minimum lot size (square footage) for the allowed "R" Zoning District. Lot sizes can be less than the minimum designated in the "R" District provided the dwelling unit density of the buildable acreage does not exceed the density permitted in the "R" District. Density should be in accordance with the comprehensive plan.

   (d) Streets. Planned developments shall make provision for the extension of streets, if any.

   (e) Storm water management. The planned development shall comply with the requirements for storm water management, including the provision of detention or retention basins. The developer shall submit a legally binding instrument setting forth the procedures to be followed in maintaining the areas and the means for financing maintenance costs. Generally, such costs shall be shared by all owners of property located within the planned development, with unpaid costs becoming a lien against individual properties.

   (f) Open space. Except in a conventional subdivision, planned developments are encouraged to provide open space for flood control, agriculture, active or passive recreational purposes, etc., and to enhance the general character of the area. In the event the open space land is to be retained under private ownership, the developer shall submit a legally binding instrument setting forth the procedures to be followed in maintaining the areas and the means for financing maintenance costs as with storm water detention or retention basins in Subsection (e) above.

ZONING REGULATIONS

(g) Dedication of land for public or common use. All proposed dedications of land for public or common use, including those to be dedicated for recreational use, shall be approved in writing by appropriate departments of the County before the approval of the plan by the County Commission.

(h) Ownership. At the time of approval of a preliminary plan, the developer must submit evidence of ownership of the property to be developed or show evidence of a legally binding executed option agreement for purchasing all the property.

(i) Schedule of completion. A developer or sponsor of a planned development shall submit a signed statement generally describing the proposed development and setting forth an intended time schedule for the completion of various phases.

(j) Other requirements. Other conditions may be imposed as deemed necessary to fulfill the purpose and intent of this chapter. Such conditions may include but are not limited to planting screens, fencing, construction commencement and completion dates, lighting, operational controls, improved traffic circulation, highway access restrictions, yards, and parking requirements.

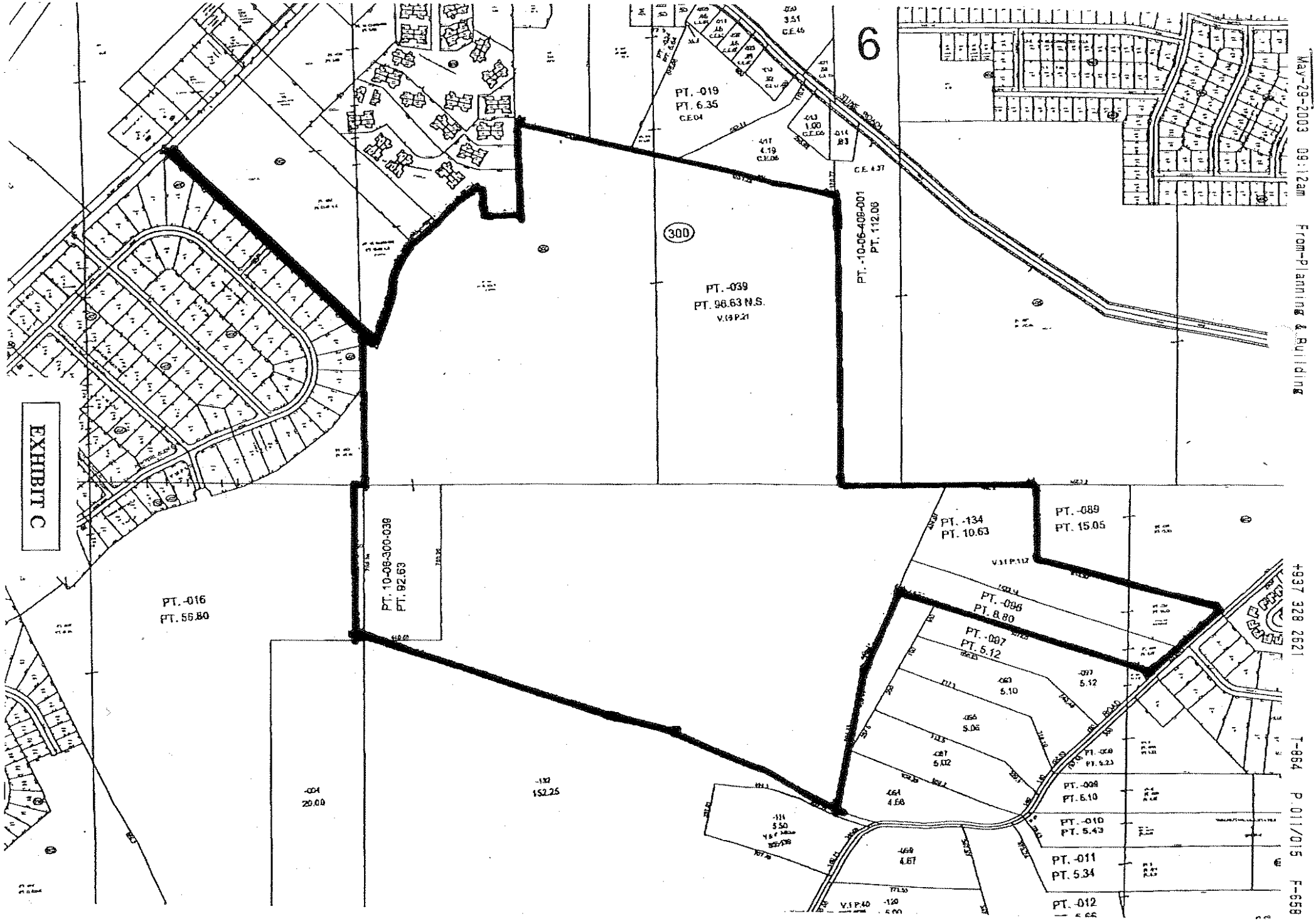
5. Requirements for Areas less than Two (2) Acres. A PD-R plan for an area containing less than two (2) acres shall in addition to or in lieu of the requirements elsewhere above, meet the following requirements:

(a) The density and design of the PD-R shall be compatible in use, size and type of structure, relative amount of open space, traffic circulation and general layout with adjoining land uses, and shall be integrated into the neighborhood.

(b) Multi-family structures located adjacent to existing single-family dwellings shall be sited, landscaped and screened by natural features and plant materials to harmoniously integrate the planned development with the surrounding neighborhood.

(c) The development shall not overburden existing streets and utilities.

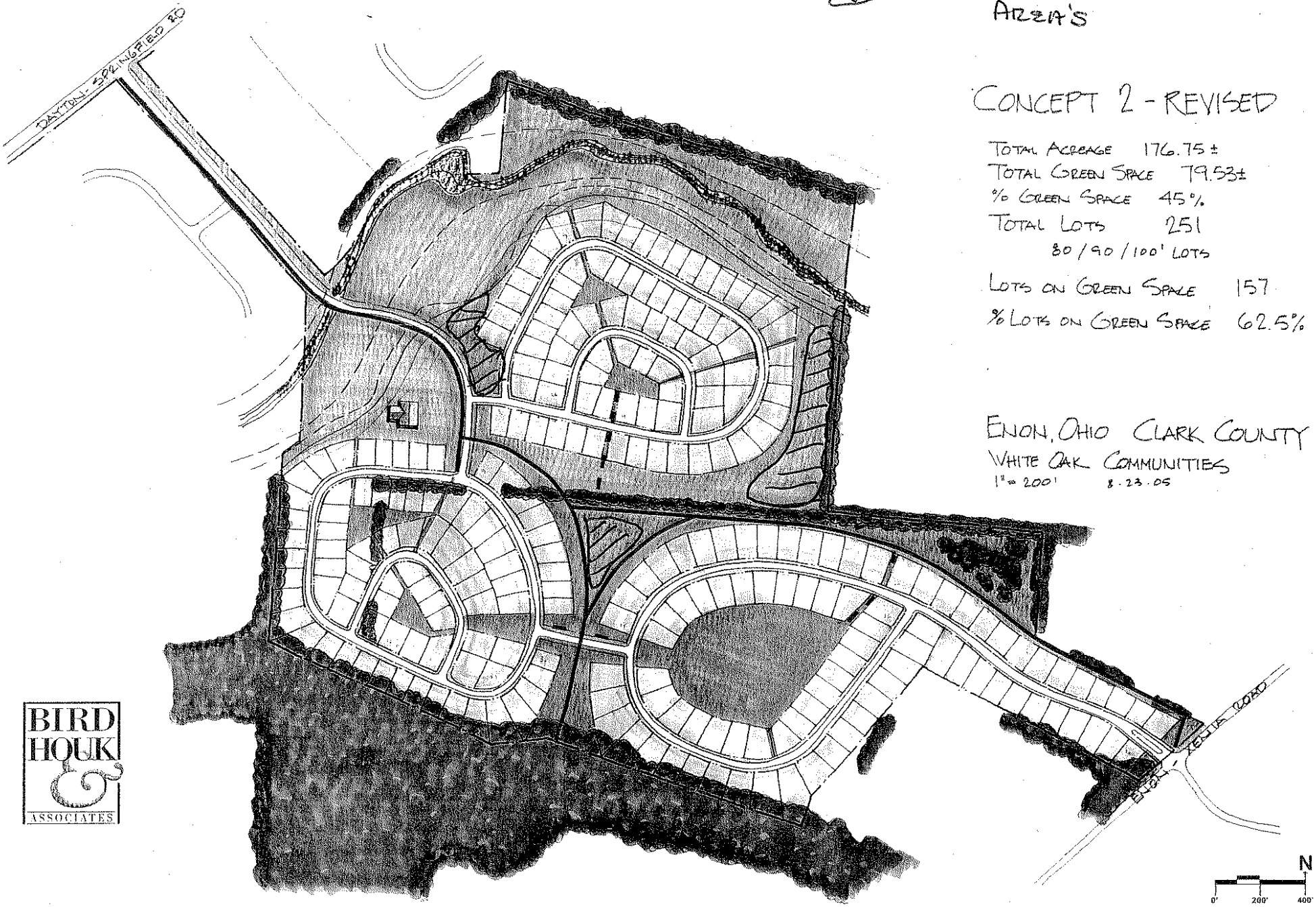
(d) The development shall not adversely affect views, light and air, property values and privacy of neighboring properties any more than would a conventional development.



BOUNDARY MAP

Exhibit C

Proposed
Dry Retention
Area's



CONCEPT 2 - REVISED

TOTAL ACREAGE 176.75 ±
TOTAL GREEN SPACE 79.53±
% GREEN SPACE 45%
TOTAL LOTS 251
80 / 90 / 100' LOTS

LOTS ON GREEN SPACE 157
% LOTS ON GREEN SPACE 62.5%

ENON, OHIO CLARK COUNTY
WHITE OAK COMMUNITIES
1" = 200' 8.23.05

BIRD HOUK & ASSOCIATES

Exhibit D

Exhibit E

Planned Development Residential-PD-R
WHITE OAK COMMUNITIES
182.45 acres southwest of Enon, Ohio, between Dayton Road and Enon-Xenia Road
Written Development Plan

(1) Existing and proposed uses.

Existing Use: agricultural-undeveloped
Proposed Use: Single-Family PD development with open space. The development will consist of approximately 251 single-family lots with 80', 90' and 100' front feet with over 62.5% of the lots backing on green space. Each lot will meet or exceed R-2 zoning requirements. The subdivision will be intertwined with green space and walking trails connecting the surrounding residential to the development and to each other. Approximately 79 acres of green space will be dedicated for this purpose.

(2) Topographic contours at two (2) foot intervals or less on the PD property and within two hundred (200) feet of the proposed development.

The topography of the site is relatively flat and poses no problems to pedestrians or vehicular traffic. See enclosed topo map (Exhibit I).

(3) Location of floodplain and wetlands on the PD property and adjacent thereto.

See enclosed topo map (Exhibit I).

(4) Location of existing and proposed streets, including points of connection.

Will connect to Dayton Rd. and Enon-Xenia Rd. See enclosed Master Plan development drawing (Exhibit D). The plan provides for a system of collector streets that go through the development and secondary streets that branch out to create clusters of housing. Plans for a bridge to cross Mud Run will be submitted to Clark County for approval at the appropriate time.

(5) Location of existing and proposed utilities, including points of connection.

See enclosed utility maps (Exhibit H). Will connect to Clark County sanitary sewer along Mud Run. Will connect to Village of Enon water along Dayton Rd. and Enon-Xenia Rd.

***(6)* Location and type of drainage and storm water management facilities.**

Surface drainage will be handled with a storm sewer system and dry retention in the open space areas. Since over 45% of the site is open area, a system of dry retention areas will be designed to work in conjunction with the bike and walking trails on Exhibit D (proposed retention areas are outlines).

(7) Approximate number of structures, by type use and size, proposed for the planned development.

251 new single-family houses w/minimum floor area of 1,600/1,800 sq. ft. each (see covenants). Typical 1 story, 1 1/2 story, split level and 2 story dwellings. Suggested styles include ranch and traditional American houses with fronts of wood, brick and stucco as noted in the covenants (see Exhibit F). Styles will vary by builder and "cluster" locations within the development. One (1) existing single-family dwelling (old farm house).

(8) For non-residential uses:

a) building size-to-lot ratio
b) plans for storage of any items outside of buildings
c) signage standards

Not applicable.

(9) Proposed general arrangement of the buildings.

Standard subdivision lots (see Exhibit D) and single-family residential structures. All dwellings are subject to the County Zoning setback requirements.

(10) Location and area (size) of proposed open spaces either to be held in common or publicly, and whether it is to be used for active recreational purposes or only as an environmental amenity.

Approximately 79 acres of open space intertwined among lots and along Mud Run (flood plain) will serve as combination recreational and environmental purpose to include pedestrian/bike trails which will be owned/operated/maintained by a Homeowner's Association. The flood plain will be protected from encroachment of buildings, filling, and detrimental uses to its natural purpose. This includes the area around the existing farm house. Also included is a landscaped buffer strip along new road leading from Dayton Rd. to Mud Run. See Exhibit D.

(11) Sketches to show general architectural design of buildings, types and character of the development.

Photographs are available showing previous residential developments by White Oak.

(12) Legal description of the tract of land for the planned development.

See legal description prepared by Sands Decker, Ltd., March 28, 2003 (Exhibit B-six pages). The 182.45 acres consisting of the following parcels:

10-11-000-003	1 ac.	All	10-05-000-132	152.25 ac.	Part N/A
10-06-300-039	92.63 ac.	All	10-05-000-134	10.63 ac.	All
10-12-000-066	19.08 ac.	Part	10-05-000-096	8.8 ac.	Part

(13) Parking Provisions.

Each dwelling will have a 2 or 3 car attached garage (see covenant #2-Exhibit F).

(14) Loading facilities, if any.

N/A

(15) Proposed landscaping approach (theme).

Rural theme. Trees will typically consist of Red Oak, Sugar Maple, White Oak, Imperial Honey Locust, Little Leaf Linden, White Ash, Shumard Oak, Red Sunset Red Maple and Emerald Queen Norway Maple.

(16) Such other information as is necessary to ascertain compliance with the requirements of this chapter.

a) Provide flexibility in architectural design, placement and clustering of buildings, use of open space, provision of traffic circulation facilities and parking, and related site design considerations-

The plan provides for traffic circulation through the development. Houses are clustered together with open space and/or trails intertwined among the clusters. Streets and clusters will be lined with trees (see Exhibit D). We have consulted a professional land planner and local engineer to formulate the concept giving foresight to final engineering. White Oak Communities has completed numerous developments in Grove City and Canfield, Ohio areas. We are familiar with standards and requirements associated with subdivision developments.

b) Encourage the preservation and best use of existing landscape features through the development sensitive to the natural features of the surrounding area-

The flood plain and hillside area will comprise part of the open space and be set aside as either open space or remain in a natural setting.

c) Promote efficient land use with smaller networks of utilities and streets-

The homes and utilities are being developed in clusters. Utilization of open space as storm water retention promotes efficient use of the land.

d) Promote an attractive and safe living environment that is compatible with surrounding residential developments-

This development will be compatible with the surrounding area and provide more open space than previous developments. Trees and landscaping will be an integral part of the development. The flood plain and hillside areas will not be developed.

(17) An overview of existing and planned uses in surrounding area and expected impact of the proposed development on them.

The Clark County Comprehensive Plan shows the surround area as Medium Density Residential. This development is in concert with that plan and the current uses. Surrounding areas are already mostly developed. Due to the isolation of this parcel by Mud Run to the North, the hillside to the South and vacant parcels to the East and West, there should be no disruption to any surrounding area. White Oak Communities does own additional acreage adjacent to this parcel which will be submitted for approval at a later date.

(18) General description of natural features of the site (trees, vegetation, floodplain, wetlands, streams) and approach for preserving and protecting them during construction and final build out.

The natural features include Mud Run and the hillside. The flood plain along Mud Run will be part of the open space area of the development. The hillside is mainly off site and will not be encroached upon. A buffer strip along new road leading from Dayton Rd. to Mud Run is part of the development (see Exhibit D). See plan for layout. Development will comply with NPDES requirements.

(19) Proposed timetable for development including general description and diagram of phases of development.

We feel the development will take in excess of 6-8 years to complete and will be developed according to Exhibit G, included. Development would be proposed in this order so as to complete the through collector street as quickly as possible.

The development is planned in six (6) phases as noted on the enclosed drawing.

PHASE I projected to start in 2006 and contain approximately 44 lots and designated open area.

PHASE II projected to start in 2007 and contain approximately 42 lots and designated open space/trail area.

PHASE III projected to start in 2008 and contain approximately 39 lots and designated open space/trail area.

PHASE IV projected to start in 2009 and contain approximately 43 lots and designated open space/trail area. (farm house area, bridge across Mud run with access to Dayton Road.)

PHASE V projected to start in 2010 and contain approximately ~~50~~ 43 lots and designated open space/trail area.

PHASE VI projected to start in 2011 and contain approximately ~~67~~ 40 lots and designated open space/trail area.

*Starting dates are subject to market conditions and demand.

NOTE: Phases may be broken down into sections for subdivision recording purposes.

Exhibit E

Enon Planned Development

Restrictions and Protective Covenants

In pursuance of a general plan for the protection and benefit and the mutual advantage of the lots in the subdivision herinabove enumerated, and the persons who are not or may hereafter become owners of any of the said lots, or parts thereof, and as a part of the consideration of this conveyance, the Grantor, for itself and its successors and assigns, executes and delivers this deed of conveyance and the Grantee accepts the same subject to all and each of the following reservations, restrictions, conditions, easements, rights, uses and provisions hereafter referred to as "restrictions," which are for the mutual benefit and protection of, and shall be enforceable by all and any of the present and future owners of any of said lots above described, and the Grantee, for itself and its successors and assigns, covenants and agrees to keep and perform each of said restrictions as hereinafter set forth.

1. All lots, as shown on the subdivision plat hereinabove referred to, shall be used for single-family private residential purposes only. No noxious or offensive trade or activity shall be carried on upon any lot, nor shall anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood. This restriction shall include, but not be limited to, a place of public entertainment, boarding house or hotel, tavern, tourist home, dance hall, barber or beauty shop, business or service shop or store of any kind, or the manufacture or sale of spirituous, vinous or fermented liquors. Model homes, sales offices and the sale of homes during the construction period is permitted with the approval of White Oak Communities, Inc.

2. No building shall be erected, altered, placed or permitted to remain on any lot other than one detached single-family dwelling. No detached garage or accessory building shall be erected on any lot without approval of White Oak Communities, Inc. Each dwelling shall include an attached garage for not less than two (2) cars and not more than three (3) cars, which shall be constructed simultaneously therewith.

3. All buildings constructed on the property for use as single-family dwellings shall have the minimum floor areas, exclusive of basements, attics, garages, garage spaces, porches and decks, set forth below:

   a. All one-story, single-family dwellings shall have a minimum floor area of 1,600 square feet.

   b. All two-story, single-family dwellings shall have a minimum floor area of 1,800 square feet.

   c. All other single-family dwellings, including split level and one and one-half story dwellings shall have a total minimum floor area of 1,800 square feet.

Exhibit E

4. Brick, stone, wood, vinyl siding, stucco or other materials as approved by White Oak Communities shall cover the exterior walls of all dwellings. The front exterior walls shall be covered by "natural materials," i.e. brick, stone, cultured stone, wood, stucco or other materials as approved by White Oak Communities.

5. No excavations shall be made and no dwelling, fence, wall or any other structure shall be commenced, erected or maintained upon any lot within the subdivision, nor shall any exterior addition to or change or alteration thereon be made nor shall any materials be stored upon any lot within the subdivision until two (2) sets of the complete buildings plans and specifications for the dwelling, fence or wall intending to be erected on said lot, which plans shall show the locations of said dwelling, fence or wall on the subject premises and the elevation and slope and grade thereof, together with the nature, kind, shape, height, materials and location of the same shall have been submitted in writing to White Oak Communities or its successors and assigns, and the said plans and specifications have been approved in writing by White Oak Communities as to variety, harmony of external design, location and appearance in relation to surrounding structures and topography. The approval of said plans and specifications by White Oak Communities shall not be unreasonably withheld or delayed. Upon approval of said plans and specifications, White Oak Communities shall return one copy thereof to the person or entity proposing to build such building or improvement, together with a certificate of approval. If White Oak Communities fails to approve or disapprove such submitted plans and specifications within twenty (20) days after they have been submitted to it, such plans and specifications as have been submitted in accordance with the terms above shall be deemed to have been approved, and the requirements herein fulfilled.

6. All construction work commenced on any lot shall be completed within one (1) year from the start of construction. All landscaping must be completed and driveways must be paved with either asphalt or concrete within six (6) months of completion of construction in accordance with plans and specifications as approved by said White Oak Communities. Prior to occupancy of any dwelling constructed on any lot, the lot must be free of all debris and miscellaneous construction equipment. White oak Communities hereby specifically reserves the right to inspect all such construction work at all reasonable times to insure compliance with the plans specifications as submitted to it and as approved by it.

7. In the event that a contractor and/or a builder employed or retained by a lot owner damages in any way utility lines or facilities within a dedicated easement, whether above or below ground level located within the subdivision, or without limiting the generality hereof, damages in any way the curbs, gutters, sidewalks, the lot owner employing such contractor or builder shall be held personally liable for cost of repair of such damages, unless White Oak Communities is notified in writing of such easement damage or other damage prior to the delivery of the deed to the lot owner by White Oak Communities. No lot owner or builder or contractor shall cause or permit the dumping, burying, spreading or disposal of any earth or other debris of any nature on any lot within the subdivision or any other portion of the subdivision

Exhibit 2

other than normal back filling and grading around a dwelling after it has been constructed.

8. No dwelling shall be located on any lot nearer to the side street line or nearer to the front street line than the minimum building setback lines shown on the recorded plat or as allowed by the Clark county Zoning Code. For purposes of this restriction, coves, steps and open porches shall not be considered as part of a dwelling, provided, however that this shall not be construed to permit any portion of a dwelling on a lot to encroach upon another lot.

9. No portion of any lot nearer to any street than the building lines shall be used for any purpose other than that of a lawn. Nothing herein contained, however, shall be construed as preventing the use of such portion of said lot for walks and drives, the planting of trees, or statuary, the growing of flowers or ornamental plants, or for shrubbery, fountains and similar ornamentation for the purpose of beautifying said lot, but no vegetables, so-called, nor grains of the ordinary garden or field variety shall be grown upon such portion of the lot, and no weeds, underbrush, or other unsightly growths shall be permitted to grow or remain anywhere upon said lot, and no unsightly objects shall be allowed to be placed or suffered to remain anywhere thereon.

10. No fence, hedge or shrub planting which obstructs sight lines at elevations between two and six feet above the roadway shall be placed or permitted to remain on any corner lot within the triangular area formed by the street property lines and a line connecting them to points 25 feet from the intersection of the street lines, or in the case of a rounded property corner from the intersection of the street property lines extended. The same sight line limitations shall apply on any lot within ten feet (10') from the intersection of a street property line with the edge of a driveway of such intersections unless the foliage line is maintained at sufficient height to prevent obstruction of such sight line. No fencing shall be permitted, other than of natural materials except as approved by White Oak Communities, Inc. Chemically treated lumber shall be stained.

11. No structure of a temporary character, trailer, mobile home, basement, tent, shack, garage, barn or other outbuilding shall be used on any lot at any time as a residence, either temporarily or permanently. This shall not prevent the use of such structures temporarily as construction offices or for storage of materials during construction period.

12. No signs of any kind shall be displayed to the public view on any lot except one sign advertising the property for sale or rent, or signs used by a builder to advertise the property during the construction and sales period.

13. No lot shall be subdivided without the written consent first obtained of the Owner or Owners of seventy-five percent (75%) of the other lots hereby conveyed.

Exhibit 2

14. No animals, birds, insects, livestock or poultry of any kind shall be raised, bred or kept on the property except dogs, cats and other household pets which are kept for domestic purposes only and are not kept, bred or maintained for any commercial purpose.

15. No lot shall be used or maintained as a dumping ground for rubbish. Trash, garbage or other waste shall not be kept except in sanitary containers. All equipment for the storage or disposal of such material shall be kept in a clean and sanitary condition. Open burning of any material is prohibited.

16. No automobile or motor driven vehicle may be left upon the property for a period longer than five (5) days in a condition such that it is incapable of being operated upon the public highways, after which time the vehicle shall be considered as a nuisance and detrimental to the welfare of the neighborhood and must be removed from the subdivision. No commercial vehicles may be parked, stored or temporarily kept on the property, except when stored wholly within private garages, or except when there temporarily to service existing improvements on the property. No recreational vehicle, travel trailer, boat trailer or boat shall remain upon any lot for a period longer than 48 hours, two (2) days, in any 30-day period, except when stored wholly within private garages. After such time, it shall be considered a nuisance, detrimental to the neighborhood and shall be removed from the lot.

17. No soil shall be removed for any commercial purpose.

18. The following structures, improvements and activities shall not be permitted on any lot in the subdivision:

    a. Satellite dishes (except dishes that are 24 inches or less in diameter and as approved by White Oak Communities).
    b. Above ground pools (except hot tub models permitting not more than eight (8) persons capacity).
    c. Outdoor clothes lines.
    d. Outdoor antenna.
    e. Solar panels.
    f. Storage tanks.

19. Easements for the installation and maintenance of utilities, drainage facilities and overall subdivision drawings are reserved over, under and through all areas designated "Easement" on the recorded plat and other instruments of record. Within the limits of these easements, the grade specified on the Master Grading Plan must be complied with, and no structure, planting or other materials shall be placed or permitted to remain which may damage or interfere with the installation, operation or maintenance of utilities, or which may change the direction of flow of drainage channels in the easements. In the event of a dispute as to compliance with the Master Grading Plan, the decision of the engineer of record regarding the subdivision, the engineer, its successors and assigns, shall be final. The easement

Exhibit E

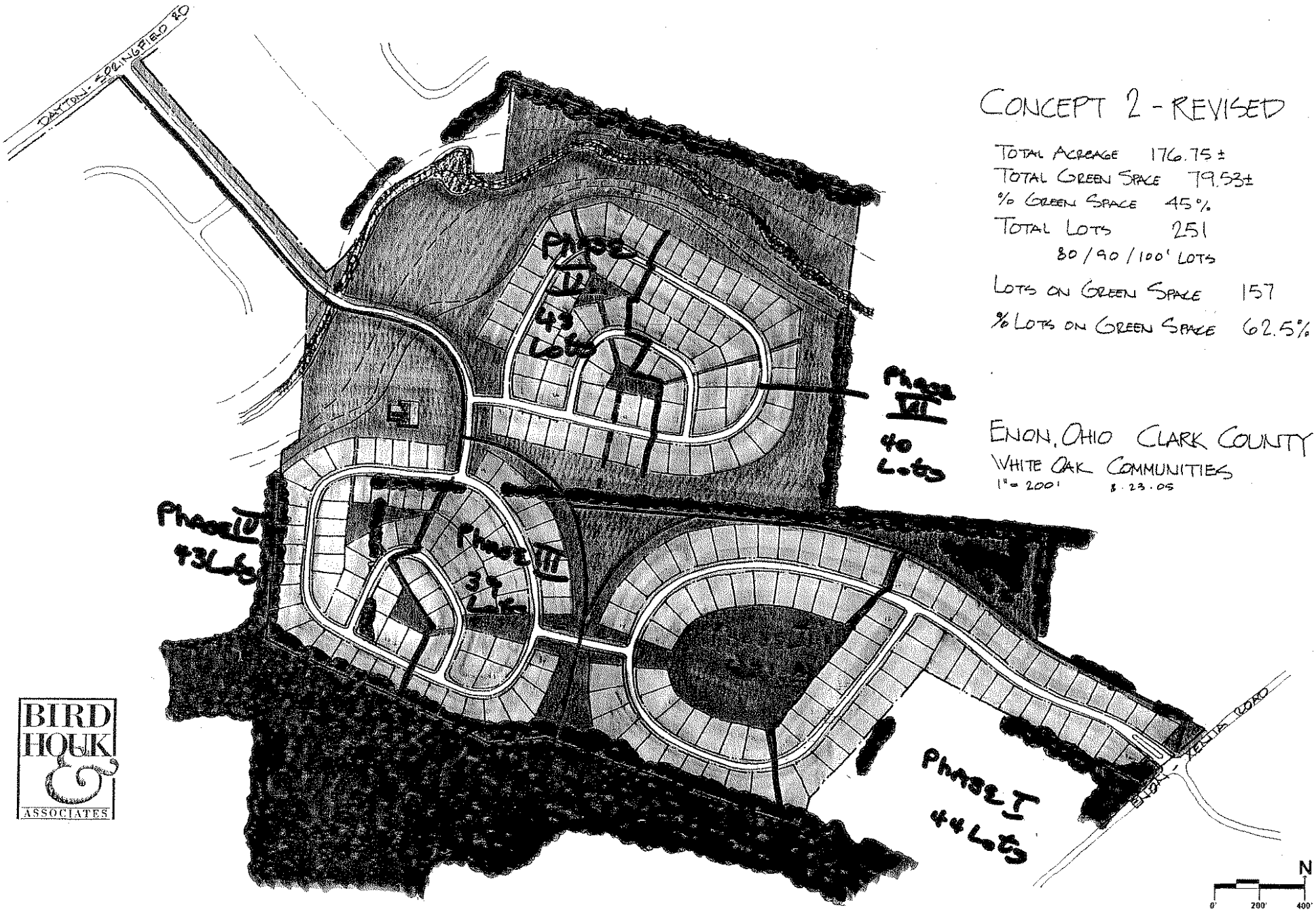
area of each lot and all improvements in it shall be maintained continuously by the Owner of the lot, except for those improvements for which a public authority or utility company is responsible.

20. The Owners of each improved lot shall construct and maintain sidewalks in accordance with the requirements for Clark County following the issuance of a sewer and water tap permit.

21. The foregoing restrictions and every one of them shall be held and considered as running with the land hereby conveyed and shall be binding on all future owners of any lot hereinabove described and all persons claiming under them for a period of thirty-five (35) years from the date this instrument was filed for record and shall be automatically extended for successive periods of ten (10) years, unless the then owners of more than one-half of the lots herein described agree to change said protective covenants in whole or in part, or the majority of owners of the lots on both sides of the streets within two (2) blocks in which said property is located, use or size of which is sought to be altered, and such change is duly signed and acknowledged by such owners and placed of record in the Recorder's Office, Clark County, Ohio.

22. Enforcement of these restrictions may be had by proceedings at law or both against any person or persons violating or attempting to violate any restriction and such proceeding may be had either to restrain violation or to recover damages or both. No failure, however long continued, to object to any violation or to enforce any restriction contained herein shall be deemed a waiver of a right to do so hereafter, as to the same breach or as to one occurring prior or subsequent thereto.

Exhibit G



CONCEPT 2 - REVISED

TOTAL ACREAGE 176.75 ±
TOTAL GREEN SPACE 79.53±
% GREEN SPACE 45%
TOTAL LOTS 251
80 / 90 / 100' LOTS
LOTS ON GREEN SPACE 157
% LOTS ON GREEN SPACE 62.5%

ENON, OHIO CLARK COUNTY
WHITE OAK COMMUNITIES
1" = 200' 8.23.05

BIRD HOUK & ASSOCIATES

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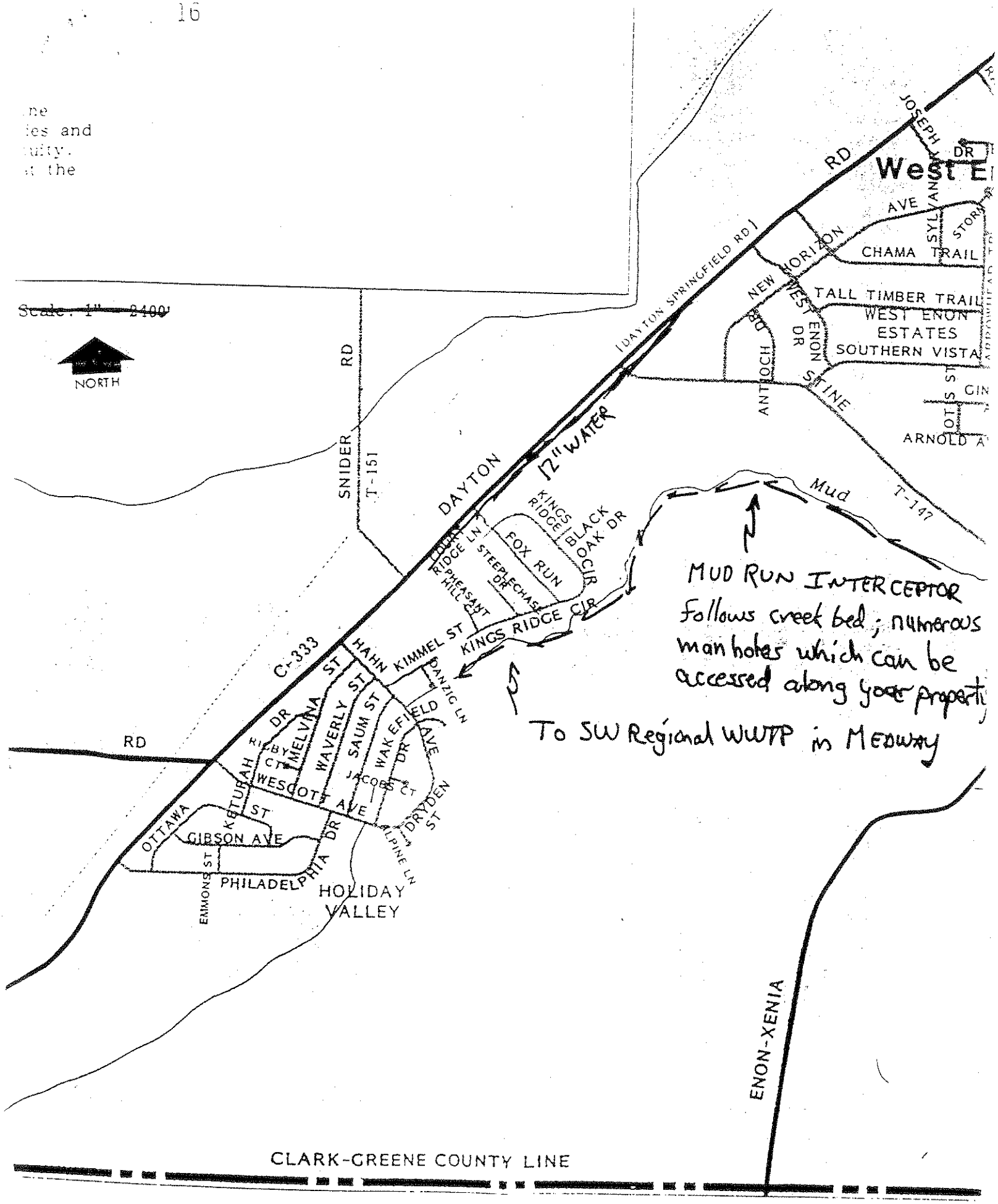

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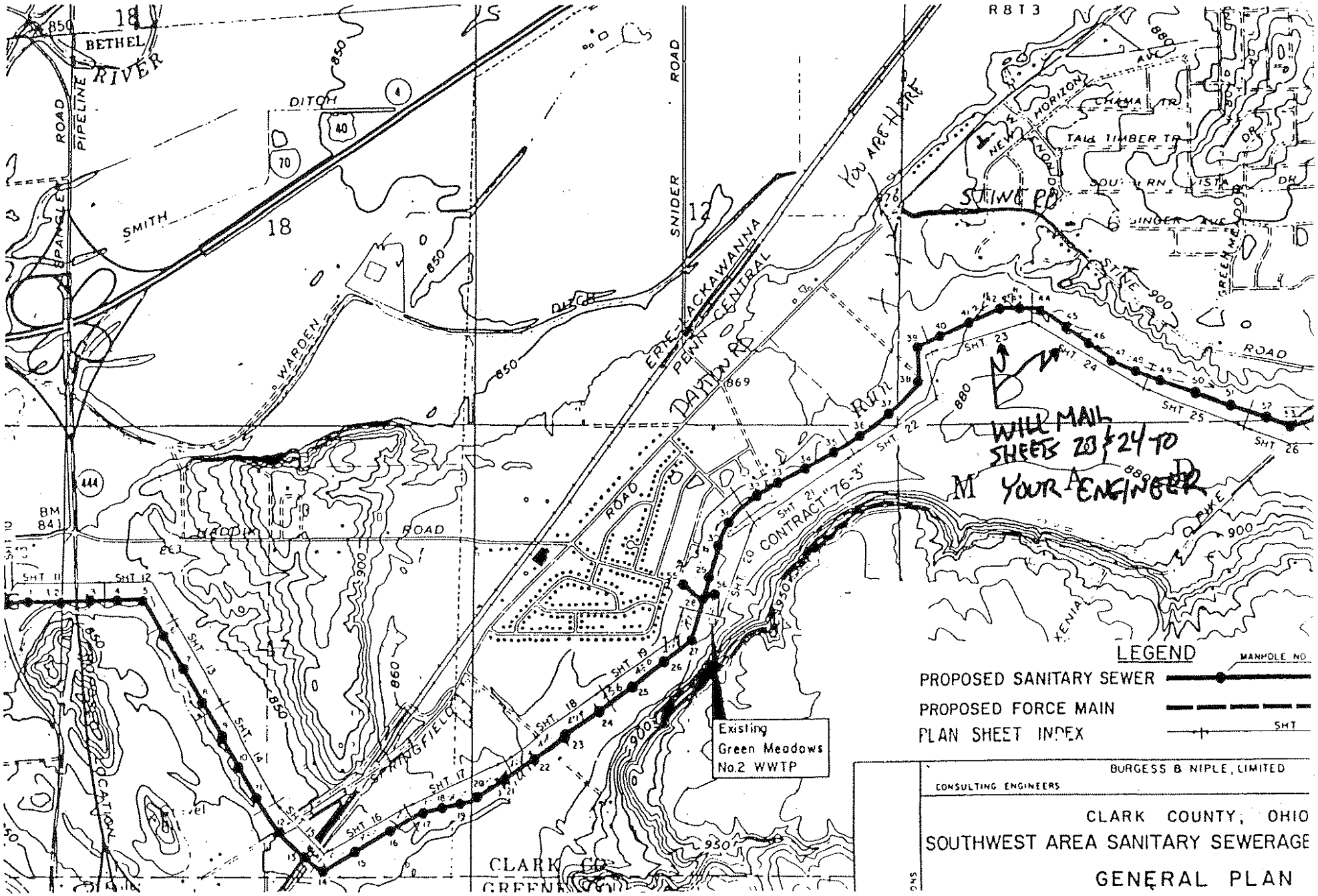
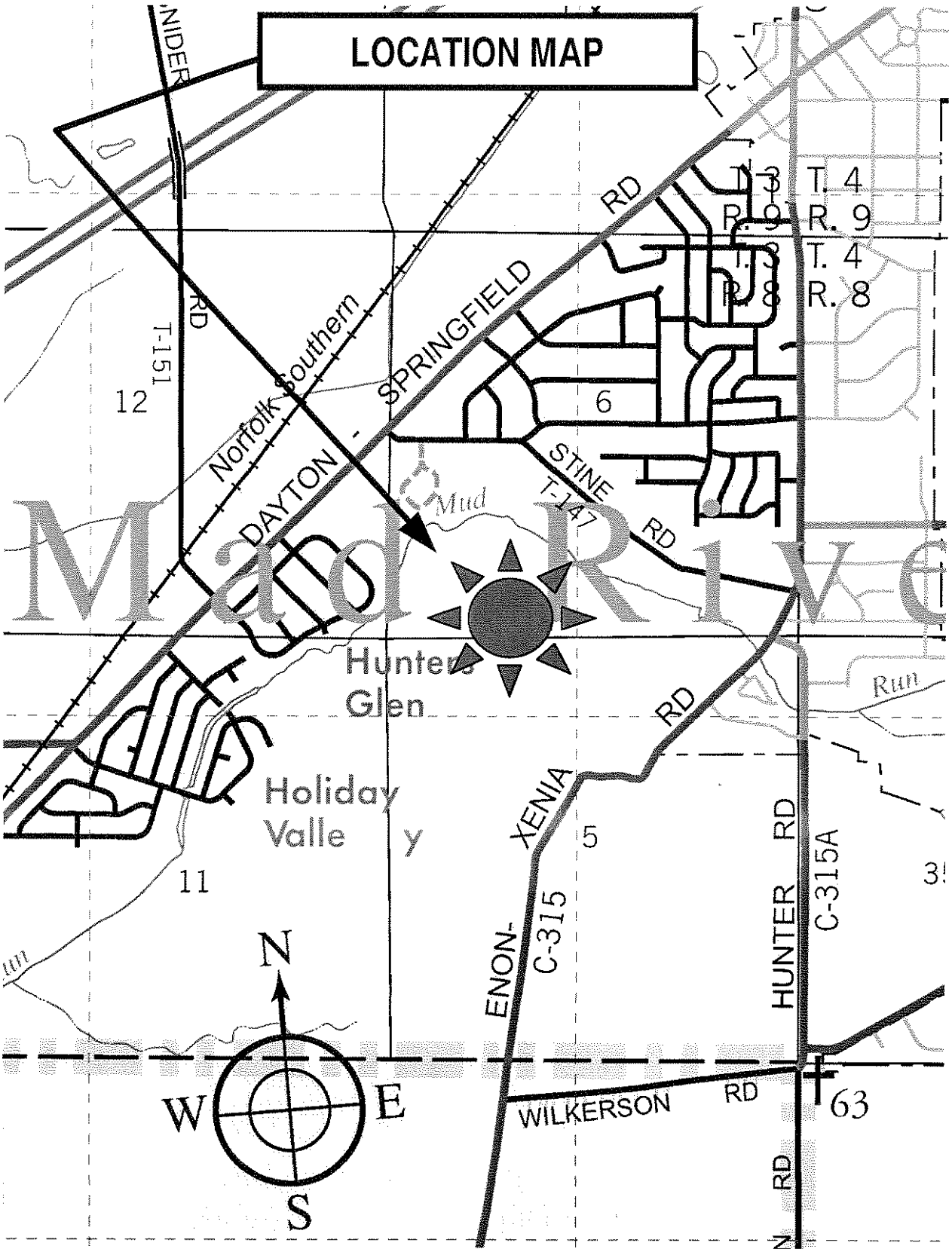
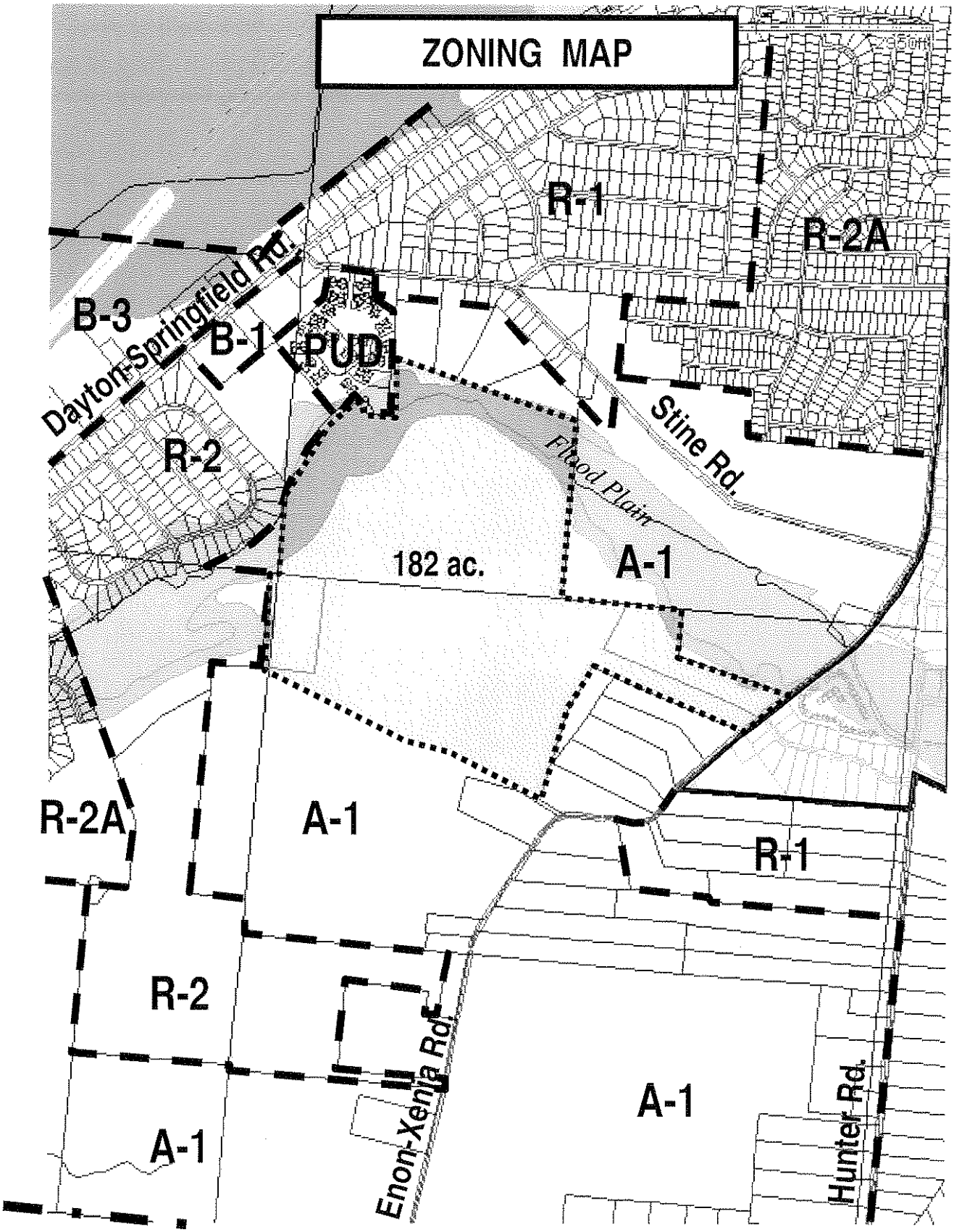


BETHEL
RIVER
PIPELINE
ROAD
SMITH
DITCH
WARDEN
SNIDER
ROAD
ERIE-LACKAWANNA
PENN CENTRAL
DAYTON RD
YOU ARE HERE
STINE RD
STINE
ROAD
NEW HORIZON
CHAMA TR
TALL TIMBER TR
SOUTHERN VISTA DR
GREENMEADOW
R 8 T 3
WILL MAIL SHEETS 23 & 24 TO YOUR ENGINEER
CONTRACT "76-3"
SPRINGFIELD
HADDIX
ROAD
BM 841
SHT 11
SHT 12
SHT 13
SHT 14
SHT 15
SHT 16
SHT 17
SHT 18
SHT 19
SHT 20
SHT 21
SHT 22
SHT 23
SHT 24
SHT 25
SHT 26
Existing Green Meadows No.2 WWTP
CLARK CO
GREENE CO
LEGEND
MANHOLE NO
PROPOSED SANITARY SEWER
PROPOSED FORCE MAIN
PLAN SHEET INDEX
SHT
BURGESS & NIPLE, LIMITED
CONSULTING ENGINEERS
CLARK COUNTY, OHIO
SOUTHWEST AREA SANITARY SEWERAGE
GENERAL PLAN



REZONING CASE #Z-2005-8 Dayton-Spfld Rd./Enon-Xenia Rd.
A-1 to PD-R 182± ac. Mad River Twp.



REZONING CASE #Z-2005-8 Dayton-Spfld Rd./Enon-Xenia Rd.

A-1 to PD-R 182± ac. Mad River Twp.

Zoning Case #PL-2005-99

To: Clark County Planning Commission	Date of Meeting: October 5. 2005
From: Planning Staff	Date of Report: September 27, 2005

SUBJECT: Zoning Map - Pleasant Township - Amend

We have been in the process of digitizing the zoning maps for the areas covered by Township Zoning in Clark County. One of the areas covered by township zoning is Pleasant Township.

The current Pleasant Township Zoning Map is hand drawn from base maps originally drawn in the 1960's. These old maps do not have lot lines and the accuracy is as good as could be expected of maps drawn by hand. These maps are not very accurate. You cannot identify the exact location of zoning district boundaries in most places. Since we deal with them on a daily basis and have access to all rezoning cases, we have an advantage of being to identify specific properties - usually with a bit (or more) of research. By having the zoning maps digitized, zoning will now be "site specific" with accuracy at a very high level. This new map will he much more effective for the general public also.

It should be noted that we did not attempt to modify any zoning boundaries as we wanted to establish the new maps on a "one to one" basis. This can be somewhat difficult in areas where the zoning lines do not follow any known boundaries. We duplicated these maps in the best manner possible given this limitation.

The existing proposed digitized map was sent to Pleasant Township for their review and input. We still may have to fine tune these maps as we go through the adoption process.

Pleasant Township passed a Resolution to proceed with the adoption of the new zoning map. After you act on this matter, it will be sent back to the Pleasant Township Zoning Board and the Township Trustees for final action.

RECOMMENDATION

We recommend approval of the new Pleasant Township Zoning Map.

Attachments:
Pleasant Township Resolution

RESOLUTION 05-05

RESOLUTION TO ADOPT DIGITAL MAPS PER PLANNING COMMISSION/SHANE FARNSWORTH

At the Regular meeting of the Board of Pleasant Township Trustees, August 2, 2005, Mr. David Locke moved for the adoption of this Resolution, Mr. Craig Wiseman seconded the motion for adoption, with Roll Call vote as follows:

Mr. Locke,	YES
Mr. Wiseman	YES
Mr. Bumgardner	YES

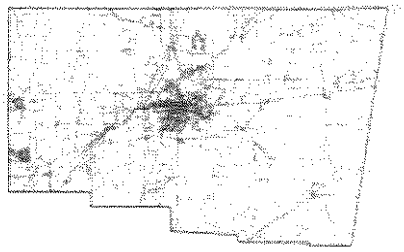
I, Diana Hughes, Clerk of Pleasant Township, Clark County, Ohio, certify this Resolution to be a true and correct copy of the Resolution as adopted by the Pleasant Township Trustees on August 2, 2005.

Diana Hughes, Clerk

CLARK
CLARK COUNTY
CLARK COUNTY PLANNING
CLARK COUNTY PLANNING COMMISSION
25 WEST PLEASANT STREET, SPRINGFIELD, OHIO 45506-2268
PHONE 937.328.2498 FAX 937.328.2621
WWW.CLARKCOUNTYOHIO.GOV

CHAIRPERSON
ELLIOTT TURNER

PLANNING DIRECTOR
SHANE W. FARNSWORTH



September 27, 2005

To: Clark County Planning Commission

From: Planning Staff

Re: CR-2005-98

Pleasant Township began a comprehensive review of their community in August of 2004. The process developed a set of goals and objectives for their township that are divided into several sections. The sections deal with modifications to the County Crossroads Comprehensive Plan, goals and objectives for the Township to use in modifying their Township Zoning Code, and economic development goals for Pleasant Township.

Chapter 5, Section E "Development Planning", Number 3 "Township Land Use Plans" of the Crossroads Comprehensive Plan states that,

> *"In addition to the above priorities, individual townships should consider preparing land use plans that apply these general recommendations to the parcel level. This level of detail should be integrated with prime agricultural soils accurately mapped using the Clark County Soil Survey and data from the Ohio Capability Analysis Program (OCAP). The following townships should be priorities:*
>
> *A. Mad River*
> *B. Bethel*
> *C. Springfield*
> *D. Moorefield*
> *E. Green*
> *F. Madison*
>
> *Township planning should be a joint activity between the County Planning Commission and each individual Board of Trustees. A joint committee could be appointed to oversee the planning process, which should be fast tracked to occur in a six-month timeframe. Funding could also be jointly shared.*
>
> *Priorities should be established among the various townships to ensure that each is covered by a land use plan within the next five years.*

The Township Committee completed their draft report in March, 2005, received a recommendation of approval of the final draft by the Township Zoning Commission in June, 2005, had public forums in late June of 2005 and finalized the document in July of 2005.

The Pleasant Township Trustees are recommending the <u>underlined</u> modifications to the text specific to Pleasant Township be approved and incorporated into the County Crossroads Comprehensive Plan.

Attachments

B. Agricultural Land Use and Protection

1. Goal

Conserve agricultural land to ensure its continued economic, environmental and aesthetic benefits.

Also focus on non Highly Erodible Land (HEL) to promote its use for development purposes, recreation, and open space.

Comprehensive Land use Goals, Objectives and Strategies

2. Objectives and Strategies

The Township will implement a host of strategies to encourage ongoing preservation of agricultural areas, including managing growth in highly erodible land.

Strategies

1. Work with the Tecumseh Land Trust and other county agencies for advice and technical assistance.
   Implementation: County Commissioners, Farm Bureau and OSU Extension
   Timeline: On-going

2. Direct growth to areas that have highly erodible land, which can be served by central utilities.
   Implementation: Local jurisdictions, in particular County Planning Commission
   Timeline: On-going

3. Promote the concept of cluster housing development as an alternative to strip development within the township.
   Implementation: Work with Pleasant Township Zoning Commission to consider any request.
   Timeline: On-going

4. Adopt Township Zoning Regulations that strongly discourage development of prime agricultural soils.
   Implementation: Work with Pleasant Township Zoning Commission
   Timeline: Immediate

5. Discourage mini-farm development, which is defined as a 1.5-acre lot or less.
   Implementation: Pleasant Township Zoning Commission
   Timeline: On-going

Comprehensive Land Use Goals, Objectives and Strategies (continued)

C. General Land Use

1. Goal

Focus growth and development in appropriate areas which balance environmental, economic and infrastructure considerations.

2. Objectives and Strategies

Growth Management

The management of Township development will be facilitated as a means of implementing the Comprehensive Plan.

Strategies

1. Encourage surrounding townships cooperation by sharing liaison members on Catawba and Pleasant Township Zoning Commission and coordinating development review among Municipalities and County Staff. Present an annual Township review to encourage ongoing public education and debate at a Special Meeting and invite public to attend and comment.

   Implementation: Pleasant Township and Village of Catawba
   Timeline: Within the next twelve months

2. Direct new development to areas served by central utilities or which can be efficiently (and economically) served, through a comprehensive rezoning (Township) based on the Comprehensive Plan.

   Implementation: Local zoning authorities, health, utility districts
   Timeline: Within the next twelve months

3. Encourage development of all available and appropriate commercial, office and industrial sites in and around the Village of Catawba.

   Implementation: All appropriate agencies
   Timeline: Immediate

D. Commercial Land Use

1. Goal

Proper use of commercial and industrial land is extremely important to the safety, well-being and quality-of-life for township residents.

2. Objectives

If discussions with the Village of Catawba are successful the commercial and industrial land use may expand. The available land is small so the expansion will be minor at best.

RESOLUTION 04-05

RESOLUTION TO ACCEPT THE ADOPTION OF THE COMPREHENSIVE ZONING PLAN

At the Regular Meeting of the Board of Pleasant Township Trustees, August 2, 2005, Mr. Craig Wiseman moved to the adoption of this resolution to accept Comprehensive Zoning Plan; Mr. David Locke seconded the motion for adoption.

Roll call vote as follows:	Mr. Wiseman	YES
	Mr. Locke	YES
	Mr. Bumgardner	YES

I, Diana Hughes, Clerk of Pleasant Township, Clark County, Ohio, hereby certify this Resolution to be a true and correct copy of the Resolution as adopted by the Pleasant Township Trustees on August 2, 2005.

Diana Hughes, Clerk

CLARK
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CLARK COUNTY PLANNING COMMISSION
25 WEST PLEASANT STREET, SPRINGFIELD, OHIO 45506-2268
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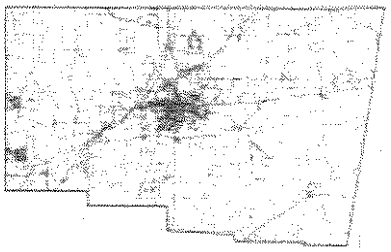

CHAIRPERSON
ELLIOTT TURNER

PLANNING DIRECTOR
SHANE W. FARNSWORTH

September 27, 2005

To: Clark County Planning Commission

From: Planning Staff

Re: CR-2005-97

Mad River Township began a comprehensive review of their community in August of 2001. The plan was originally developed by a citizen-working group and approved by the Township trustees in 2002. The process developed a set of goals and objectives for their township. In early 2003 the trustees chartered the Mad River Township Planning Committee to prepare this update. Membership on the Planning Committee was solicited from the community. There are currently seven permanent members with staggered three-year terms.

Chapter 5, Section E "Development Planning", Number 3 "Township Land Use Plans" of the Crossroads Comprehensive Plan states that,

> *"In addition to the above priorities, individual townships should consider preparing land use plans that apply these general recommendations to the parcel level. This level of detail should be integrated with prime agricultural soils accurately mapped using the Clark County Soil Survey and data from the Ohio Capability Analysis Program (OCAP). The following townships should be priorities:*
>
> *A. Mad River*
> *B. Bethel*
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>
> *Township planning should be a joint activity between the County Planning Commission and each individual Board of Trustees. A joint committee could be appointed to oversee the planning process, which should be fast tracked to occur in a six-month timeframe. Funding could also be jointly shared.*
>
> *Priorities should be established among the various townships to ensure that each is covered by a land use plan within the next five years.*

After consultation with the Clark County Planning Staff, revisions were written by the Township Planning Committee and adopted by the Trustees on September 19, 2005.

The Mad River Township Trustees are recommending the <u>underlined</u> modifications to the text specific to Mad River Township be approved and incorporated into the County Crossroads Comprehensive Plan.

Attachments

VIII.

ADAPTATION OF CROSSROADS TO MAD RIVER TOWNSHIP

A. Review of Crossroads Goals, Objectives and Strategies

The Mad River Township Planning Committee has reviewed the goals, objectives and strategies stated in Chapter 4 of the 1999 Crossroads Comprehensive Plan. We strongly endorse the philosophy of these goals, objectives and strategies. However, county-wide goals, objectives and strategies do not fully address Township-specific issues. We offer here a few Township-specific changes to the wording in the strategies outlined Crossroads only as they apply to Mad River Township. The paragraph numbers below refer to those of Crossroads, Chapter 4. The wording is Township-specific and applies only to Mad River Township.

Paragraph B.2.*B*.4

Mad River Township Wording: In Mad River Township require the creation and maintenance of a 25-foot wide landscaped buffer along residential lots and subdivisions that abut a working farm. This buffer is to be placed in a landscape easement on the plat and deeded to either a homeowner's association or individual property owners. Prohibit new residential construction within three-quarter statute mile of any large animal farm operation (i.e. CAFO).

Paragraph C.2.*A*.2

Mad River Township Wording: In Mad River Township, direct new development to areas served by central utilities.

Paragraph C.2.*A*.4

Mad River Township Wording: In Mad River Township, prohibit development that can only be served by on-site utilities (septic and well). Target most areas for agriculture and encourage low density and rural residential development in areas served by central utilities adjacent to Springfield and the Village of Enon.

Paragraph D.2.*A*.5

Mad River Township Wording: Expand use of waterways for recreational activity by acquiring additional public access, encouraging related ecotourism business (e.g. canoe liveries) and maintaining/improving water quality to control damage and improve aesthetics of the resource, within the limits of the capacity of the watershed ecosystem to sustain these activities.

Paragraph D.2.*A*.6

Mad River Township Wording: Balance the importance of ecotourism relative to the Mad Rivers and Mud Run against the need to preserve wildlife habitat. Facilitate ecotourism through the Chamber of Commerce and Visitors Bureau with targeted marketing and special incentives (e.g. tax abatement, infrastructure assistance, zoning bonuses, etc.).

Paragraph D.2.*B*.2

Mad River Township Wording: Remove mineral extraction from the Agricultural land use category and relocate as conditional use under the Industrial land use category or as a separate mineral extraction sub-category. Adopt a resource overlay district in the Proposed Township Zoning Resolution to strengthen control/management over extraction activities (e.g. borrow pits, gravel, etc.) and to further protect underground water supplies.

Paragraph D.2.*B*.4

Mad River Township Wording: Apply Mad River Township's Proposed Zoning Flood Plain (FP) Overlay District to all designated floodplains except where covered by the Open Space (OS) Overlay District and amend to control grading and development in the 100-year floodplain. Encourage compatible land uses (e.g. parks, nature trails, etc.) in the floodplain and floodway. Encourage update of flood studies where appropriate.

MAD RIVER TOWNSHIP

Trustees: Robert McClure,Jr., Richard J. Schumann, Kathy Estep
Deputy Clerk: Debra Maurer
260 East Main Street, Box 34, Enon, OH 45323
www.madrivertownship.org

September 20, 2005

Clark County Planning Commission
25 West Pleasant St.
Springfield, Ohio 45506

Dear Planning Commission,

The Mad River Township Trustees respectfully request your approval of the "Adaptation of Crossroads to Mad River Township" and the Mad River Township Land Use Map as a supplement to the Clark County Crossroads Comprehensive Land Use Plan.

The Mad River Township Trustees first approved the Mad River Township Comprehensive Land Use Plan on October 21, 2002 (see enclosed document). After consultation with the Clark County Planning Staff, revisions were written by the township planning committee and adopted by The Mad River Township Trustees with a unanimous vote on September 19, 2005.

Sincerely,

Robert McClure, Jr.

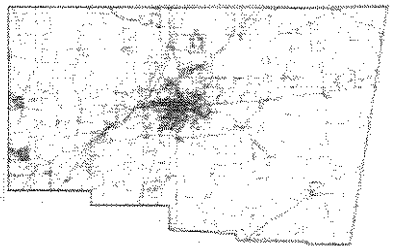
Richard J. Schumann

Kathy Estep

CLARK
CLARK COUNTY
CLARK COUNTY PLANNING
CLARK COUNTY PLANNING COMMISSION
25 WEST PLEASANT STREET, SPRINGFIELD, OHIO 45506-2268
PHONE 937.328.2498 FAX 937.328.2621
WWW.CLARKCOUNTYOHIO.GOV

CHAIRPERSON
ELLIOTT TURNER

PLANNING DIRECTOR
SHANE W. FARNSWORTH



September 27, 2005

To: Clark County Planning Commission

From: Planning Staff

Re: CR-2005-96

Mad River Township began a comprehensive review of their community in August of 2001. The plan was originally developed by a citizen-working group and approved by the Township trustees in 2002. The process developed a proposed land use map for their township. In early 2003 the trustees chartered the Mad River Township Planning Committee to prepare this update. Membership on the Planning Committee was solicited from the community. There are currently seven permanent members with staggered three-year terms.

Chapter 5, Section E "Development Planning", Number 3 "Township Land Use Plans" of the Crossroads Comprehensive Plan states that,

> *"In addition to the above priorities, individual townships should consider preparing land use plans that apply these general recommendations to the parcel level. This level of detail should be integrated with prime agricultural soils accurately mapped using the Clark County Soil Survey and data from the Ohio Capability Analysis Program (OCAP). The following townships should be priorities:*
>
> *A. Mad River*
> *B. Bethel*
> *C. Springfield*
> *D. Moorefield*
> *E. Green*
> *F. Madison*
>
> *Township planning should be a joint activity between the County Planning Commission and each individual Board of Trustees. A joint committee could be appointed to oversee the planning process, which should be fast tracked to occur in a six-month timeframe. Funding could also be jointly shared.*
>
> *Priorities should be established among the various townships to ensure that each is covered by a land use plan within the next five years.*

After consultation with the Clark County Planning Staff, the Township Planning Committee incorporated revisions into the map. One primary obstacle dealt with the differences of land use classifications from the Crossroads map to the Mad River Township land use map. The Township Planning Committee did not want to modify their land use designations to coincide with the county's land use designations. One proposal that would allow Mad River Township to continue to use their land use designations would be to use an inset map for Mad River Township. Mad River Township would be grayed-out on page 5-7A and the Mad River Township map would become page 5-7C.

The Mad River Township Trustees are recommending the following modifications to the land use map specific to Mad River Township be approved and incorporated into the County Crossroads Comprehensive Plan.

Attachments

MAD RIVER TOWNSHIP

Trustees: Robert McClure,Jr., Richard J. Schumann, Kathy Estep
Deputy Clerk: Debra Maurer
260 East Main Street, Box 34, Enon, OH 45323
www.madrivertownship.org

September 20, 2005

Clark County Planning Commission
25 West Pleasant St.
Springfield, Ohio 45506

Dear Planning Commission,

The Mad River Township Trustees respectfully request your approval of the "Adaptation of Crossroads to Mad River Township" and the Mad River Township Land Use Map as a supplement to the Clark County Crossroads Comprehensive Land Use Plan.

The Mad River Township Trustees first approved the Mad River Township Comprehensive Land Use Plan on October 21, 2002 (see enclosed document). After consultation with the Clark County Planning Staff, revisions were written by the township planning committee and adopted by The Mad River Township Trustees with a unanimous vote on September 19, 2005.

Sincerely,

Robert McClure, Jr.

Richard J. Schumann

Kathy Estep

CLARK COUNTY ZONING

May 2003

General Uses - see zoning text for details and other restrictions

A-1

PRINCIPAL PERMITTED AND CONDITIONED USES:
1. Agriculture, Farm Markets, & related buildings & structures
2. Agricultural-Related Processing & Marketing
3. Single-Family Residential
4. Single-Family Residential (restricted to lotsplits)
5. Single-Family Residential (restricted to cluster lotsplits & bonus cluster lotsplits)
6. Private Landing Field
7. Day-Care Homes
8. Bed and Breakfast
CONDITIONALLY PERMITTED USES: (Requires BZA Approval)
1. Home Occupations
2. Private and Public Outdoor Recreation Areas
3. Cemeteries
4. Animal Hospitals, Veterinary Clinics & Kennels
5. Resource and Mineral Extraction
6. Demolition Disposal Facility
7. Airports
8. Radio, Television, & Telecommunications Transmission & Receiving Towers
9. Hospitals and Auxiliary Facilities
10. Group Care Home
11. Nursing Homes, Convalescent Homes, & Rest Homes
12. Feed Lot, Grain Elevators, & Slaughterhouses
13. Day-Care Centers
14. Churches and Similar Places of Worship
15. Primary and Secondary Schools
16. Institutions of Higher Learning
17. Garden Centers and Greenhouse

AR-1, AR-2, AR-5, AR-10, & AR-25

PRINCIPAL PERMITTED AND CONDITIONED USES:	AR-1	AR-2	AR-5	AR-10	AR-25
1. Agriculture, Farm Markets, & related buildings & structures	Y	Y	Y	Y	Y
2. Single-Family Residences	Y	Y	Y	Y	Y
3. Day-Care Homes	Y	Y	Y	Y	Y
4. Bed and Breakfast	Y	Y	Y	Y	Y
CONDITIONALLY PERMITTED USES: (Requires BZA Approval)	**AR-1**	**AR-2**	**AR-5**	**AR-10**	**AR-25**
1. Home Occupations	Y	Y	Y	Y	Y
2. Churches and Similar Places of Worship	Y	Y	Y	Y	Y
3. Primary and Secondary Schools	N	Y	Y	Y	Y
4. Institutions of Higher Learning	N	N	Y	Y	Y

R-1, R-2, R-2A, R-2B

PRINCIPAL PERMITTED AND CONDITIONED USES:	R-1	R-2	R-2A	R-2B
1. Single-Family Dwellings	Y	Y	Y	Y
	N	Y	Y	Y
	N	N	Y	Y
	N	N	N	Y
2. Bed and Breakfast	Y	Y	Y	Y
	N	Y	Y	Y
	N	N	Y	Y
	N	N	N	Y
3. Agriculture and Related Buildings and Structures	--	--	--	--
CONDITIONALLY PERMITTED USES: (Requires BZA Approval)	**R-1**	**R-2**	**R-2A**	**R-2B**
1. Home Occupation	Y	Y	Y	Y
2. Churches & similar places of worship	Y	Y	Y	Y
3. Primary & Secondary Schools	Y	Y	Y	Y
4. Institutions of Higher Learning	Y	N	N	N
5. Hospitals & Auxiliary Facilities	Y	Y	Y	N
6. Group Care Homes	Y	Y	Y	Y
	N	Y	Y	Y
	N	N	Y	Y
	N	N	N	Y
7. Farm Markets	Y	Y	Y	Y
8. Cemeteries	Y	N	N	N
9. Day-Care Homes	Y	Y	Y	Y
	N	Y	Y	Y
	N	N	Y	Y
	N	N	N	Y
10. Nursing Homes, Convalescent Homes, Rest Homes	Y	Y	Y	N
11. Radio, Television & Telecommunication Transmission / Receiving Towers	Y	N	N	N
12. Zero Lot Line, Cluster, Detached, Semi-detached Dwellings, or other housing types of a similar character	N	Y	Y	Y

R-MHP

PRINCIPAL PERMITTED USES:
1. Mobile Homes
2. Manufactured Homes
3. Communal Facilities

Y = Yes (Permitted) N = No (Not Permitted)

R-3 & R-4

PRINCIPAL PERMITTED AND CONDITIONED USES:	R-3	R-4
1. Single-Family Dwellings	Y	Y
2. Two-Family Dwellings	Y	Y
3. Three-Family Dwellings	N	Y
4. Four-Family Dwellings	N	Y
5. Multiple-Family Dwellings	N	Y
6. Condominium Residences	N	Y
7. Agriculture and Related Buildings & Structures	Y	Y
CONDITIONALLY PERMITTED USES: (Requires BZA Approval)	**R-3**	**R-4**
1. Zero Lot Line, Cluster, Detached, Semi- detached, or Attached Dwellings, or other housing types of a similar character	Y	Y
2. Home Occupation	Y	Y
3. Churches & similar places of worship	Y	Y
4. Group Care Homes	Y	Y
5. Day-Care Homes	Y	Y
6. Day-Care Centers	N	Y
7. Community Facilities	N	Y

PD

PRINCIPAL PERMITTED USES:
1. PD-R (Residential
2. PD-O (Office)
3. PD-B (Business)
4. PD-I (Industrial)
5. PD-M Mixed Uses)
6. PD-C (Conservation)
CONDITIONALLY PERMITTED USES: (Requires BZA Approval)
1. Home Occupation

CLARK COUNTY ZONING

General Uses - see zoning text for details and other restrictions

B-1, B-2, B-3 & B-4

PRINCIPAL PERMITTED AND CONDITIONED USES:	B-1	B-2	B-3	B-4
1. Business and/or Professional Offices	Y	Y	Y	Y
2. Banks & Financial Institutions	Y	Y	Y	Y
3. Eating & Drinking Places, excluding Drive-in or Carry-out	Y	Y	Y	Y
4. Radio and Television Broadcasting Studios	Y	Y	Y	Y
5. Funeral Homes & Mortuaries	Y	Y	Y	Y
6. Automotive Service Stations	Y	Y	Y	Y
7. Custom Butcher Shops	Y	Y	Y	Y
8. Indoor Motion Picture Theaters	N	Y	Y	Y
9. Retail Food Stores	N	Y	Y	Y
10. Drive-in, Fast Food, Drive-in Carry-out Restaurants and/or Drive- through Retail Establishments	N	Y	Y	Y
11. Garden Centers, Greenhouses	N	Y	Y	Y
12. Automotive Repair Garages	N	Y	Y	Y
13. Car Washes	N	Y	Y	Y
14. Air Conditioning, Plumbing, Heating, and Roofing Shops	N	Y	Y	Y
15. Automotive & Auto Accessory Sales	N	Y	Y	Y
16. Building and Related Trades	N	Y	Y	Y
17. Commercial Recreation Establishments	N	Y	Y	Y
18. Animal Hospitals, Veterinary Clinics, and Kennels	N	N	Y	Y
19. Building Material Sales Yard	N	N	Y	Y
20. Drive-In Motion Picture Theater	N	N	Y	Y
21. Private and Public Outdoor Recreation Areas	N	N	Y	Y
22. Motels and Hotels	N	N	Y	Y
23. Hospitals & Auxiliary Facilities	N	N	Y	Y
24. Automotive Body Shop	N	N	Y	Y
25. Carpenter, Sheet Metal & Sign Painting Shop, Bakery, Laundry, Wholesale Business	N	N	N	Y
26. Bottling of Soft Drinks and Milk or Distributing Stations	N	N	N	Y
27. Contractor's Equipment StorageYard or Storage & Rental Contractor's Equipment	N	N	N	Y
28. Motor Vehicle, Boat, & Camper Storage	N	N	N	Y
29. Trucking and Motor Freight Station or Terminal	N	N	N	Y
30. Carting, Express, or Hauling Establishments	N	N	N	Y
31. Stone or Monument Works	N	N	N	Y
32. Mini-Warehouse or Self Storage Facilities	N	N	N	Y

B-1, B-2, B-3 & B-4

CONDITIONALLY PERMITTED USES: (Requires BZA Approval)	B-1	B-2	B-3	B-4
1. Commercial Recreation Establishments	Y	- -	- -	- -
2. Day-Care Centers	Y	Y	Y	Y
3. Nursing Homes, Convalescent Homes, Rest Homes	Y	Y	Y	Y
4. Clubs, Fraternal or Lodge Organizations	Y	Y	Y	Y
5. Animal Hospitals, Veterinary Clinics, and Kennels	Y	Y	- -	- -
6. Bars and Taverns	N	Y	Y	Y
7. Wholesale Establishments	N	N	Y	Y
8. Adult Entertainment Establishments	N	N	N	Y

O-1 & OR-2

PRINCIPAL PERMITTED AND CONDITIONED USES:	O-1	OR-2
1. Business and/or Professional Offices, including Medical and Dental Clinics	Y	N
2. Banks and Financial Institutions	Y	N
3. Law, Real Estate, and Insurance Offices	Y	N
4. Business Service Establishments	Y	N
5. Single-Family Dwellings	N	Y
6. Incidental Business Uses	N	Y

I-1

PRINCIPAL PERMITTED AND CONDITIONED USES:
1. Industrial & Manufacturing Establishments
2. Warehouses
3. Wholesale Establishments
4. Manufacturing Retail Outlets
5. Any use permitted and as regulated as a Principal Permitted or Conditioned Use in the B-4 District
CONDITIONALLY PERMITTED USES: (Requires BZA Approval)
1. Any use permitted and as regulated as a Conditionally Permitted Use in the B-4 District
2. Junkyards & Automobile Wrecking Yards
3. Resource and Mineral Extraction
4. Penal & Correctional Facilities
5. Sanitary Landfills

Y = Yes (Permitted) N = No (Not Permitted)