

Minutes

Clark County Rural Zoning Commission

Regular Meeting ~ 9:00 am.
Thursday, May 13, 2021

Springview Government Center
3130 East Main Street
Springfield, Ohio 45505

This meeting was held in the public meeting room at the Springfield Township Administration Offices, 2777 Springfield-Xenia Rd.

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

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

Absent For Roll Call: None.

Also in Attendance: Mr. Allan Neimayer, Mrs. Jennifer Tuttle, and Ms. Rachel Clime of Clark County Community and Economic Development.

Chairperson Brust explained how the meeting will be held.

Chairperson Brust asked for the Approval of the minutes.

Approval of the February 11, 2021 Minutes

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

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

No: None.

Abstain: Mr. Lane.

Motion Carried.

Chairperson Brust asked Staff to present the case.

Rezoning Case #Z-2021-05 ~ Property Owner/ Applicant: Hillside Creek Farms LLC; Agent: Gary Smith, G2 Planning & Design ~ Location: 6766 Stine Rd., Mad River Twp. ~ Request: Rezone 42.05 acres from A-1 and R-1 to PD-R for a 170-lot single-family subdivision.

Mr. Allan Neimayer, Senior Planner, stated that the subject property, 6766 Stine Rd., is located on the north side of Stine Rd. west of Enon-Xenia Rd., and consists of 42.05 acres. The majority of the property is currently zoned A-1 with the far west area zoned R-1. The Applicant proposes to rezone the subject property to PD-R (Planned District-Residential) for a 170-lot single-family subdivision as identified with the preliminary layout and development text. Mr. Neimayer reviewed slides identifying area zoning and land use, PD-R general requirements, public utilities, and Thoroughfare Plan. He also reviewed slides of the proposed development. All lots will be serviced by public water and sanitary sewer services. The proposed average lot size is 50 ft. by 110 ft. with a minimum 1,250 sq. ft. (excluding garage) for a 1-story dwelling and a minimum 1,600 sq. ft. (excluding garage) for a 2-story dwelling. Sidewalks will be provided throughout the subdivision including a walking path to the new Greenon School site. The community green space as shown on the preliminary layout will be owned and maintained by a home owners association. In accordance with mail delivery requirements of the US Postal Service, there are three mail depot locations as identified on the preliminary layout.

Staff recommends the Applicant's request to rezone the subject property from A-1 and R-1 to PD-R be approved as presented and thus considered as Preliminary PD Plan approval in accordance with Section 401.09. This approval is subject to the following conditions:

1. A Final PD Plan (final subdivision plat) application is filed within 36 months of approval, or a Time Extension has been approved in accordance with Section 401.09.
2. New street names are subject to final approval during the subdivision review process.
3. The lot size and minimum lot setback from the Enon-Xenia Rd. right-of-way for Lots 3 thru 10 are subject to modification during the Final PD Plan review process pending the latest engineering design of the proposed Enon-Xenia road improvement project.
4. All landscaping along the Enon-Xenia Rd. right-of-way is subject to modification pending the latest engineering design of the proposed Enon-Xenia road improvement project.
5. The Applicant shall consult with an Urban Forester in the proper selection of trees to be planted along all streets, sidewalks and walkways so that over time the trees do not damage said improvements.
6. Stine Rd. right-of-way and all Stine Rd. entrances into the subdivision are subject to changes as may become necessary resulting from the required traffic impact study.

Jason Harrell, Harrell and Stevenson civil engineering firm, stated that they were contacted to study the drainage. Our general approach was to break it down into three sections: east, west and the middle. The east generally drains to the south, and a fair amount of flood routing from the Green Meadows Subdivision. The center flows towards Stine Road and the west side drains straight north. This will explain where the drainage issues are at. He also spoke about their plan to solve the issues. The approach is to start at the east side and collect into the dry detention basin. For the middle we will pipe to the south to the main detention basin and we will connect a pipe from the basins and bring it across Stine road.

Tom Bender, Clark County Engineer's office, addressed the Hillside Creek Farms development and the county engineer's Enon-Xenia Road project. The Enon-Xenia Road project is running concurrently, but not because of the proposed development. The engineer's office has reviewed the Hillside Creek Farms preliminary plan and we do feel the county can work with the developer. They are doing a good job at addressing the county's stormwater regulations. We will ensure that they do. We will work with the developer to make improvements to a difficult situation. That is our goal also.

Mr. Bender briefly reviewed the Enon-Xenia Road project. Over the last several years we've been working with the new school and improve Enon-Xenia Road on traffic and drainage issues around the Green Vista Drive area. Stormwater flows across the Green Meadow Subdivision and makes its way into a poorly functioning storm sewer. That storm sewer system along Enon-Xenia Road will be upgraded to a 72-inch storm sewer and provide a lot of relief to the current flooding. The Green Vista Drive area flooding mixes in with a lot of the flooding that Mr. Harrell is talking about and is compounding these issues. Not only do I see some improvements to the existing flooding with this proposed development but also the Enon-Xenia Road project with upgraded drainage will improve. We know you cannot fully remove all flooding problems, nature has its way of negatively impacting us, but we can find areas that are failing and do the best we can to improve those situations. We will work the developer and will implement a traffic impact study.

Jeremy Best, Clark County Soil and Water Conservation District addressed the Board. Couple things when the development came across to our office and knowing this area there have been sub-surface drainage installed in this property. One problem I have had is the storm sewer outlets to take into consideration. When the property is developed the sub-surface drainage will be there. The problems

we run into is the sub-surface drainage is blocked, there is nowhere to take the water to. Mr. Best asked Mr. Harrell the storm sewers being put in will they be on both sides of the road. Mr. Harrell responded yes. The current intent is to do curbs, gutters and sidewalks. We will have curb inlets on both sides of the road and a trunk line and rout all that to a detention basin. Any place that we intercept sub-surface drainage will tie that into the storm sewer. Mr. Best asked one storm sewer down the center or one on each side? Mr. Harrell responded either one storm sewer down the middle or one on either side, one trunk line and we will tie everything into it. The sanitary and water (regulations) requires 10 foot separations. Mr. Best asked so home owners will have access to that storm sewer to be able to outlet drainage? It is a tight area and it is accumulating on the properties. This is what we run into all the time so we want to make sure there is a storm sewer outlet people can take drainage to. Mr. Harrell responded we will have drainage in the rear yards too, and part of the subdivision requirements is to provide a plan to show how each lot gets drained and provide outlets for sump pumps and drains. Mr. Best stated, the drainage infrastructure you are putting in is going to be in the right-of-way. Will there be a maintenance agreement? Mr. Harrell states the storm sewer in the rear yard will be in an easement, a drainage easement that an HOA will maintain.

Mr. Best stated we have had calls about the ground and whether or not it is considered prime farm ground. And according to the Soil Survey for Clark County is it considered prime farm ground, all but for the area in Phase One. He asked to the detention basins account for the offsite drainage? Mr. Harrell responded we have originally sized these to rout that through. Now there is some additional detention provided because of the economics. If you look at the west side where we have the cul-de-sac, it is going to be more economical to provide additional detention rather than increase the pipe size. Generally, they are required to provide an outlet to rout the offsite through while maintain the onsite. In some cases we are providing additional detention beyond what we are required because it is cheaper than putting in oversized piping to carry the flow. Mr. Best asked do you know the acreage of green space. Mr. Smith responded almost 10 acres. Mr. Best stated so the lot sizes are about a tenth of an acre.

Mr. Neimayer stated the County Planning Commission met on May 5, 2021 to hear this rezoning case. Following discussion, a motion was made and seconded to Approve the rezoning case as presented with consideration of additional setbacks and buffers for those properties abutting the Green Meadows subdivision on Green Meadows Dr. and Sterling Dr., and with staff recommendations. The motion was defeated. Hence, the CPC recommends the rezoning request as presented be denied.

Mr. Allan Neimayer stated the Applicant has responded to the CPC comments regarding a buffer of those lots abutting the Green Meadows Subdivision. In addition, other emails of public comments were received. Copies of both these items were provided to Board members.

Gary Smith, G2 Planning & Design, Agent representing the Owner/Applicant, was sworn in. Mr. Smith wanted to address some of the comments from the neighbors, one of which was the school. We have spoken to the school superintendent and he says they have planned for this growth. We also spoke to the Village of Enon and their biggest caveat was to work on the drainage issues. We are working to help solve that. Another issue was creating a buffer from the existing (Green Meadows) development and our development. One thing we have done is create a landscape treatment. It will run between the two developments consist of evergreen trees that will grow together and form a screen and provide shade in those backyard areas. Because of the drainage in the backyards, we need to accept that drainage from Green Meadows Subdivision so we can form a mound and the landscaping and trees will perform those buffer functions. Another thing that came up in the CPC Meeting and comments is the existing cemetery on the site. One thing we did was put that cemetery in a permeant open space, and the HOA will maintain it. It will remain undeveloped and un-touched.

Mr. Smith stated there has been a lot of conversation on density. One thing to recognize is that the Green Meadows Subdivision is good but you could not build it as it stands today because of the county zoning regulations: the inclusions of open space for the community and stormwater facilities. Stormwater regulations have changed over the last 20 years as far as how new developments are designed and engineered so that they manage stormwater. That is one of the reasons Green Meadows is in the situation it is in today. It was platted, engineered and designed under a different set of rules that are more prone to issues like stormwater and flooding. That is something we are trying to deal with and help solve that situation and try and provide additional space to be able to pull that stormwater off that property and alleviate those flooding conditions as well as manage our own stormwater requirements. We want to make sure we do not cause future flooding from our development. We are taking our requirements as well as providing a solution to this ongoing problem. We are required to bring open space, but comparing density by removing open space is not a fair comparison. We are being penalized for meeting the county requirements and providing good open space that everyone can access. We are allocating some of that open space along the perimeter of the property. We are creating a separation of the road to the houses to create that open feel from the county road. We are trying to pull it inward and maintain the appearance from Stine Road with more landscaping and creating open space.

Mr. Lane directed a question to Mr. Best and Mr. Harrell. With this 40 plus acres, between driveways, houses, sidewalks and a new school across the street, you are creating a lot of surface. I know you have a solution for Green Meadows, but as a former resident of Holiday Valley, I know they have some water issues with rain too. I believe this new territory will be aggravated downstream in Mud Run. Has there been any consideration on how to deal with that impact? Mr. Harrell responded that is what the detention basins are for, to slow that water down and to reduce the peak flow rates. That is a requirement under the subdivision regulations. We reduce the peak flow rates back to a pre-development condition. That accounts for the increase run off. We use a TR55 modeling. Part of that is a curve number; a heavier curve number indicates a more impervious area. In post development you will have a higher curve than a pre-development. And it goes into the calculations and determines the volume and rate of that water coming off site is going to be. We go through those calculations and determine the size of the detention basins to slow that down to a pre-development rate.

Mr. Lane asked looking at the houses, are these all going to be slabs or basements? Mr. Smith responded they will all have basements or the ability to have basements. We can accommodate the drainage. The way modern houses are built to building code, they require sub-surface drains or sump pumps to keep basements dry. All of that gets pumped back into the storm sewer system.

Mr. Harrell added part of the storms drainage design is accepting surface water. From an agricultural background, the sub-surface drainage is important. Once it is brought into the soil you want to suck it in and get it dried out. In this case, we need to get it off the street and have a safe driving condition and out of yards so it does not flood. Hence, where you might have an 8 to 10 inch tile in agricultural use, we might have an 18 to 24 inch pipe to collect the water quicker.

Mr. Spahr stated your section by the cul-de-sac, you talked about a 20 inch pipe under Stine Road. Is it going all the way to Mud Run or the field? Mr. Harrell responded it will ultimately into drain into Mud Run or the field and maybe some additional drainage. Mr. Spahr asked will the construction of that fall away from the North West corner. Mr. Harrell responded yes, we will put in a detention basin back in there. The reason it needs to be the size it is, is because we have the eight acres coming off of Green Meadows. We expect to get it low enough to pull it all away. Mr. Spahr then asked what are the lines on the drawings of the detention basins. Mr. Harrell responded those are the contour lines and each one represents one foot. Mr. Spahr asked if the detention basins have safety regulations for children. Mr. Harrell responded we can install safety shelves or fencing.

Mr. Smith adds, these are primarily dry detention basins. They are not going to be an attractive nuisance. They are a modern basin design. There are ponds over the place but you do not have an abundance of kids drowning. Mr. Harrell added they are not deep.

Mr. Brust asked are these retention ponds or detention ponds. When do these empty out? How long is there standing water? Mr. Harrell clarified they are detention ponds. Typically we want to manage that peak and slow it down, but they should empty in less than 24 hours.

Mr. Spahr asked the acreage of that green space, does that come out of the original acreage and the 170 homes comes out of that? Mr. Neimayer responded you do not include green space in calculating the density: 42.05 is the gross acreage, the net density is 6.84 units per acre.

Mr. Jurick read various sections from the Mad River Township Land use Plan. Mr. Jurick spoke on survey of township residents, maintaining rural character, and having 1 resident (dwelling) per acre. If you have 100 acres, with 40 acres of farmland you could have 40 homes. Green Meadows has more than that. I think we can find a compromise between 40 and 170 homes. Mr. Jurick felt there is additional information needed per Section 401 for the Board to review.

Section 101 A, last sentence, surrounding zoning: Mr. Jurick stated there is not a PD-R south of the property. Mr. Neimayer responded yes there is. The Applicant's property (current parcel) is on both sides of Stine Road. South of the Applicant's property is a PD-R Zoning District.

Section 101 D, sidewalks: Mr. Jurick asked who will be responsible for clearing the sidewalks? Mr. Smith responded it would be the individual home owners, just like any other subdivision. Mr. Jurick then asked at what point will homeowners take over the property? Mr. Smith responded at 80% to 100% developed. Until then the developer maintains the properties.

Section 105, development standards: Mr. Jurick asked is the (front) setback from the road or the sidewalk? Mr. Neimayer responded it is from the right-of-way. Mr. Smith added the sidewalks can be inside the right-of-way.

Section 106, public roads: Mr. Jurick asked will they all be public. Mr. Smith responded yes.

Section 107, open space: Mr. Jurick stated you mentioned 20 percent. Under our zoning regulations it states that detention ponds do not count, so that (20 percent) needs to be revised. Also in Section 107, the County Planning Commission asked for buffering, who will own the trees in the buffer. Mr. Smith responded it will be in a permeant landscape easement. Mr. Jurick then asked what if the homeowner did not like it could they cut it down. Mr. Smith responded it would be part of the (subdivision) restrictions and the home owner would not be permitted to cut it down. Mr. Jurick replied if something happened to the tree would the homeowner be required to replace that? Mr. Smith responded that could be put into the HOA and they could take care of it.

Section 110, entry signage: You state that they you would either do a column, yard arm or monument sign. Mr. Jurick asked can you commit to a monument sign. Mr. Smith responded I do not see why not.

In reference to Tab 2, Adjacent Property Owners, Mr. Jurick asked how many residences have they met with. Mr. Smith responded I would say 10 to 15.

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In Tab 7, Exhibit D, Mr. Jurick asked what the blue arrows for. Mr. Smith responded they represent drainage flow. Mr. Jurick stated about 50% goes into Mud Run and the other 50% flows into Green Meadows Subdivision. Mr. Smith added that is currently.

Mr. Jurick asked about street parking. Mr. Smith responded typically we limit that to one side of the street, opposite of the fire hydrants. Mr. Jurick asked if there would be grass between the sidewalk and the street. Mr. Smith responded yes. Mr. Jurick asked if sodding would be required. Mr. Smith responded they could use sod or seed.

In reference to Tab 6 Mr. Jurick asked about the different phases stating that it looks like an approximation. Mr. Smith responded we were just conservative to make sure we did not run into any trouble. When we finalize we will have the total calculations submitted to the county engineer. Mr. Jurick stated we need correct numbers. Mr. Smith responded the correct numbers will be less. Mr. Jurick added I understand that we do not want to approve that if the county will change it.

Mr. Jurick continues, on Tab 6, Exhibit J, Preliminary Traffic Analysis: stating it talks about 85 town homes and those townhomes would not have as much traffic as a regular single family home. It seems like those calculations need revised. Will the expected traffic require a reduction of the speed limit on Stine Road. I am not asking you to answer, the traffic study will identify if that will be needed. Will it require turn lanes because of that traffic?

In regards to the transfer of the HOA, that would be important to have in there as well as the covenants. Another question is will you allow basements? Mr. Smith responded yes. Building code requires sump pumps for new houses. Mr. Jurick then asked who will own the land of the cemetery? Mr. Smith responded the HOA.

Chairperson Brust called a five minute break at 10:33 am.

Chairperson Brust resumes the meeting at 10:41 am.

Chairperson Brust has questions on the proposed development. He said HOA's are notoriously weak, there is a legal responsibility when you buy into a subdivision. Ten to twenty years down the road how are those trees going to be maintained, and who is trimming the shrubs down Stine Rd. Do you make those guidelines and bylaws for the HOA?

Mr. Smith responded I do not, I am not an attorney. But, the HOA can. What they have done with HOA's is strengthen the rules. They can set the fees at a higher amount, and all of those things will be disclosed to the homeowner.

A new development has come into City of Springfield limits but in Clark Shawnee school district called Bridge Water. Are you going to have a house development with all the same color houses? Mr. Smith responded we can require diversity. You can have a similar footprint but they have to change up the materials on the exterior.

Chairperson Brust stated, we talked about 170 homes on 42 acres that gives us 0.247 acres per lot. Personal recommendations would be closer to 140 to 150 houses with 6 ft. side setbacks - more breathing room and a better drainage situation. Those are my major concerns

Mr. Spahr asked about the area next to Enon-Xenia Road, the eastern edge, there is a 30 ft. elevation change. Are you looking at excavating that to make it level? Mr. Harrell responded we want to mimic the existing ground but we need to channel it into a detention basin. They are connected and work together. We will intercept as much as we can. Mr. Spahr then asked you will let it flow naturally. Mr.

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Harrell responded we have to have flood routing. Mr. Spahr stated you should have a uniformed subdivision. Mr. Harrell responded we will provide that.

With no further questions from the Board, Chairperson Brust opened the public portion of the hearing at 10:57 am. and asked if anyone wishing to speak in favor of this rezoning can do so at this time. There were none.

Chairperson Brust asked if anyone wished to speak in opposition of this request may do so at this time. Chairperson Brust stated a three (3) minute time limit would be enforced to give everyone a chance to speak.

Tammi Dulaney, 4682 Caddington St. was sworn in. Mrs. Dulaney stated the end of Caddington St. street goes into the field. The water has caused damage to surrounding properties. Building houses will cause more issues.

Pam Weaver, 7033 Southern Vista Dr., was sworn in. Mrs. Weaver thanked the Board for letting us speak. I have multiple reasons I oppose this. Number 1, the flooding in our backyard. I have not heard anything that can guarantee our situation would be better. The density: I am not anti-development, but anti this development. Even if we put up a 6 ft. privacy fence we lose our privacy. An HOA can promise a lot but the enforcement may not be there. We built our home here. I do not think it is fair to have them come into our backyard. I know they promise to help the flooding but there is no guarantee. The 3rd issue is the road. Two cars per home that is going to add 340 cars.

Bob Hollifield, 4679 Caddington St., was sworn in. Mr. Hollifield stated that there is a big drainage ditch ten feet from my property. I have seen it flood. Are they going to grade this thing to my house or is it going to be a ditch. I am worried about all the drainage. And the traffic light at Arnold Street. Not for this development. They have not thought this through, and I do not trust how this is going.

Katrina Oost, South Cedar Fairborn was sworn in. Mrs. Oost stated she is a direct ascendant, speaking as the representative of the Shellenbarger Cemetery. We have been pleading, taken to court, there's a legal cemetery next to the proposed development, explained the history of the cemetery.

David Christman, 825 Spring Lake Circle, was sworn in. Mr. Christman spoke on the storm water issues that he and area residents have had to deal with. He does not feel that Mud Run can take additional water.

Brett Weaver, 4330 Qu-wood Rd., was sworn in. She states that she is a local realtor and flood insurance are her concerns. It is a point to look into all the extra water in Mud Run it could add 2 million gallons of water a day into mud run.

Lucia Livingston, 4593 Green Meadows Dr., was sworn in. Mrs. Livingston states that 25 years ago we bought our house in Enon because it was affordable and I liked the rural community of a small village. That is what attracted me. We have new man hole covers with holes to help with flooding. With three combined schools on Rebert Pike we will have three times as many students and traffic. If you add in 170 new homes that is a lot of students. I am worried about flooding, traffic and students.

Kevin Siferd, Village Administrator of Enon, was sworn in. Mr. Siferd stated that as the Village of Enon we are not necessarily supportive of this. This parcel is not in Enon Corporation. But we do encourage growth. I think anyone does if it is well planned and well-conceived and well thought out. I have been hearing as the Village Administrator of Enon a lot of concerns about the storm sewer situation. Right now there is a lot of water that naturally comes off of that field and crosses Stine

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Road, crosses Enon-Xenia Road down Mathews Ave. and that whole area has its own flooding issues currently because it is low. We are just concerned what the impact would be from this development. I am glad I came today because I heard a couple of comments about reducing the amount of lots and having more green space. Having 170 lots in that little bit of area, in my opinion that is quite a lot of lots and just cramping things in there. I think if the engineering firm came back and presented a better plan, another alternative, it would be greatly appreciated

Rebecca Ratliff, 6782 Arnold Ave., was sworn in. Mrs. Ratliff stated she works at Children's Hospital in ICU, and children can be drowned in an inch of water. Can the rescue and fire handle all these new houses?

Mary Boettcher 11 Piqua circle was sworn in. Mrs. Boettcher stated I am concerned with the traffic. Stine Road is a two-lane road and it ends at Enon-Xenia Rd. which goes south. My concern is egress. How are you going to get all those people out: UPS, Fed Ex and school busses, and all the kids? Where are the kids going to play?

Dale Rapp, 6615 Sterling Dr., was sworn in. Mr. Rapp stated according to the map it looks like 4 properties will abut my property. I bought my property for the rural landscape. I have witnessed the flooding take place, the new school and we have not seen the impact of that new structure yet. There are a lot of things about this development that does not make sense. I do not think this is the right fit.

Leslie Arendt, 6711 Selma Pike, was sworn in. Mrs. Arendt stated I am a Clark county revolutionist. I am worried about the cemetery in years to follow. We urge the commission to protect the cemetery.

Mary Beth Ratliff, 6782 Arnold Ave., was sworn in. Mrs. Ratliff stated we live on Arnold Ave. where Green Meadows Dr. dead ends. Ever since they have been messing with the fields the flooding has gotten significantly worse. It was rushing water and we could not get in or out of our driveway. This concerns me if there was an emergency. This has been an issue for years, and is this just going to keep getting worse. We moved here for the rural small village. I am all for development, just not this.

Mark Minch, 7091 Stine Rd., was sworn in. Mr. Minch stated my concerns are traffic and density. I have questions more than comments. Is there a consideration to put entrances on Enon-Xenia Road instead of Stine Road? I would assume there will be traffic lights put in. I would also assume one will be where the high school is at.

Tom Bender, County Engineer's Office, responded part of the County Engineers initial comments is not to put access directly onto Enon-Xenia Rd. That is for traffic flow to use a secondary Road and not a thoroughfare.

Mary Beth Pilcher, 7201 Stine Rd., was sworn in. Mrs. Pilcher stated that she will be very brief. The traffic is already bad on Stine Rd. and to dump 340 cars into it will make it worse. I watched a man die at the end of my driveway because there are no sidewalks or stop lights.

Keith Grager, 7053 Southern Vista Drive, was sworn in. Mr. Grager stated that he wants to apologize for being outspoken. I am just passionate. Every time it rains we have a river that flows in-between our houses. I have dealt with the owner of the land and he is a liar. He has been cutting down trees when he said he would not cut them down. The people here representing the Applicant are being paid to be here. We live here in this community. We are not against the development but when it is being presented like this and not fully thought out we are. There is land down the road they can build communities on, we just want you to hear our concerns. We do not live in a flood plain yet we are getting flooded.

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Thomas Kumbusky, 4347 Antioch Dr was sworn in. Mr. Kumbusky stated he is representing his mother, Eugenia Kumbusky at 4347 Antioch Dr, which is two blocks west of the proposed development. He states that he has noticed in the literature it talks about a planned district and what the purpose of it is. He states that a conventional development may be inappropriate for this property. I think it would harmful to the neighborhood. Packing in houses I find to be incongruous with the rest of the neighborhood. They are all half acre lots over there. I have been dissatisfied with their attention to storm water. It has been a big issue in West Enon for the last several years but it seems to be exacerbated since the restructuring of Stine Road. Channeling all the storm water into Mud Run is not a good alternative. The traffic is also an issue, waiting five minutes to turn right.

Kathleen Baber, 33 Winding Dr., was sworn in. Mrs. Baber talked about the traffic at the lower end of Stine Rd. by St. Andrews Church. If you are adding 200 to 250 cars, that is a huge problem. It is not easy to see there. Whether this is approved or disapproved, what are the next steps? Chairperson Brust explained the rezoning case moves to the County Commissioners who have the final say.

Carol Culberson, 5825 Garrison Rd., was sworn in. Mrs. Culberson encouraged everyone to get involved with Mud Run. She said she is concerned with the aquatic wild life.

A resident asked about the Board's decision being publicized. Chairperson Brust explained the next steps in the rezoning process. The Board makes a recommendation to the County Commissioners who, following their own public hearing, will make the final decision.

Chairperson Brust asked for rebuttal from the Applicant. Mr. Smith responded and stated that they would like to Table and let us make some changes with the proposal

Chairperson Brust asked Tom Bender about the percentage of cars turning left. Mr. Bender responded they will do a traffic impact study and give us recommendations based off of that. The county engineer's did a traffic impact study for the new school and have been implementing that with the Enon-Xenia Rd. project.

Chairperson Brust stated I have noticed coming in from the west side the speed limit is 35 mph then goes to 55 mph. Mr. Binder responded speed limits are set by ODOT, not the County Engineer. We can do a speed study and provide that to ODOT.

With no further comments, Chairperson Brust closed the public portion of the hearing at 11:57 am and asked for Board discussion.

Action on Rezoning Case #Z-2021-05 ~ Property Owner/ Applicant: Hillside Creek Farms LLC; Agent: Gary Smith, G2 Planning & Design ~ Location: 6766 Stine Rd., Mad River Twp. ~ Request: Rezone 42.05 acres from A-1 and R-1 to PD-R for a 170-lot single-family subdivision.

Motion by Mr. Jurick, seconded by Mr. Hays, to **Table** the Applicant's rezoning request and asking the Applicant to respond to the following 8 recommendations:

- 1) Meet with the neighbors.
- 2) Updated stormwater/surface water calculation is submitted.
- 3) Run off on north and south area with calculations; are pre and post the same.
- 4) Are traffic turns lanes needed.
- 5) Think about reducing the number of homes.
- 6) Recalculate open space area; consider preserving farmland.

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- 7) The buffer and finding a way to get on the property either by the developer or the HOA for (maintenance).
- 8) Regarding Section 401 of the county zoning regulations, make sure you provide all required information.

VOTE: Yes: Mr. Jurick, Mr. Hays, Mr. Leis and Mr. Lane.

No: None.

Motion Carried.

Staff Comments

Next scheduled meetings are June 10 and July 14, 2021.

Adjournment

Motion by Mr. Hays, seconded by Mr. Leis, to **Adjourn.**

VOTE: Motion carried unanimously.

The meeting was adjourned at 12:00 pm.

Mr. Ken Brust, Chairperson