

# **Minutes**

## **Clark County Planning Commission**

Regular Meeting ~ 2:00 p.m.  
Tuesday, July 2, 2019

Springview Government Center  
3130 East Main Street  
Springfield, Ohio 45505

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

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

Absent For Roll Call: Mr. Stickney, Mrs. Stevenson and Commissioner McGlothin

### **Excuse Absence of Board Member**

Motion by Mrs. Anderson, seconded by Ms. Roberge, to excuse the absence David Stickney due to surgery.

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

**No:** None.

**Motion carried.**

### **Approval of the June 5, 2019 Minutes**

Motion by Mrs. Roberge, seconded by Ms. Maurer, to **Approve** the minutes as presented.

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

**No:** None.

**Abstain:** Commissioner Lohnes and Mr. Wallace.

**Motion carried.**

Chairperson Scholl asked for Staff to present the first case.

Mrs. Stevenson arrived at 2:07 p.m.

### **Preliminary Subdivision Case #SB-2019-03 ~ Property Owner/Applicant: Wenrick Family Limited Partnership, Dayton-Springfield Rd; Mad River Twp. ~ PID 180-06-00031-200-020, approval for a three non-residential lots and the extension of Speedway Dr.**

Mr. Allan Neimayer, Senior Planner, stated the subject property is located on the north side of Dayton-Springfield Rd., PID #180-06-00031- 200-020, and consists of 25+ acres. The property is zoned I-1 (Industrial District), which in addition to allowed I-1 uses also allows allowed B-district uses. The Applicant is requesting Preliminary Plan approval for the Speedway Drive Extension Subdivision, which will consist of Lot 1 (existing Speedway Office, 600 Speedway Dr.); Lot 2 of approximately 7.5 acres; Lot 3 of approximately 5.0 acres and the extension of Speedway Drive to Dayton-Springfield Rd. of approximately 2.15 acres in public right-of-way.

The Preliminary Subdivision Plan has been submitted to the Tax Map Office for review. Staff has spoken with the Applicant's surveyor/engineer regarding missing parcel description information. This information, along with other comments from the Tax Map Office, will need to be added to the subdivision plan. Copies of the Preliminary Plan and construction drawings associated with the subdivision were distributed to the Technical Review Committee. The Applicant's engineer/surveyor also provided electronic drawings that were forwarded to the Technical Review Committee. The County Utilities Department has provided a comment letter dated June 24, 2019 regarding the initial construction drawing submittal. Those comments have been forwarded to the Applicant's engineer/surveyor.

Mr. Neimayer stated there is no floodplain involved with the subject property. Floodplain does exist west of the subject property. Lots 2 and 3 will be serviced by public water, provided by the Village of Enon, and with public sanitary sewer, provided by Clark County Utilities Department. The subject property is zoned I-1 (Industrial District). No specific development for Lots 2 and 3 has been identified at this time. The I-1 development standards and other applicable zoning regulations will apply at the time of development.

The subject property is located within Enon's Wellhead Protection Area (5-year time of travel). Per Section 113.03 of the county zoning regulations, development within this protection area boundary are subject to the village's wellhead protection regulations. In addition, the Village of Enon and the property owner (Wenrick Family Limited Partnership) have entered into an agreement on March 13, 1997 that prohibits certain developments that could be harmful to the wellhead area.

Staff Recommendation: The Applicant's engineer/surveyor is aware of missing parcel description information. This information must be added to the subdivision plan along with any additional information as identified by the Tax Map Office. Staff recommends the Applicant's request for Preliminary Subdivision Plan approval be granted as submitted subject to all comments from the Tax Map Office, County Engineer's Office and County Utilities Department be resolved and approved by those departments respectively. Mr. Neimayer stated the access (from Dayton-Springfield Road) is still under review. He noted the Tech Review comments included the Village of Enon. He noted comments regarding the survey and the construction drawings have been forwarded to the Applicant's engineer/surveyor.

Chairperson Scholl asked if there were questions for Staff.

Mrs. Roberge stated it is great that there is continued developed.

Commissioner Lohnes asked for the process for the pending items to be done. Mr. Neimayer responded there would be communication to the Applicant with resubmittals for final approve. He stated the Applicant would like to come back to Planning Commission in August, but unless all the things are changed, that may not enough time.

Mrs. Stevenson stated the process starts with Planning Commission approval and final plat bonding goes to commissioners.

Mr. Scholl stated the plat is in Mad River Township, but has village utilities. Mr. Neimayer clarified water only (from the Village of Enon).

With no further questions for Staff, Chairperson Scholl opened the public hearing at 2:14 pm. and asked if the Applicant would like to speak.

Shelby Engle, Engineer, CMT, was sworn in. Ms. Engle stated it has been great working with staff. She stated there is a need for two parcels; need approval for Lots 1 and 2 to allow for a road extension. She stated there are no other changes. She then stated she was happy to answer any questions.

Hearing none, Chairperson Scholl asked if anyone else wished to speak.

Mr. David Boyer, 5964 Dayton Springfield Rd., was sworn in. Mr. Boyer asked if it planned to be a three lane road. Mr. Neimayer responded it is an extension of current road, but will defer the question to the County Engineer's Office. Mr. Boyer noted it is on a hill with a no passing zone, he stated it may need to be monitored because it is on a hill. He asked how many lanes? He then asked about drainage. He said it is a concern because there is a natural creek, and he does not want it interrupted. Mr. Boyer noted there has been increased water on his property this year, maybe from the temporary road.

Commissioner Lohnes stated there will be a traffic impact study.

Mr. Jason Blair, 5980 Dayton-Springfield Road, was sworn in. Mr. Blair stated there has been a water and drainage issue since the new driveway to Speedway. He stated he wanted to make sure it is addressed.

Mrs. Roberge stated water runoff is covered during engineering (storm water) review. Commissioner Lohnes stated a drainage plan is required. Chairperson Scholl added that it is reviewed and no additional run off can be created.

Mr. Boyer stated the run off was not there before the access road and now it is there. It was noted by several Board Members that Clark County has had a record number of rainfall this year.

Kevin Siferd, Village of Enon Administrator, 363 E. Main St., Enon, OH, was sworn in. Mr. Siferd stated even though the properties are located outside the Village's corporate limits, the consensus of Village Council members is there is no objection to this project and it is important that Speedway Drive be extended to Dayton Road for convenience and safety reasons. The existing water line is owned and operated by the Village of Enon. Applicant's plans for lowering or relocating this water line must have Village approval. While this is not a zoning issue, it is important to note that there are deed restrictions placed on these parcels by mutual agreement of the property owner and the Village due to the proximity of the Village's water supply. These restrictions have been recorded.

Ms. Engle stated the drive is proposed at 36 ft. wide and the intersection (at Dayton-Springfield Road) still to be determined. She stated other pieces are still being worked on. She noted information about the hill on Dayton Springfield Road will come from the traffic impact study later. She stated in reference to drainage, there is a stream and the pipe size will need to be increased to 36" pipes and there should not be any drainage issues. She noted it (drainage) will be taken care of.

Mr. Boyer asked if the pipes will be in the same location. Ms. Engle responded yes. There will be one north and south, noting there is a temp pipe there now.

Mr. Blair asked if there would be more water. Ms. Engle responded they have to meet the same conditions as before it is disturbed.

Mrs. Anderson asked what is there today. Ms. Engle responded a temporary gravel road. She stated they have to meet prior conditions, cannot do anything different.

Mr. Boyer noted there is a lot of water under the temporary road.

Ms. Engle stated there will be a couple of taps into water line and acknowledged the deed restrictions.

Chairperson Scholl asked about storm water detention on the two lots. Mr. Neimayer responded storm water review goes to the County Engineer's Office based on end use. There is no end use at this time. Chairperson Scholl stated the developer can do it for the entire plat or each lot has its own once developed. Ms. Engle confirmed there are no end uses at this point. She stated either option could work. Chairperson Scholl stated that is a concern of the residents. He stated there will be details when the lots are developed. He noted the applicant can't make the drainage worse.

With no further questions, Chairperson Scholl closed the public hearing at 2:36 pm.

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

**Action on Preliminary Subdivision Case #SB-2019-03 ~ Property Owner/Applicant: Wenrick Family Limited Partnership, Dayton-Springfield Rd; Mad River Twp. ~ PID 180-06-00031-200-020, approval for a three non-residential lots plus and the extension of Speedway Dr.**

Motion by Mrs. Roberge, seconded Mr. Wallace, to **Approve** the Preliminary Plan as presented with conditions identified by Staff.

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

**No:** None.

Motion carried.

**Rezoning Case #Z-2019-05 ~ Property Owner/Applicant: Ashlynn Lucas ~ 4765 - 4767 E. National Road; Harmony Twp.; Rezone 1.61 acres from B-1 & B-3 to R-1 for single family residential use.**

Mr. Neimayer stated the subject property is located at 4765-4767 E. National Rd. and consists of 1.6 acres. The property was previously two separate parcels: the west parcel zoned B-1 (Neighborhood Business District); the east parcel zoned B-3 (General Business District). The Applicant combined the two parcels in May 2019. Recent use of the property is single-family residence. Following the recent lot combination, the Applicant would like to rezone the subject property from B-1 & B-3 to R-1 (Rural Residence District) and continue the single-family residential use.

Mr. Neimayer stated the subject property was zoned B-1 and B-3 respectively in 1971 when zoning was originally adopted in Harmony Township. Although the property has had commercial use in the past, current owners use the property for single-family residential use and want to have the property rezoned accordingly. The CONNECT Clark County Land Use Plan subject property in a Mixed Use, Low Intensity area: Large-scale activity centers that may integrate places to work, shop, and live in a walkable pattern. These centers should emphasize employment uses with secondary residential and commercial. The subject property is not located in a floodplain. However, there is floodplain on the north side of US 40 (E. National Road) associated with Beaver Creek. The subject area does not have public water or sanitary sewer.

# **Minutes**

## **Clark County Planning Commission**

Staff Recommendation: Although the Applicant has asked for R-1 (Rural Residence District) zoning, Staff feels R-2 (Low Density Single-Family Residence District) is more appropriate. It would be consistent with most of the adjacent single-family residential uses, currently zoned R-2. Therefore, Staff recommends the rezoning the subject property from B-1 & B-3 to R-2.

Chairperson Scholl asked if there were questions for Staff.

Mrs. Anderson asked Staff if the Applicant is aware of the change based on staff's recommendation. Commissioner Wilt asked the Applicant if he is okay with R-2 zoning Mr. Jared Lucas, Applicant, 4765-4767 E. National Rd., responded yes.

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

**Action on Rezoning Case #Z-2019-05 ~ Property Owner/Applicant: Ashlynn Lucas ~ 4765 - 4767 E. National Road; Harmony Twp.; Rezone 1.61 acres from B-1 & B-3 to R-2 for single family residential use.**

Motion by Mrs. Roberge, seconded by Mrs. Stevenson, to **Approve** the rezoning from B-1 & B-3 to R-2 as presented.

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

**No:** None.

***Motion carried.***

### **Staff Comments**

Mr. Neimayer informed the board of the next scheduled meetings as August 7 and September 4, 2019.

### **Adjournment**

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

**VOTE: Motion carried unanimously.**

The meeting was adjourned at 2:44 p.m.

---

Mr. Mark Scholl, Chairperson