

DEVELOPMENTAL CONTROLS COMMITTEE

March 16, 2010

There was a meeting of the **Developmental Controls Committee** of the Lima-Allen County Regional Planning Commission held on **Tuesday, March 16, 2010 at 3:00 p.m.** in the Conference Room of the Commission office located at 130 West North Street, Lima, Ohio.

The agenda was as follows:

1. Roll Call
2. Approval of Agenda
3. Approval of DCC Minutes – January 5, 2010
4. Review Sugar Creek Township Zoning Amendment (SC-01-10)
5. Other
6. Adjournment

A quorum being present, Bruce Plumb brought the meeting to order and proceeded with the agenda.

1. **ROLL CALL**

Mr. Paul Basinger	American Township
Mr. Jerry Brooks	Richland Township
Mr. Lloyd Grimm	American Township
Mr. John MacDonell	City of Lima
Mr. Bruce Plumb	City of Lima
Mr. Dan Reiff	Allen County
Mr. Jesse Sadiua	City of Lima
Mr. Mike Stout	Auglaize Township
Mr. Troy Strayer	Village of Elida

GUESTS

Mr. Ron Meyer	Allen County Engineer's Office
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STAFF

Mr. Thomas Mazur	Lima-Allen County Regional Planning Commission
Ms. Lisa Steffen	Lima-Allen County Regional Planning Commission

2. **APPROVAL OF AGENDA**

Motion 7 (3-16-10) DCC

Jerry Brooks made the motion that the agenda be approved. Seconded by John MacDonell; motion carried.

3. **APPROVAL OF DCC MINUTES – January 5, 2010**

Motion 8 (3-16-10) DCC

Paul Basinger made the motion that the DCC minutes of January 5, 2010 be approved. Seconded by Dan Reiff; motion carried.

4. REVIEW SUGAR CREEK TOWNSHIP ZONING AMENDMENT (SC-01-10)

Thomas Mazur reported that the subject parcel is 0.412 acres located along Lincoln Highway on the western edge of the unincorporated Village of Gomer in Sugar Creek Township. The property is currently zoned R-1 Residential. Thomas Mazur reported that the applicants seek to change the zoning district designation to B-2 Business for the purpose of expanding parking facilities and a possible future office building and retail outlet. Examining adjacent land use, to the north is a mix of agricultural and residential, to the south and west is residential; land to the east is owned by the applicant, Gomer Equity properties, with grain elevator/retail/administrative operations encompassing the site. Thomas Mazur reported that the site drains into the Pike Run Sub-Watershed of the impaired Ottawa River. There is no evidence of the 100-year Floodplain as depicted on FEMA-FIRM panel number 390758 0050 B, and is considered Zone X. No wetlands are identified as being located on the parcel; nor are there any archaeological sites identified at this location. Thomas Mazur reported that Lincoln Highway is identified as Rural Major Collector on the Federal Classification System. The parcel is located at the intersections of Lincoln Highway, Cambria and Pike streets, which experiences 741 entering vehicles each day. The intersection currently operates at a LOS A. The intersection is not identified as a high crash intersection location, and is not subject to Allen County Access Management Regulations. Thomas Mazur reported that it is important to note that no site plan nor development permits were submitted with the petition. Thomas Mazur reported that staff acknowledges the varied mix of uses and suggests the propinquity of residential properties establishes some unique land use issues with respect to the applicants' proposed use. Issues of dust, noise and aesthetics are readily identified as concerns for redevelopment of the enlarged site. Noting the peculiar shape of the parcel, current zoning setbacks for front yards 90' back from the centerline of Lincoln Highway, 55' back from the centerline of Cambria and 35' rear yard setback preclude much of the irregular shaped parcel from commercial uses other than parking. Thomas Mazur reported that there are a few issues staff recognizes and suggests that the Township consider regarding the site. One issue is the elevator operation predates zoning. Staff is also concerned with the integration of some type of vegetative screening that would help minimize the glare of headlights, dust and particulate debris on adjacent landowners. Thomas Mazur reported that staff recommends that the applicants request be denied based on potential land use conflicts and spot zoning. Thomas Mazur reported that staff subsequently recommends that the applicant consider joining all Gomer Equity parcels as a single property to minimize yard setback requirements and rezone the reconfigured lot to reflect a Manufacturing District designation to eliminate potential spot zoning issues, better reflect the character of the actual land use and eliminate any potential zoning enforcement issues with respect to use issues. Thomas Mazur reported that staff further recommends that the character of nearby agricultural and residential properties be protected with lighting, signage and buffering integrated into any future site plan. Incorporation of an adequate buffer will not only minimize dust and glare on adjacent properties but has the ability to provide an attractive gateway/signage into the Village of Gomer.

John MacDonell questioned if tar and chip would be an option for the landowner in constructing a parking lot at the location. Bruce Plumb commented that tar and chip would not handle heavy vehicles and would end up causing more dust. Bruce Plumb commented that tar and chip is not made for business or commercial but is for automobile traffic on roads. Thomas Mazur commented that due to the weight of many of the vehicles that would be entering the site, concrete approaches would probably be recommended. Jerry Brooks questioned if the parcels could all be rezoned commercial. Thomas Mazur responded that the predominant use of the parcel must be considered when rezoning. At this site, the predominant use is a grain elevator which would fit under the Manufacturing zoning classification. Thomas Mazur reported that Sugar Creek Township is rather restrictive in their zoning classifications. If the grain elevator would shut down, the parcel would have to

4. REVIEW SUGAR CREEK TOWNSHIP ZONING AMENDMENT (SC-01-10) (Continued)

be rezoned before it could become something else that did not fall under the Manufacturing zoning classification.

Troy Strayer commented that he is concerned that part of the application states that the property could be used for a partial retail business or office. Thomas Mazur commented that because of the way Sugar Creek Township's zoning is set up, the Manufacturing District is much more restrictive than B-2 General Business, but would allow for ancillary related uses.

Jerry Brooks questioned what the degree of maintenance would be for the vegetative buffer. Thomas Mazur commented that the enforcement of this would be up to the zoning inspector. Troy Strayer commented that the zoning inspector would attempt to enforce the maintenance of a vegetative buffer. Jesse Sadiua commented that there is not real control unless the Township has landscaping or vegetative regulations. Jesse Sadiua commented that you can only hope the property owner will maintain it. Thomas Mazur commented that one would think that after the property owner spent the money to put in the buffer that they would maintain it. Jesse Sadiua commented that this is not always the case. Thomas Mazur commented that in this situation the property owner is local and a member of the community. Troy Strayer reported that Jennings-Gomer Equity is actually run by a Board of Directors with a large majority of them being from Gomer.

Motion 9 (3-16-10) DCC

Jerry Brooks made the motion to deny SC-01-10 based on potential land use conflicts and spot zoning. Seconded by Troy Strayer; motion carried.

Motion 10 (3-16-10) DCC

John MacDonell made the motion to recommend that the applicant consider joining all Jennings-Gomer Equity parcels as a single property to minimize yard setback requirements and rezone the reconfigured lot to reflect a Manufacturing District designation to eliminate potential spot zoning issues, better reflect the character of the actual land use and eliminate any potential zoning enforcement issues with respect to use issues; it is also recommended that a rezoning to M-Manufacturing be contingent upon protecting the character of nearby agricultural and residential properties with lighting, signage and vegetative buffering integrated into any future site plan as the incorporation of an adequate vegetative buffer will not only serve to minimize dust and glare on adjacent properties but offers the ability to provide an attractive gateway/signage into the Village of Gomer. Seconded by Paul Basinger; motion carried.

5. OTHER

Thomas Mazur reported that he hopes to review the Spencer/Spencerville Comprehensive Plan with the DCC at the next meeting.

Thomas Mazur reported that he would also like to discuss the possibility of revisiting the PUD standards to allow smaller acreage requirements. Typically 10 to 15 acres are required. Thomas Mazur commented that PUDs often reflect golf course communities or retail/residential/commercial mixes. Thomas Mazur commented that there have been several developers questioning why they cannot put in PUDs on a smaller scale. Thomas Mazur commented that with the current economic climate and the number of smaller parcels available it may be a good idea to open the door for infill development. Thomas Mazur commented that he is interested in what the Committee members think.

6. **ADJOURNMENT**

Motion 11 (3-16-10) DCC

John MacDonell made the motion that the meeting be adjourned. Seconded by Troy Strayer; motion carried.