

DEVELOPMENTAL CONTROLS COMMITTEE

April 25, 2023

The Developmental Controls Committee of the Lima/Allen County Regional Planning Commission held a meeting on Tuesday, April 25, 2023, at 3:00 p.m. in the Conference Room of the Commission office located at 130 West North Street Lima, Ohio.

For the good of the order, attendance was called, and with a quorum present, in person, Chuck Schierloh brought the meeting to order at 3:00 pm and proceeded with the agenda.

1. ROLL CALL

Mr. Paul Basinger	American Township
Mr. Brad Baxter	Bath Township
Mr. Kevin Cox	Perry Township
Mr. Steve Ewing	Auglaize Township
Mr. Jerry Gilden	Marion Township
Mr. Chuck Schierloh	City of Lima

GUESTS

Mr. Bradley Gossard	-01-23
Mr. Ken Meyer	Bath Township Zoning Inspector

STAFF

Mr. Adam Haunhorst	Lima-Allen County Regional Planning Commission
Ms. Shaunna Basinger	Lima-Allen County Regional Planning Commission

2. APPROVAL OF AGENDA

Motion 34 (4-25-23) DCC

Steve Ewing made the motion that the agenda be approved. Seconded by Kevin Cox, the motion carried.

3. APPROVAL OF DCC MINUTES – April 11, 2023

Motion 35 (4-25-23) DCC

Brad Baxter made the motion that the DCC minutes of April 11, 2023, be approved. Seconded by Jerry Gilden; motion carried.

4. STAFF RECOMMENDATION: BATH TOWNSHIP ZONING PETITION BA-01-23

Mr. Haunhorst presented the resubmission of zoning petition BA-01-23 requesting to change a parcel of land in Bath Township from R-1 to R-2 to facilitate the building of a multi-family residence. Haunhorst reminded the committee that the area zoning is mixed with R-1, R-2, and rural all being represented. There is an R-2 lot adjacent to this parcel. No new lots are being created as part of this submission therefore there are no access management concerns. Although this petition “ticks several boxes”, (i.e. adjacent to R-2, fairly congruent with the land use in the area, provides much needed multi family housing stock) the proposed land division is in direct conflict with the Bath Township Comprehensive Plan (2017). Therefore the staff recommendatrion remains denial.

Mr. Gossard took the floor to read his prepared statement (also included within these minutes). Before doing so, Mr. Gossard stated that the only contradiction in the comprehensive plan to this project was on page 130 (2040 Generalize land use) where it specifies this parcel as “low density residential”. Jerry Gilden asked if the neighboring parcels were developed according to this comprehensive plan as well.

Ken Meyer answered that adjacent development neighboring the lot in question was developed pre 2017 when the current comprehensive plan was put in place, and that the 2017 updated comprehensive plan remains mostly unchanged from its 2005 predecessor. Mr. Cox questioned whether the neighboring parcels were R-2 and compliant; the answer was yes.

It was discussed that Mr. Gossard's original plan for this parcel included units which would require R-3 zoning. However, due to a mistake on the original application in which he petitioned for R-2 rezoning, he is willing to alter his plan to be in conformance with the R-2 rezoning. Mr. Gossard stated that he may divide the parcel at a later time to facilitate additional buildable lots. Mr. Haunhorst indicated that because of conflicts with width to depth that action would again be brought before this committee for approval.

Mr. Baxter gave his thoughts stating while he was not present for the creation of the original comprehensive plan he was unsure of the reasoning behind the restrictions regarding the zoning of this area. Going further Baxter said that he didn't see a reason to restrict this rezoning when there is R-2 parcels abutting and in the area.

Ken Meyer, clarifying that he also wasn't present for the 2005 comprehensive plan, spoke to the possible reason for the decisions made stating that this land was undeveloped and considered "woods" up until Mr. Gossard cleared the parcel for development. When prioritizing future development this parcel would not have been likely considered.

Mr. Haunhorst then clarified that this committee was either going to accept or reject the staff recommendation today and that would then be forwarded to the trustees who would then make an official decision. Mr. Gilden questioned what response Bath Township gave at the most recent township zoning commission meeting, which was the reasoning behind tableing this matter at the last meeting, allowing more input from the township before the committee ruled. Mr. Gossard shared that the township zoning board held a public hearing where members of the public shared their opinions and some concerns regarding the belief that apartments bring a "characteristic style of person" which they do not want living next to them. Gossard has reached out to Scott Campbell, the assistant zoning inspector, for their written reasoning of the No vote.

Gossard shared further information regarding the project plans stating that the target tenant will be a mixture of short term leases for professionals (covenants, medical students, etc) and long term leases. Ken Meyer further posited that the rendered images of the project (provided in meeting) were in line with an R-3 development (ie, the original plans) and do not reflect the a compliant R-2 development .

Steve Ewing spoke to the need for housing in Allen County and the need to encourage responsible development and ownership explaining further that he believe Mr. Gossard qualifies as this. Mr. Basinger gave comments in support of Mr. Ewing statements expressing his confidence in Mr. Gossard's developments to maintain these properties and the integrity of the neighborhood.

Jerry Gilden also shared his support for this project stating his opinion to deny the staff recommendation. Mr. Gilden also spoke on the need to encourage local people to develop and invest and not leave it to out of town entities.

Ken Meyer spoke to Bath Township Fire Department's, specifically Chief Kitchen, concerns for fire emergency accessibility. Mr. Meyer went on to state the existence of two fire hydrants easily accessible to this parcel. Mr. Gossard also shared his request for response times which are acceptable at approximately three minutes.

(Letter shared by Mr. Gossard)

Dear Planning Commission,

I am writing to you regarding my zoning petition, which has been recommended for denial by the staff due to a small conflict within the current comprehensive plan. I would like to take this opportunity to emphasize the importance of my proposal in light of the overall and majority of the 2040 comprehensive plan alignment.

As you know, the 2040 comprehensive plan clearly identifies a need for additional housing units in the Bath Township area, and my proposal for a new multi-family housing development directly addresses these identified needs. I strongly believe that this location is perfect for a multi-family project, as it does not utilize or take from any agricultural ground, public utilities are already in place, and the neighborhood to the east is designated high density. Furthermore, there is surrounding R-2 in place, which supports the development of this type of project in this area.

Lastly, please note my sincere appreciation for the time and effort that the staff has devoted to reviewing my development plan. I understand that the staff has recommended denial of my proposed development due to the verbiage on page 130 of the Comprehensive Plan that lists the plat in question under its "Generalized Land Use" map as low density residential. While I respect the staff's recommendation, I would like to respectfully request that the voting board considers my proposed development plan in its entirety and vote to recommend.

As the Comprehensive Plan acknowledges, the 2040 plan is intended to serve as a guide for future land use and development in the Township. I strongly believe that my proposed development largely aligns with the goals and objectives of the Comprehensive Plan. While the plat in question may be designated as low density residential, my development plan proposes a use that is consistent with the surrounding area and promotes responsible growth and development in the Township.

I urge you to reconsider the staff's recommendation and support my petition, as it will contribute significantly to the township's infrastructure and provide much-needed housing for the community. Thank you for your time and consideration.

Sincerely,
Bradely Gossard
Goard Development, LLC

Motion 36 (4-25-23) DCC

Kevin Cox made the motion to deny the staff recommendation for Zoning Petition BA-01-23. Seconded by Steve Ewing; motion carried. Baxter abstained.

5. OTHER

6. ADJOURNMENT

Motion 37 (4-25-23) DCC

Steve Ewing made the motion to adjourn Seconded by Paul Basinger; the motion carried.