



LIMA-ALLEN COUNTY REGIONAL PLANNING COMMISSION

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Executive Director

TO: DEVELOPMENTAL CONTROLS COMMITTEE
Mr. Randy Ackerman Mr. Paul Basinger
Mr. Brad Baxter Mr. Mark Bishop
Mr. Kevin Cox Mr. Steve Ewing
Mr. Jerry Gilden Mr. Kent McCleary
Mr. Bruce Plumb Mr. Doug Post
Mr. Walter Rysz

FROM: Mr. Randy Ackerman, Chairman

DATE: May 5, 2020

RE: D C C Meeting

There will be a meeting of the **Developmental Controls Committee** of the Lima-Allen County Regional Planning Commission held on **Tuesday, May 12, 2020** at **3:00 p.m.** in the Conference Room of the Commission office located at 130 West North Street, Lima, Ohio.

The agenda will be as follows:

1. Roll Call
2. Approval of Agenda
3. Approval of DCC Minutes – February 4, 2020
4. Review of Executive Committee Action on Bath Township Variance Petition (BA-V01-20)
5. Review Bath Township Zoning Petition (BA-03-20)
6. Review Monroe Township Variance Petition (MO-V01-20)
7. Other
8. Adjournment

cc: Mr. Ken Meyer, Bath Township Zoning Inspector
Mr. Scott Campbell, Bath Township Zoning Inspector
Bath Township Trustees
Monroe Township Trustees

NOTE: Please call the Commission office and confirm whether or not you will attend.



DEVELOPMENTAL CONTROLS COMMITTEE

May 12, 2020

There was a meeting of the **Developmental Controls Committee** of the Lima-Allen County Regional Planning Commission held on **Tuesday, May 12, 2020 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 – February 4, 2020
- 4. Review of Executive Committee Action on Bath Township Variance Petition (BA-V01-20)
- 5. Review of Bath Township Zoning Petition (BA-03-20)
- 6. Review Monroe Township Variance Petition (MO-V01-20)
- 7. Other
- 8. Adjournment

A quorum being present via teleconference. For the good of the order, attendance will be called, please confirm your presence. Kevin Cox brought the meeting to order and proceeded with the agenda (Randy Ackerman was unable to attend due to a previous engagement).

1. ROLL CALL

Mr. Randy Ackerman	Jackson Township
Mr. Paul Basinger	American Township
Mr. Brad Baxter	Bath Township
Mr. Kevin Cox	Perry Township
Mr. Steve Ewing	Auglaize Township
Mr. Bruce Plumb	City of Lima
Mr. Walter Rysz	Richland Township

GUESTS

Mr. Scott Campbell	Bath Township
Mr. Shane Coleman	City of Delphos
Mr. Ken Meyer	Bath Township
Mr. Clarence Roller	Bath Township

STAFF

Mr. Thomas Mazur	Lima-Allen County Regional Planning Commission
Mr. Cody Doyle	Lima-Allen County Regional Planning Commission

2. APPROVAL OF AGENDA

Motion 14 (05-12-20) DCC

Walter Rysz made the motion that the agenda be approved. Seconded by Steve Ewing; motion carried.

3. APPROVAL OF DCC MINUTES – February 4, 2020

Motion 15 (05-12-20) DCC

Walter Rysz made the motion that the DCC minutes of February 4, 2020 be approved. Seconded by Bruce Plumb; motion carried.

4. REVIEW OF EXECUTIVE COMMITTEE ACTION OF BATH TOWNSHIP VARIANCE PETITION (BA-V01-20)

Thomas Mazur reported a packet was emailed to all of the Committee members detailing the Executive Committee's actions regarding this variance petition in Bath Township. Thomas Mazur reminded the Committee members that by the RPC Bylaws the Executive Committee makes the final approval on the actions of the internal committee structure including the DCC. Thomas Mazur reported that due to the COVID-19 protocols, staffing levels and quorum constraints that this variance petition, was submitted directly to the Executive Committee for its review and approval and that this discussion is for information purposes only. Thomas Mazur stated that the subject parcel is owned by Kenneth Lugibihl of Bluffton, Ohio. The 17.7-acre parcel has access off SR 81. The owner is interested in splitting off a 4.19-acre parcel, and leaving a 13.5-acre parcel as the remainder (See Attached Exhibit). Thomas Mazur reported that currently, County Subdivision Regulations require 65' of public roadway frontage. Frontage on SR 81 would only have 50' of public roadway frontage – hence the need for the variance. Thomas Mazur reported that Bath Township zoning only requires 50' for such commercial development and that in this particular case the 50' of frontage would suffice. Staff recommends approval.

Scott Campbell confirmed that the Bath Township Zoning Resolution has a clause that allows for 50' of public roadway frontage.

Thomas Mazur stated that the Developmental Controls Committee has the responsibility to: (1) approve the variance petition as submitted; (2) approve the variance petition on conditions as specified; (3) deny the variance petition as submitted based on cause; or, (4) at the request of the petitioner table a decision until certain issues can be resolved.

Motion 16 (2-4-20) DCC

Paul Basinger made the motion to accept and file BA-V01-20. Seconded by Steve Ewing; motion carried.

5. REVIEW BATH TOWNSHIP ZONING PETITION (BA-03-20)

Thomas Mazur reported the applicant is requesting a zoning map amendment from Residential-1 to Manufacturing-1. The parcel in question is located in the northeast quadrant of the intersection of Metzger and Reservoir roads in Bath Township.

Thomas Mazur stated from a transportation perspective the parcel has road frontage on both Metzger and Reservoir roads. Metzger Road is classified on the federal functional classification system as a local road; current traffic volumes reflect 105 vehicles per day (vpd). Bath Township is responsible for its maintenance. Reservoir Road is classified as a major collector on the federal system. Reservoir Road carries roughly 6,315 vpd. Reservoir Road maintenance responsibilities are borne by the Allen County Engineer. Posted speeds along the Reservoir Road corridor vary; however, the 85th percentile speed east of Metzger Road equates to 55.91 miles per hour (mph) while those east of Metzger Road have been

5. REVIEW BATH TOWNSHIP ZONING PETITION (BA-03-20) (Continued)

established at 57.47 mph. Thomas Mazur stated the operational area of the Reservoir/Metzger intersection revealed 7 crashes occurring over the 2015-2019 period. There were no fatal or serious injury crashes reported. Reservoir Road is identified in the County Access Management Plan as a category IV roadway. Design criteria for new development will need to meet standards and specifications therein (see pages 36 & 37 of the Regulations). The site is located within Zone 2 of the Allen County Regional Transit Authority and public transportation services including demand response services can be expected as per the ACRTA current standard operating procedures between the hours of 5:50 AM to 6:50 PM. The parcel is adjacent to a rail line operated by the Chicago, Fort Wayne & Eastern Railroad; daily service is estimated at 2 through trains and 2 switching trains. The loss of Bakan Crude Oil shipments has resulted in a significant drop (75%) in service. Freight rail services along the line is identified by the petitioner; however, no information regarding the project, including possible funding, was identified by the Ohio Rail Development Commission.

Thomas Mazur reported environmental issues including archeological, historical, cultural, and/or floodplains impacts were not identified after a cursory review. Soil data reflects Blount, Pewamo and Houcktown soils present on the parcel; such soils typically considered hydric may pose limiting conditions if not properly addressed in the design stage of site development. The parcel located at the intersection of Reservoir and Metzger roads has access to all public utilities. No attempt was made to assess capacity constraints of the utilities as the proposed use was not specifically identified by the applicant.

Thomas Mazur reported the applicants' proposed project reflects the construction of a 100,000 sq. ft. structure with the possibility of increasing the structure to 200,000 sq. ft. The petition also identifies the possible hiring of 80 new employees. The applicant requests a designation of Manufacturing-1 without specifying an associated NAICS code. The permitted uses within an M-1 district reflect automobile, truck and trailer parking, truck docks with loading and unloading areas, dumpsters, trash storage areas, material storage areas, and associated manufacturing activities.

Thomas Mazur reported current land use of the parcel is considered and taxed as agricultural. Adjacent land use on Metzger Road is considered low-density single family residential. Land use along Reservoir Road within 3300' of the intersection of Metzger and Reservoir roads reflects a mix of land use types including quasi-public, low-density residential, and medium-density residential (including Lakeside Estates, Wood Ridge Village, and Twin Lakes Subdivisions). Current zoning of the parcel is R-1 residential. The Bath Township Comprehensive Plan adopted in 2017 identifies future development of the tract as limited to agricultural use inclusive of low density residential.

Thomas Mazur stated staff raised concerns about the extent of truck traffic to be generated given the number of truck bays presented in the exterior rendering submitted as part of the applicant's petition. The petition does not provide hours of operation, the number of trucks to be generated, or the directional flow of truck traffic; a traffic impact analysis was not submitted with the petition and would have helped to illuminate such issues and bely such concerns. Fears also arise as to the impacts of noise and litter often associated with industrial tracts that are not adequately buffered. Staff accepts the fact that the petition included exterior renderings but contends that said drawings do not reflect the mandates established and required in Section 6.21 of the Bath Township Zoning Resolution adopted in 2012. Walter Rysz asked if the applicant has forwarded any other information as to what

5. REVIEW BATH TOWNSHIP ZONING PETITION (BA-03-20) (Continued)

their plans actually are. Thomas Mazur replied in the negative. Brad Baxter stated that there is not enough information for an approval of the petitioner's application. Kevin Cox asked if action should be tabled. Brad Baxter replied that he was not asking for action to be tabled and stated that in good conscious, he could not vote in favor of the petition as the petitioner's are not being forthcoming with information. Brad Baxter stated that he would like to know how this project would affect the Bath Township community.

STAFF'S RECOMMENDATIONS:

The petition requests an industrial zoning classification. Staff recommends denial of the zoning amendment petition as presented due to its inconsistency with the Township's Comprehensive Plan adopted in 2017.

DCC RESPONSIBILITIES:

The Developmental Controls Committee has the responsibility to: (1) approve the zoning amendment as submitted; (2) approve the zoning amendment on conditions as specified; (3) deny the zoning amendment as submitted based on cause; or, (4) at the request of the petitioner - table a decision until certain issues can be resolved.

Motion 17 (05-12-20) DCC

Walter Rysz made the motion to deny the application based on staff recommendation. Seconded by Steve Ewing; motion carried with one (1) abstention (Brad Baxter).

6. REVIEW MONROE TOWNSHIP VARIANCE PETITION (MO-V01-20)

Thomas Mazur reported that the subject parcel is owned by Steve M. & Pamela D. Robey of Cairo, Ohio. The 17.07-acre parcel has access off Stadler Rd. The owner is interested in splitting off a 2.754-acre parcel, and leaving a 14.316-acre parcel as the remainder (See Attached Exhibit). Thomas Mazur stated that currently, County Subdivision Regulations require 65' of public roadway frontage. While the remainder would have roughly 421' of frontage on Stadler Rd. and roughly 667' on Lincoln Highway; the proposed parcel, which is a flag lot, would have only 50' of public roadway frontage off Stadler Road. Thomas Mazur stated that staff cannot approve a minor land division under the Allen County Subdivision Regulations. Staff discussed the inability to approve the land division with the intended purchaser of the new parcel, and the real estate agent. Based on the stipulations of HB 22, such a land division would need to receive a variance from the Regional Planning Commission. Kevin Cox stated that he agreed that in the past, 50' frontage was the standard and agrees that the variance petition should be approved. Thomas Mazur stated that Monroe Township does not have zoning regulations therefore, the petition should be decided based on the County Subdivision Regulations and the Health Department Regulations.

STAFF RECOMMENDATION:

Staff recommends approval.

DCC RESPONSIBILITIES:

The Developmental Controls Committee has the responsibility to: (1) approve the variance petition as submitted; (2) approve the variance petition on conditions as specified; (3) deny the variance petition as submitted based on cause; or, (4) at the request of the petitioner table a decision until certain issues can be resolved.

6. REVIEW MONROE TOWNSHIP VARIANCE PETITION (MO-V01-20) (Continued)

Motion 18 (05-12-20) DCC

Walter Rysz made the motion to approve MO-V01-20 based on staff's recommendation. Seconded by Brad Baxter; motion carried.

7. OTHER

a. Revised Overall Development Plan for Autumn Ridge

Thomas Mazur reported that staff received copies of the Revised Overall Development Plan for Autumn Ridge this week. Staff meet with Eric Robey, the consulting engineer for the project. Th project over time has encountered a number of problems which required new surveys to be completed. Thomas Mazur stated that the only obvious elimination to the original plans is the elimination of a cul-de-sac. Originally, there were 5 small lots around the cul-de-sac.; Eric Robey is requesting a variance. The change has made the lots deeper changing the 1-3 width-to- depth ratio. Staff knows what the as-built sections look like and believes that the newer sections will be the same or better than what is currently in the subdivision. Thomas Mazur stated that all pertinent information was emailed to Ken Meyer & Scott Campbell for their review and comment. The information was also forwarded on to the Allen County Engineer's Office (ACEO), Allen County Sanitary Engineer's Office (ACSEO), Allen Soil and Water Conservation District (ASWCD) and the City of Lima Utilities Department. Thomas Mazur reported that staff expects a quick turn around and stated that the plans have already been forwarded to Richland Engineering in Mansfield, OH for review. Once staff receives Richland Engineering's comments, those comments will be forwarded on to the other engineers.

b. Floodplain Violations in Marion & Shawnee Townships

Thomas Mazur reported that staff has been dealing with a number of floodplain violations especially in Marion and Shawnee townships. People keep filling in the floodplains therefore, the water has nowhere to go. If the filling of the floodplains continues to be allowed, everyone in Allen County will be paying more for ditch cleanings and assessments. Thomas Mazur stated that the Allen County floodplain regulations are designed primarily only to assist residents to be able to purchase floodplain insurance.

8. ADJOURNMENT

Motion 19 (05-12-20) DCC

Brad Baxter made the motion that the meeting be adjourned. Seconded by Steve Ewing; motion carried.