



Lima/Allen County
**REGIONAL PLANNING
COMMISSION**

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

FROM: Mr. Chuck Schierloh, Chairman

DATE: April 20, 2021

RE: DCC Meeting

There will be a meeting of the **Developmental Controls Committee** of the Lima-Allen County Regional Planning Commission held on **Tuesday, April 27, 2021** at **3:00 p.m.** via ZOOM teleconference in the Conference room of the Commission office located at 130 W. North Street, Lima, Ohio.

The agenda will be as follows:

1. Roll Call
2. Approval of Agenda
3. Approval of DCC Minutes – March 30, 2021
4. Lost Creek Subdivision Overall Development Plan
5. Richland Township Zoning Petition (RI-01-21)
6. Sugar Creek Zoning Variance (SC-V01-21)
7. Other
8. Adjournment

To comply with Ohio Director of Health guidelines and order limiting/prohibiting group gatherings of more than 10 persons, no in-person attendance at LACRPC meetings by the public will be available. The public can view committee meetings via the LACRPC Facebook page at <https://www.facebook.com/Lima-Allen-County-Regional-Planning-Commission-114563720277180/>. Anyone wanting to exercise Privilege-of-the-Floor, for a committee meeting, must contact the LACRPC at 419-228-1836. Meeting agendas/minutes are published on the LACRPC website; click on the “Committees” tab on the left for more information.

Cc: Brian Bacon
Mike Zimmerly, Richland Township Zoning Inspector
Richland Township Trustees
Kent McCleary, Sugar Creek township Zoning Inspector
Sugar Creek Township Trustees

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

DEVELOPMENTAL CONTROLS COMMITTEE

April 27, 2021

There was a meeting of the **Developmental Controls Committee** of the Lima-Allen County Regional Planning Commission held on **Tuesday, April 27, 2021 at 3:00 p.m.** in the Conference Room of the Commission office located at 130 West North Street, Lima, Ohio.

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A quorum being present via teleconference. For the good of the order, attendance will be called, please confirm your presence. Chuck Schierloh brought the meeting to order and proceeded with the agenda.

1. ROLL CALL

| | |
|---------------------|-------------------|
| Mr. Brad Baxter | Bath Township |
| Mr. Mark Bishop | Shawnee Township |
| Mr. Kevin Cox | Perry Township |
| Mr. Steve Ewing | Auglaize Township |
| Mr. Jerry Gilden | Marion Township |
| Mr. Doug Post | Amanda Township |
| Mr. Chuck Schierloh | City of Lima |
| Ms. Beth Seibert | Allen County |

GUESTS

| | |
|-------------------|-------------------------|
| Mr. Brian Bacon | Bacon & Associates |
| Mr. Adam Clark | American Electric Power |
| Mr. Fred Danser | Petitioner |
| Mr. Greg Feathers | American Electric Power |

STAFF

| | |
|--------------------|--|
| Mr. Shane Coleman | Lima-Allen County Regional Planning Commission |
| Mr. Adam Haunhorst | Lima-Allen County Regional Planning Commission |

2. APPROVAL OF AGENDA

Motion 23 (04-27-21) DCC

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

3. APPROVAL OF DCC MINUTES – March 30, 2021

Motion 24 (04-27-21) DCC

Brad Baxter made the motion that the DCC minutes of March 30, 2021 be approved. Seconded Doug Post; motion carried.

4. LOST CREEK OVERALL DEVELOPMENT PLAN

Adam Haunhorst reported this is a new subdivision in Bath Township along the now defunct Lost Creek Golf Course. Shane Coleman stated for the benefit of the new Committee members that the Lima-Allen County Regional Planning Commission (LACRPC) does not receive many subdivision plans. Subdivision plans are submitted to several different agencies for review such as the Allen County Engineer's Office (ACEO), Allen county Sanitary Engineer's Office (ACSEO), City of Lima and any other agency that potentially has a stake in the project. Shane Coleman stated that additionally, the plans go to a third-party, Richland Engineering in Mansfield, Ohio, for an unbiased review. This is the first stage of the process. The next phase will be the review of the construction drawings.

Overview:

Mr. Brian Bacon, PE of Bacon & Associates, LLC, submitted an overall development plan for the proposed Lost Creek Subdivision in mid-March 2020. The project is located in Bath Township, SE ¼ of Section 32 as well as the SW ¼ of Section 33, and reflects 15 lots on approximately 5.966-acre. Access to the development is provided by Lost Creek Boulevard, Bristol Avenue, Willard Avenue, and Wellesley Drive.

Plan Review:

The proposed development is to be built on the site of the now abandoned Lost Creek Country Club along the existing Lost Creek Boulevard. The developer stated early on that his desire was to keep with the existing aesthetic of the neighborhood, and to provide affordable homes in the area. The ODP was submitted as per Section 302.3.6.5 which establishes a 36-month expiration period for such plans. The recessionary period precluded further development until now.

The DCC will review this submission for the first time on 4-27-2021, but had been made aware of the development at the 3-23-2021 meeting. At the time of this recommendation Lima Allen County Regional Planning has provided plans to all pertinent local agencies and has provided time in which to comment on the drawings. All comments are attached to this recommendation.

Review Comments:

A number of parties have provided comments relative to the proposed Lost Creek Subdivision. These comments include such items as future land use (section 302.3), building identification (section 302.3.2.3), property set back and easements (Section 302.3.2.4), watershed information (Section 302.3.2.6), zoning designation (Section 302.3.2.8), map scale (302.3.2.11), street parking (Table 3 page 36 of the Allen County Subdivision regulations), sidewalks (section 412), driveway access (Section 414.6), storm sewer easements (Section 416.2.2), and drainage calculations (Section 520). The exact requests can be found in the attached comments. LACRPC agrees with all of the comments provided by these agencies and would require each to be satisfactorily addressed before the subdivision approval moves forward to the next step.

4. **LOST CREEK OVERALL DEVELOPMENT PLAN** (Continued)

Staff Recommendation:

The staff has discussed the different comments provided to LACRPC and has determined each must be resolved prior to the construction drawing phase can begin. With that in mind, the staff recommends conditional approval of the Overall Development Plan, under the condition that all comments be satisfactorily addressed to the Planning Commission within thirty (30) days of the 4-27-2021 DCC Meeting. The ODP will be fully approved upon the resolution of all comments. The ODP will be valid for a period of 36 months commencing upon the day of final approval.

Comments:

(Richland Engineering Comments)

- Section 302.3 – Overall Development Plan – Lost Creek Country Club owns contiguous property to the North and Northeast of the development. What are the development plans for this contiguous property?
- Section 302.3.2.3 – Appears to be several buildings within the 400’ minimum distance associated with the former golf course the need identified along with a disposition (abandoned, to be demolished, re-purposed).
- Section 302.3.2.4 – Only front building setback lines identified and dimensioned. Provide rear and side building setback lines and dimensions/ Pond/drainage easements shown but not dimensioned. Will additional drainage easements be required to access the drainage easements at the rear of the property? Provide easement over the 350’ channel. Mapping does not provide an indication of the detention pond outlet to the north as describes in the Storm Water notes. Please provide complete mapping of the detention basin/basins outfall to the north showing easements and dimensions.
- Section 302.3.2.6 – plan does not include a depiction of, or an indication of the watershed affected.
- Section 302.3.2.8 – Please refer to the proper Bath Township Zoning District, RU: Rural, R1: Residential, etc.
- Section 302.3.2.11 – Location map containing the required information has been provided however is not legible. 2000’:1” is the smallest scale. Provide map at a scale that is legible.

(Allen County Engineer Comments)

- Address comments from Richland Engineering Limited
- Table 3, page 36 of the Subdivision Regulations for Allen County, Ohio: Due to the width of the street, parking will not be allowed on both side of the street. Signs may need to be installed stating no parking or parking on one side of the street only. If parking is permitted on one side of the street, it must be on the side opposite the fire hydrants.

4. **LOST CREEK OVERALL DEVELOPMENT PLAN** (Continued)

- Section 412 of the Subdivision regulation for Allen County, Ohio: Sidewalks are required on both sides of the street in the subdivision. If the Regional Planning Commission and Bath Township have no issues with the lack of sidewalks, our office would not be opposed to granting a variance in this case.
- Section 414.9 of the Subdivision Regulations for Allen County, Ohio: Lot #1 shall have driveway access to Lost Creek Boulevard only and the driveway shall be located to minimize interference with traffic flow.
- Section 416.2.2 of the Subdivision Regulations for Allen County, Ohio: This requirement has not been met. The minimum width of a storm sewer easement is twenty feet.
- Section 520 of the Subdivision Regulations for Allen County, Ohio: Drainage will be reviewed for both Subdivision Regulation compliance and stormwater and Sediment Control compliance, when the construction drawings are submitted.

(City of Lima Comments)

- The City of Lima has concerns of the additional sanitary flow that will be introduced into the existing 8" sanitary line on the south side of Lost Creek Boulevard with the additional 15 lots that are being developed. This sanitary line combines with other sanitary lines within the existing subdivisions which flow through an existing 8" sanitary line under Interstate 75. This 8" line currently handles the sanitary flow for over 90 parcels within the subdivision. The city feels that a better solution would be to tie into the existing 21" sanitary sewer on the north side of Lost Creek ditch. The existing 8" mainline could still be used for the proposed sanitary laterals with the mainline being intercepted near the intersection of Lost Creek Boulevard and Wellesley Drive and tied into the existing manhole on the west side of Bryn Mawr Ave.



ALL ELEVATIONS SHOWN HAVE BEEN TAKEN FROM THE CITY'S GIS SYSTEM AND SHOULD BE VERIFIED

Steve Ewing asked if the subdivision will be annexed into the City of Lima. Shane Coleman replied that staff cannot answer that question as staff is unsure what the City of Lima's intentions are. Brad Baxter asked if this project was the Bloss project. Shane Coleman replied in the negative. Adam Haunhorst stated that Brian Bacon, the engineer for the

4. LOST CREEK OVERALL DEVELOPMENT PLAN (Continued)

project, was in attendance at the meeting. Kevin Cox asked if Bath Township has approved this project. Adam Haunhorst replied that the plans were submitted to Bath Township for review and comment. Staff received no comments from Bath Township. Kevin Cox stated that he did not understand how the township could “approve” the plans with the various issues. Adam Haunhorst replied the project is zoned properly; Bath Fire Department (BFD) is satisfied with access to the subdivision as well as the fire resources. Several of the comments are in reference to items on the map. Some of the “issues” are not yet problems and will come out in the construction drawings. Adam Haunhorst stated this is an Overall Development Plan (ODP) which represents the vision of the subdivision before its design. Shane Coleman stated that all of the issues identified will have to be corrected as part of the ODP but the next stage would be construction drawings which will have to be presented to the RPC for approval. Adam Haunhorst stated that any calculations for drainage, storm sewer, sanitary sewer, etc. will be submitted with the construction drawings. Nothing will be built off of the ODP. Adam Haunhorst stated there was a pre-development meeting with the various entities involved before the ODP was submitted today to the DCC.

Motion 25 (04-27-21) DCC

Kevin Cox made the motion to approve staff’s recommendations and forward said recommendations on to Bath Township for review and action. Seconded by Steve Ewing; motion carried (Brad Baxter abstained).

5. RICHLAND TOWNSHIP ZONING PETITION (RI-01-21)

Adam Haunhorst reported the applicant, Mr. Fred Danser, is present and is requesting to rezone one (1) parcel located in Richland Township from Residential District R-1 to Residential District R-2 for the development of two (2) single unit apartments approximately 1008sf each. No municipally provided water lines are present on the site in question. Although the site is serviced by the Village of Beaverdam’s municipal sewer. The area is not served by the Allen County Regional Transit Authority. No wetlands, historical, or archaeological factors were found compromising the site. Soil data reflects Glynwood, Blount, and Pewamo soil in and around the parcel, of which only the Pewamo exhibits hydric traits. Adam Haunhorst reported that Richland Township previously issued a variance for this property and staff has now been made aware of said variance.

The area proposed to be rezoned totals approximately 0.5 acres. Frontage upon Foust Road is roughly 200’. Foust Road is classified as a local roadway on the federal functional class system and services approximately 1801 vehicles per day (vpd) in the segment north of Lincoln Highway. Foust Road experienced zero (0) traffic crashes over the 2015-2019 period. Foust Road is not listed on the state or county access management plans, therefore is not subject to either requirement.

The latest Richland Township Comprehensive Plan, dated May 2019, identifies that the affected parcel’s land use is to remain residential in 2040. The Staff acknowledges the comprehensive plan does not differentiate between different categories of residentially zoned areas. Therefore, the R-2 zoned parcel would be reflective the Township’s most recent comprehensive plan dated May 2019.

Kevin Cox asked if these will be a multi-unit structure. Adam Haunhorst replied that the structure is a pole building with 2 units to be constructed as separate units but part of the pole building. Chuck Schierloh asked if these apartments will change the nature of the neighborhood. Adam Haunhorst replied that these are 2 single-family units attached to the

5. RICHLAND TOWNSHIP ZONING PETITION (RI-01-21) (Continued)

existing pole building. Richland Township's Comprehensive Plan does not designate residential structures R-1 or R-2. Kevin Cox asked if there has been any concern expressed by the neighbors. Adam Haunhorst replied that staff has received nothing in writing from any of the neighbors. The only comments staff has received by neighbors has been verbal and relates to off-street parking.

STAFF'S RECOMMENDATIONS:

Staff recommends approval of the RI-01-21 rezoning request. While, the parcel does not meet the minimum size required for an R-2 zoned lot, the owner has received a variance from the township that would allow him to use the land as proposed. Furthermore, the parcel is connected to public sanitary sewer, therefore there are no septic system concerns.

Motion 26 (04-27-21) DCC

Brad Baxter made the motion to approve staff's recommendations and forward said recommendations on to Richland Township for review and action. Seconded by Mark Bishop; motion carried (Chuck Schierloh voted to oppose).

6. SUGAR CREEK ZONING VARIANCE (SC-V01-21)

Adam Haunhorst reported the subject parcel is owned by Kent D. & Jola Vandemark of Elida, Ohio. The 13.32-acre parcel has access along Cambria Road, Pike Road, as well as Lincoln Highway. The owner is interested in splitting off a 6.616-acre parcel to AEP Ohio in order to facilitate infrastructure development for electrical transmission. This land division would leave a remainder of approximately 6.704 acres divided among two (2) geographically separated pieces of land both with road frontage. The proposed parcel has inadequate road frontage (proposed 50') for both Sugar Creek Township and Allen County minimum land requirements, 100' and 65' acres respectively.

Staff cannot approve this land division while it is not in compliance with township or county regulations. Staff discussed the non-compliance as it relates to both Allen County and Sugar Creek Township and concluded the land division could not be completed until the issuance of a variance. Normally, in cases where the proposed parcel would violate both township and county zoning standards a variance at both levels of government would be necessary, but because this division is serving the best interests of the public it only requires a county variance. Based on the stipulations described in HB 22, the variance will need to be issued by Lima Allen County Regional Planning Commission.

Brad Baxter asked what the property will be used for. Adam Haunhorst replied that AEP will be using the property for an electrical substation. Brad Baxter asked if this split will create any land-locked properties. Adam Haunhorst replied in the negative and stated that the other two properties land-hooked to this property both have access. Mark Baxter asked if the lot(s) are split, is their adequate frontage that meets with Sugar Creek's frontage code. Adam Haunhorst replied in the negative and stated this why the other parcels are land-hooked. Additionally, the small property in question, is not buildable as it is located in the floodplain. Shane Coleman stated that within the packet forwarded to each Committee member, there is a letter by the Sugar Creek Township Trustees and the Zoning Inspector. The township will have to review staff's recommendations and make a final decision. The DCC is not approving the project, just the lot split. Adam Haunhorst stated that AEP will have to obtain a building permit from the township for the project.

6. **SUGAR CREEK ZONING VARIANCE (SC-V01-21)** (Continued)

STAFF RECOMMENDATION:

Staff recommends approval. This decision is based on the fact that the property has a roadway dead end into it which creates a unique set of site conditions. Additionally, the property is being sold to AEP Ohio and will be used to improve the distribution of electricity. The proposed usage for the parcel is in the interest of public safety, health, and wellbeing, and its compliance with Section 109 of the Allen County Subdivision Regulations. An Allen County variance is allowable despite the fact it is also a township violation.

Motion 27 (04-27-21) DCC

Mark Bishop made the motion to approve staff's recommendations and forward said recommendations on to Sugar Creek Township for review and action. Seconded by Brad Baxter; motion carried.

7. **OTHER**

a. Country Aire Estates

Shane Coleman stated that then ODP for County Aire Estates has been forwarded to the various agencies for review and comment. Staff should receive the plans back in about a month. Staff just received another ODP for Camden Place in Shawnee Township.

8. **ADJOURNMENT**

Motion 28 (04-27-21) DCC

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