



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 Ms. Beth Seibert
Ms. Kim Stiles Mr. Dave Stratton

FROM: Mr. Chuck Schierloh, Chairman

DATE: May 18, 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, May 25, 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 – May 11, 2021
4. Staff Recommendation: Shawnee Property Maintenance Code
5. Review of the Country Aire Subdivision Expansion 5-C Overall Development Plan
6. Other
7. 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: Mark Bishop, Shawnee Township Zoning Inspector
Shawnee Township Trustees
Keith Brickner, American Township Zoning Inspector
American Township Trustees
Craig Mescher, Access Engineering

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

DEVELOPMENTAL CONTROLS COMMITTEE

May 25, 2021

There was a meeting of the **Developmental Controls Committee** of the Lima-Allen County Regional Planning Commission held on **Tuesday, May 25, 2021 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
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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. Mark Bishop	Shawnee Township
Mr. Kevin Cox	Perry Township
Mr. Steve Ewing	Auglaize Township
Mr. Doug Post	Amanda Township
Mr. Walter Rysz	Richland Township
Mr. Chuck Schierloh	City of Lima
Ms. Beth Seibert	Allen County
Ms. Kim Stiles	Allen County
Mr. Dave Stratton	Allen Economic Development Group

GUESTS

Mr. Keith Brickner	American Township Zoning Inspector
Mr. Ron Meyer	Allen County Engineer's Office

STAFF

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

2. APPROVAL OF AGENDA

Motion 35 (05-25-21) DCC

Kevin Cox made the motion that the agenda be approved. Seconded by Doug Post; motion carried.

3. APPROVAL OF DCC MINUTES – May 11, 2021

Motion 36 (05-25-21) DCC

Kevin Cox made the motion that the DCC minutes of May 11, 2021, be approved. Seconded Steve Ewing; motion carried.

4. STAFF RECOMMENDATION: SHAWNEE PROPERTY MAINTENANCE CODE

Adam Haunhorst reported the petitioner seeks to amend the exterior property maintenance code for the township. The township seeks to amend portions of the Shawnee Township Exterior Property Maintenance Code to better reflect the current needs of the township and its citizens. Shawnee Township has been working on updating several different sections of its zoning code over the course of the past year. Several of these updates have already been submitted to staff for review. These changes include updating the Exterior Property Maintenance Code. Staff would also note this document is currently in use within the township. Staff has reviewed the proposed changes and would offer the following comments for additional review by Shawnee Township officials prior to approval. Mark Bishop stated that the Shawnee Property Maintenance Code has been in use since 2018 and has been working well. The Property Maintenance Code is a supplement to the Shawnee Township Zoning Resolution. Some items that Shawnee Township changed refer to motor vehicles, junk, prohibitions, etc. There is a procedure in place recommended by the Prosecutor's Office to be followed. Mark Bishop stated that Shawnee Township has approval from the Prosecutor's Office to issue citations when violation letters no longer serve as a deterrent in obtaining compliance from a violator.

1. Staff recommends review of the document to correct spelling and grammatical errors. For instance, section 3.01 C lists neuter as a gender as opposed to neutral.

Motion 37 (05-25-21) DCC

Kevin Cox made the motion to approve staff's recommendations and forward said recommendations on to Shawnee Township for review and action. Seconded by Doug Post; motion carried (Mark Bishop abstained).

5. REVIEW OF THE COUNTRY AIRE SUBDIVISION EXPANSION 5-C OVERALL DEVELOPMENT PLAN

Adam Haunhorst reported this packet represents an expansion of the Country Aire Estates Subdivision Expansion 5-C in American Township. The expansion consists of approximately 26 lots on 6.971 acres along Comanche Drive. Staff recommends conditional approval with the condition being within 30 days the developer has addressed all of the comments to the satisfaction of the Lima-Allen County Regional Planning Commission (LACRPC) as well as any other agency involved. Chuck Schierloh asked what happens if the developer has not addressed the comments within 30 days. Adam Haunhorst replied that if staff does not receive communication from the developer related to the comments by the end of the 30 days, staff will reach out to the developer to ask if they require more time. If the developer requests an extension, the request would be brought back to the DCC for review. Shane Coleman stated that staff will bring this issue back to the DCC for an update if all of the comments have been addressed.

**SUBDIVISION ADMINISTRATORS REPORT
Country Aire Estates
Overall Development Plan
May 25, 2021**

Overview:

Mr. Craig Mescher, PE of Access Engineering Solutions, submitted an overall development plan for the proposed Country Aire Estates Subdivision Expansion 5-C on April 16th, 2021. The project is located in American Township, SW ¼ of Section 21, and reflects 26 lots on approximately 6.971 acres. Access to the development is provided by Chancellor Drive.

5. REVIEW OF THE COUNTRY AIRE SUBDIVISION EXPANSION 5-C OVERALL DEVELOPMENT PLAN (Continued)

Plan Review:

The proposed development is to be built to the north of the existing subdivision to the west of Chancellor Drive. The developer has had an exemplary history of subdivision creation and has strived throughout history to follow the subdivision procedures. 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 5-25--2021, but had been made aware of the development at the 5-11-2021 meeting. At the time of this recommendation, Lima Allen County Reginal Planning Commission 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 Country Aire Estates Subdivision expansion. These comments include such items as preliminary inventory analysis (section 302.3.2.3), Existing Utilities (section 302.3.2.5), Topography (Section 302.3.2.6), waterline placement, Right of way sizing (Table 3, page 36 of the Subdivision Regulations), Street width (Table 3, page 36 of the Subdivision Regulations), Curb Ramps (section 412), drawing format (Section 519.2.3), Drainage concerns (Section 520), Easements, spoils disposal, structure height, fire hydrant placement and frequency, 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 stage of development.

Staff Recommendation:

The staff has discussed the different comments provided to LACRPC and has determined each must be resolved prior to the commencement of the construction drawing phase. 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 5-25-2021 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.

Action:

The committee has the responsibility to: (1) approve the Overall Development Plan for Phase 5-C of the Country Aire Estates Subdivision as submitted under the condition that all comments be addressed within 30 days of DCC approval (2) deny the Overall Development Plan as submitted on cause; or, (3) at the request of the developer table a decision until the next regularly scheduled meeting of the Developmental Controls Committee to allow certain issues to be resolved.

Comments:

Richland Engineering:

- Section 302.3.2.3 – Preliminary Inventory and Analysis – Existing surrounding features are not shown within the limits required. Surrounding land usage should be identified "agricultural" where applicable.

5. REVIEW OF THE COUNTRY AIRE SUBDIVISION EXPANSION 5-C OVERALL DEVELOPMENT PLAN (Continued)

- Section 302.3.2.5 – Existing Utilities - Existing utilities/connections are not shown.
- Section 302.3.2.6 – Topography – Mapping of the four hundred (400) scale County Engineer's aerial photography with topography annotated to reflect the boundaries of the proposed subdivision and the watershed to be affected is not included.

City of Lima:

- The City of Lima would recommend that the proposed waterline extension on Comanche Drive be tied into the existing waterline from both the east and the west to provide better water flow to the proposed parcels. This could be accomplished by either extending the waterline from the intersection of Sky Hawk Drive and Cessna Avenue or from the waterline stub at Piper Cub Avenue.

County Drainage Engineer:

- Calculations will be needed as drainage regulations have changed since the last submission of this subdivision. (Paraphrased, the exact comment can be found in attached documentation).

Allen Water District:

- Developer will need to enter into a Developer's Agreement with the district for phase 5C.

Allen County Engineer:

- Address comments from Richland Engineering Limited.
- Table 3, page 36 of the Subdivision Regulations for Allen County, Ohio: This office is not opposed to the right-of-way being only fifty feet (50') wide since this phase will complete existing stub streets. Any future phases of this development should be designed according to the current design standards.
- Table 3, page 36 of the Subdivision Regulations for Allen County, Ohio: Due to the width of streets, parking will not be allowed on both sides of the street. Signs will 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.
- Section 412 of the Subdivision Regulations for Allen County, Ohio: Curb ramps shall be installed at all intersections.

5. **REVIEW OF THE COUNTRY AIRE SUBDIVISION EXPANSION 5-C OVERALL DEVELOPMENT PLAN** (Continued)

- Section 512.5 of the Subdivision regulations for Allen County, Ohio: This office has previously approved the street name “Comanche Drive” for use in this subdivision.
- Section 519.2.3 of the Subdivision Regulations for Allen County, Ohio: The engineer should note this section when preparing construction drawings.
- 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.

American Township Zoning Comments:

- No drainage at the rear of the lots as in earlier subdivision development.
- As the 10' easement is with property owners it should be stated that the developers cannot encroach within 5' when grading lots at the conclusion of construction.
- Spoils of road and infrastructure need to be kept at a minimum. By depositing spoils on the lots, it puts the house more than 24 inches above curb grade and then when the contractor does the final grade it puts the new house above existing homes and we end up with standing water at the rear of the lots.
- Is there a stormwater management plan addressing the subdivision as a whole or are we addressing it by phase as roads are installed? If addressed by phase we need to look at the effects downstream. I do not believe we are seeing the use of existing detention ponds.

American Township Fire Department:

- Ensure there are enough fire hydrants

Motion 37 (05-25-21) DCC

Steve Ewing made the motion to approve staff's recommendations and forward said recommendations to American Township for review and action. Seconded by Kevin Cox; motion carried.

7. **OTHER**

a. **Lost Creek Subdivision**

Adam Haunhorst reported that staff has reached out to the developer of the Lost Creek Subdivision and anticipate a response pertaining to the comments within 2 weeks.

8. **ADJOURNMENT**

Motion 38 (05-25-21) DCC

Kevin Cox made the motion that the meeting be adjourned. Seconded by Doug Post; motion carried.