

RECORD OF PROCEEDINGS

Minutes of

Meeting

GOVERNMENT FORMS & SUPPLIES 844-224-3338 FORM NO. 10148

Springfield Township Trustees

Held _____ 20 _____

October 25 , 2022

Rezoning Hearing

Meeting called to order by Tim Foley, Board President Beginning 5:00 PM

Board Members Roll Call

Trustee Tim Foley	Present
Trustee Jim Scoby	Present
Trustee John Roeder	Present
Fiscal Officer Mark Smith	Not Present

Mr. Foley Explained the Public Hearing Process, and asked for the Staff Report on the following cases:

1. 2580 and 2598 Springfield-Xenia Rd, Springfield, Ohio
2. 732 Patrick Rd, Springfield, Ohio

Employee / Visitors in Attendance

Employees: Jennifer Tuttle, Vicki Gundolf, Billy Saunders

Visitors: Melva Argaw, Michelle Clemens, Chris Eadler, Anita Lupfen, James Beatty, James Heamy, Saida Ramirez, Sarah West, Don Hackathorne, Nancy Runyan, James Runyan II, Paul Carter, Bryan Kahlert, Jonathan Vickers, Paulette Thomas, Tavia Geis, Marlene Wegner, Randy Degan, Laurel Finch, Michael Hall, Christina Willis, Daniel Fultz, Judy Sheridan, Aimee Massie

Zoning Public Hearing on Case # Z-2022-008

Planning Staff

Jennifer Tuttle This is case S-2022-07 the property owners are Jack D and Linda L Bowshier. The agent is James E Heath and subject property is 2580 and 2598 Springfield-Xenia Rd. The request is to rezone .38 acres from B-2 and .23 acres from A to R-6 for apartments. This property has been vacant for some time, it was a former hotel. Records show the single family dwelling was 2 units, what was believed to be a garage, had 1 unit, and there is a camper/ manufactured home/ modified unit on the property.

Article 7, Section 700, The "R-6" and "R-7" Multi-family Residential Districts as herein established are intended to provide site for multiple family dwelling structures and related uses which will generally serve as zones of transition between non-residential districts and lower density single or two (2) family districts.

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The parking requirement for 4 or more dwellings units is 2 spaces for each dwelling. All open off-street parking shall be graded and provided with a hard surface.

Held

20

~~Suburban Living, Low Intensity, Single family homes arranged along~~ wide, curvilinear streets with few intersections and will either front or back onto shared natural areas. Building and lot size may range in size and density but tend to be highly consistent within a development with limited connectivity between different residential types and non-residential uses. Primary Uses: Single Family Detached Secondary Uses: Two-family Residential, Institutional/Civic (neighborhood scale) There are no public utilities in the area. The applicant will need to work with the Clark County Combined Health District or Ohio EPA for onsite utilities. It is believed the septic system is under the current parking lot.

Staff Recommendation:

1. A detailed site plan be prepared and submitted showing all existing and proposed buildings/structures and parking areas.
2. Applicant shall provide a copy of approval from the Clark County Combined Health District or Ohio EPA as applicable for the provisions of water and wastewater.
3. Applicant shall receive approval from the County Engineer's Office for access and storm water management.
4. The camper/small structure located at the northeast side of the property shall be removed.

See Exhibit A, for all staff reports, and minutes from prior hearings

QUESTIONS FROM TRUSTEES

Tim Foley Would the Health Department demand, that if apartments, they have a toilet and a bath and/or shower?

Jennifer Tuttle The building code of Ohio will require all apartments to have a toilet, bathing, a sink, and you do have to have a kitchen. There are different regulations from the building codes, and fire codes.

Jim Scoby Tonight is just approving the rezoning, not that it's okay to do whatever. There will be a lot of steps for final approve on having apartments correct?

Jennifer Tuttle That is correct, zoning is the first step. Then the other conditions will need to be met. It could still come down to the units are not usable.

OPEN TO THE PUBLIC 5:10PM

Sworn In: Mr. James Heath- Representative for the Bowshier Family

James Heath The Bowshier family has a interested buyer and the only contingency that is required with this contract is to have the zoning changed. If

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the zoning is changed it will be up to the new owners to handle everything

else.
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IN FAVOR FOR THE RE ZONING NONE AGAINST THE RE ZONING

Sworn In:

Johnathon Vickers 2605 Springfield Xenia Rd

I have concerns with the zoning going from B2 to R6. This is a small lot and it doesn't fit the Clark County Comprehensive Plan, with the septic, and everything. Going from B2 to R6 is a downgrade. There are so many unknowns with this property. So if the plan falls through then the property is zoned R6, and they would have to go through another rezoning, or you are locked into R6 for another potential buyer. I would like to see the old Possum School location looked at, and have all 4 corners the same.

Tim Foley If this falls through what are some of the other options that R6 would allow.

Jennifer Tuttle If the conditions are not met, then it is not going to be rezoned. It will stay split zone B2 and A.

Michael Hall 2565 Springfield Xenia Rd

Concerned about the structures that are there. Parking and sewer is inadequate. The applicant spoke at the last meeting and stated he had no intentions to have kitchens.

Marlene Wagner 2548 Springfield Xenia Rd

If the rezone goes through what happens to our property values?

Jennifer Tuttle I don't know how you can state how it will effect property values. You would have to contact the auditor's office.

Marlene Wagner I would like to see something go there for the community. If this doesn't go through will we have a say on what goes there?

Jennifer Tuttle If they keep zoning the way it is, they can still use B2 uses allowed there.

Example:

Bake Good Shops, Retail services, private clubs.

Laurel Finch 2565 Springfield Xenia Rd

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I feel the conditions for this agreement with the property owners and new buyers will not be met. If the sale goes through, the new buyer wants to make 11 housing units out of the house and existing structures. I am afraid that this will not be able to be done, and it will be left unusable.

Jennifer Tuttle Is the applicant here? Mr. Peterson.

He is not present.

Mr. James Heath- Representative for the Bowshier Family

The Bowshiers are the applicant, not Mr. Peterson. We are only wanting to change the zoning for the contract. The new owner will not be doing anything until he is the property owner. We are only asking for the zoning change.

Closing the Public Hearing Portion of the meeting the time is 5:22PM

Deliberation among the Trustees

Resolution: Z-2022-008

BE IT FURTHER RESOLVED by the Township Trustees

ZONING MAP AMENDMENT

WHEREAS, a rezoning application has been filed by Jack D. & Pamela S Bowshier and Linda Bowshier, Agent: James E. Heath, Attorney, to rezone 2580 Springfield-Xenia Rd and 2598 Springfield-Xenia Rd, PID# 3000600002101009 and PID# 3000600002101010 from B-2 (Community Business District) and A (Agricultural District) to R-6 (Multiple Family Residential District) for apartments; and

WHEREAS, the CEDA Regional Planning Commission heard this rezoning case at their September 8, 2022, meeting and has recommended to the Township Zoning Commission that the rezoning request from B-2 and A to R-6 be approved subject to 1. A detailed site plan be prepared and submitted showing all existing and proposed buildings/structures and parking areas. 2. Applicant shall provide a copy of approval from the Clark County Combined Health District or Ohio EPA as applicable for the provisions of water and wastewater. 3. Applicant shall receive approval from the County Engineer's Office for access and stormwater management. 4. The camper/small structure located at the northeast side of the property shall be removed.

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WHEREAS, the Township Zoning Commission held a public hearing on ~~September 21, 2022 and, following said hearing, passed a motion~~

~~recommending to the Township Trustees that the rezoning request from B-2 and A to R-6 be approved subject to 1. A detailed site plan be prepared and submitted showing all existing and proposed buildings/structures and parking areas. 2. Applicant shall provide a copy of approval from the Clark County Combined Health District or Ohio EPA as applicable for the provisions of water and wastewater. 3. Applicant shall receive approval from the County Engineer's Office for access and stormwater management. 4. The camper/small structure located at the northeast side of the property shall be removed; and~~

WHEREAS, the Township Trustees held their public hearing on October 25, 2022.

NOW, THEREFORE, BE IT RESOLVED the Board of Trustees of Springfield Township, Clark County, Ohio approve the Applicants Rezoning Case #S-2022-07 as presented.

Motion to approve by John Roeder

Second by Jim Scoby

Discussion

Roll Call

Mr. Scoby Yes Mr. Roeder Yes Mr. Foley Yes

John Roeder This property has set vacant for years. It will be hard to meet these conditions. If the Bowshiers are not able to sell this property it will sit vacant and remain an eye sore. The township will have to mow this property, like we have for years.

All Trustees agreed.

Motion to adjourn 5:28PM

Motion to approve by John Roeder

Second by Jim Scoby

Discussion

Roll Call

Mr. Scoby Yes Mr. Roeder Yes Mr. Foley Yes

2nd Case

Zoning Public Hearing on Case # Z-2022-009

Mr. Foley Explained the Public Hearing Process, and asked for the Staff Report on the following case

Jennifer Tuttle 732 Patrick Rd, Springfield Ohio

Held 20
This is case S-2022-08 the property owner is TISA Investments LLC, Melva

Williams-Agraw. The request is to rezone 2.06 acres from R-4 Single Family Residential to R-6 Multiple Family District for apartments. We use Article 1 Section 101 to evaluate, and Article 26 Section 2602, Connect Land Use Plan, Utilities, Floodplain, Thoroughfare Plan, (Exhibit A.)

Staff Recommendation

Although Multiple-Family Residential land use blends with the neighborhood, Staff recommends denial of the project based on safety per Article 26, 2602.03, B. The traffic circulation features within the site and location of automobile parking areas; and may make such requirements with respect to any matters as will assure: 1. Safety and convenience of both vehicular and pedestrian traffic both within the site and in relation to access streets; 2. Satisfactory and harmonious relations between the development of the site and the existing and prospective development of contiguous land and adjacent neighborhoods.

The property is limited to one access point and only allows 15"6' of access to the area being development which does not allow for adequate vehicular and pedestrian traffic and per Article 1, Section 101, due to the narrow portion of the property that limits fire and safety access limiting secure safety from fire.

CEDA Regional Planning Commission met on September 8, 2022 and recommended denial based on safety per Article 26, 2602.03, B. The traffic circulation features within the site and location of automobile parking areas; and may make such requirements with respect to any matters as will assure: 1. Safety and convenience of both vehicular and pedestrian traffic both within the site and in relation to access streets; 2. Satisfactory and harmonious relations between the development of the site and the existing and prospective development of contiguous land and adjacent neighborhoods and the property is limited to one access point and only allows 18.5 ft. of access to the area being development which does not allow for adequate vehicular and pedestrian traffic and per Article 1, Section 101, due to the narrow portion of the property that limits fire and safety access limiting secure safety from fire.

Zoning Commission met on September 21, 2022 and recommends denial of the project based on the same issues.

We did receive a revised site plan reducing the buildings to one-story and on-site parking to 16 spaces.

OPEN TO THE PUBLIC 5:37PM

Sworn In

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Property Owner/Applicant

Held _____ 20 _____

Melva Williams-Agraw – XYZ Professional Services LTD

I am the Architect representing the property owner. We had the Springfield Township Zoning Meeting previously and we did listen to their comments, and came back with a revised plan. We reduced the density of the project from two story to one story, cutting half the amount of parking needed. The parking has been changed to the rear of the buildings. We do have the dumpsters now located in the front parcel that fronts Patrick Rd, to further provide better access refuse for collection. There will be a total of 6 units, one story high. (Revised plans are attached with Exhibit A) Regarding the survey that shows the access that is only 12 to 15 feet wide, we have ordered a new survey to be done to establish the actual opening is. We have spoken to a few of the neighbors to request any land acquisition needed, in order to build this project.

**IN FAVOR FOR THE RE ZONING
NONE
AGAINST THE RE ZONING**

Sworn In

James Runyan 2744 Dwight Rd

We have concerns on our sewer systems, water, backflow interrupters, placements of the dumpsters, the bottle neck area was not approved by the Fire Marshall or by staff, speed on the roadways, not enough parking, and only 1 access. The property is rundown, and not taken care of.

Paulette Thomas

722 Patrick Rd

Concerned about construction work and closing the road. I oppose this project. Safety issues.

Michelle Clemens

721 Patrick Rd

Concerns are: large delivery trucks, utility vehicles, no turn around and need to back up down their roads. Fire trucks unable to access, water issues and sewage backups, upkeep on property, no privacy, children playing on a high traffic area. (Exhibit B pictures)

Christina Willis

2701 Dwight Rd

A lot of traffic, with children around

Chris Eadler

721 Patrick Rd

The location of the dumpsters: we will have trash in all our yards

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James Beatty**2729 Dwights Rd**

Traffic flow with no sidewalks, and narrow roads. We did receive a letter about someone wanting to buy our property, and so that the trustees know the answer was, no. We will not be selling our property for them to have better access.

Paul Carter**725 Patrick Rd**

We have a deck in our backyard and they will be looking at us all the time. The safety of the children is a concern.

Saida Ramirez**2708 Dwight Rd**

While going to the mailbox, traffic is bad, and it will increase.

Danny Fultz**2724 Hillside**

Nobody wants this. There are people in our area that did not get a letter on this. The property is not designed for this.

Rebuttal from Property Owner

Melva Williams-Agraw – XYZ Professional Services LTD

The property owner will be providing fencing, 6ft high. The Construction Company will be notifying the property owners and fire department when starting. The building will be 41ft from the back property line.

Closing the Public Hearing Portion of the meeting the time is 5:59PM

(ANNOUNCEMENT IT IS NOW 6:00PM AND THE ACCEPTANCE OF BIDS FOR THE OPWC PROJECT DKZ07 IS NOW CLOSED)

Deliberation among the Trustees

Jim Scoby I have a question for Jennifer. Our Zoning Board and CEDA Board both said No...correct?

Jennifer Tuttle Correct

Jim Scoby We are elected to protect our residents. Safety comes first. When it comes to safety for emergency equipment getting somewhere that takes top priority.

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Resolution: Z-2022-009

BE IT FURTHER RESOLVED by the Township Trustees

ZONING MAP AMENDMENT

WHEREAS, a rezoning application has been filed by TISA Investments LLC, Agent: Melva Williams-Argaw, XYZ Professionals, to rezone 732 Patrick Rd, PID# 3100700023205067 from R-4 (Single-Family Residential District) to R-6 (Multiple-Family Residential District) for apartments; and

WHEREAS, the CEDA Regional Planning Commission heard this rezoning case at their September 8, 2022, meeting and recommends denial of the project based on safety per Article 26, 2602.03, B. The traffic circulation features within the site and location of automobile parking areas; and may make such requirements with respect to any matters as will assure: 1. Safety and convenience of both vehicular and pedestrian traffic both within the site and in relation to access streets; 2. Satisfactory and harmonious relations between the development of the site and the existing and prospective development of contiguous land and adjacent neighborhoods and the property is limited to one access point and only allows 18.5 ft. +/- of access to the area being development which does not allow for adequate vehicular and pedestrian traffic and per Article 1, Section 101, due to the narrow portion of the property that limits fire and safety access limiting secure safety from fire;

WHEREAS, the Township Zoning Commission held a public hearing on September 21, 2022 and, following said hearing, passed a motion recommending denial of the project based on safety per Article 26, 2602.03, B. The traffic circulation features within the site and location of automobile parking areas; and may make such requirements with respect to any matters as will assure: 1. Safety and convenience of both vehicular and pedestrian traffic both within the site and in relation to access streets; 2. Satisfactory and harmonious relations between the development of the site and the existing and prospective development of contiguous land and adjacent neighborhoods and the property is limited to one access point and only allows 18.5 ft. +/- of access to the area being development which does not allow for adequate vehicular and pedestrian traffic and per Article 1, Section 101, due to the narrow portion of the property that limits fire and safety access limiting secure safety from fire; and

WHEREAS, the Township Trustees held their public hearing on October 25, 2022.

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~~NOW, THEREFORE, BE IT RESOLVED~~ the Board of Trustees of Springfield

~~Township, Clark County, Ohio approve the Applicants Rezoning Case #S-2022-08~~

GOVERNMENT FORMS & SUPPLIES 644-224-3339 FORM TAG. 10/14/19

as presented.

Held _____ 20 _____

Motion to approve by Jim Scoby

Second by John Roeder

Discussion

Roll Call

Mr. Scoby No Mr. Roeder No Mr. Foley No

MOTION TO ADJOURN

Motion to approve by John Roeder

Second by Jim Scoby

Discussion

Roll Call

Mr. Scoby Yes Mr. Roeder Yes Mr. Foley Yes

Board Certified



Tim Foley, Trustee



Jim Scoby, Trustee



John Roeder, Trustee



Mark Smith, Fiscal Officer