

**DEVELOPMENTAL CONTROLS COMMITTEE**

**July 30, 2024**

The Developmental Controls Committee of the Lima-Allen County Regional Planning Commission held a regular meeting on Tuesday, July 30, 2024, at 3:00 p.m. in the Conference Room of the Commission office located at 130 West North Street, Lima, Ohio 45801.

For the good of the order, attendance was called and a quorum was present, Brad Baxter as acting chair brought the meeting to order at 3:00 pm and proceeded with the agenda.

**1. ROLL CALL**

Brad Baxter  
Mark Bishop  
Kevin Cox  
Joe Gearing  
Jerry Gilden  
Rick Keller  
Todd Lause  
Ron Meyer

Bath Township  
American Township  
Perry Township  
Allen County  
Marion Township  
Spencer Township  
Shawnee Township  
Allen County

**GUESTS**

Greg Kessen

Perry Township

**STAFF**

Tara Reynolds Bales  
Cody Doyle  
Liwen Kang  
Megan Kinnear  
Rebecca Phillips  
Tonya Dye

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**2. APPROVAL OF AGENDA**

**Motion 39 (07-30-24) DCC**

Mr. Gilden made the motion to approve the agenda for July 30, 2024. It was seconded by Mr. Cox. The motion carried.

**3. APPROVAL OF DCC MINUTES – July 16, 2024 (Held)**

**Motion 40 (07-30-24) DCC**

Mr. Cox made the motion that the Minutes from July 16, 2024 be approved as submitted. Seconded by Mr. Gilden. The motion carried.

**4. STAFF RECOMMENDATION: Perry Township Zoning Petition – PE-01-24**

Mr. Doyle introduced the Perry Township Zoning Amendment PE-01-24. The petition involved the rezoning of two parcels to facilitate the development of a data center from Agricultural to I-2 Industrial District. The two parcels are approximately 145.3 acres located along Breese Road and Greeley Chapel Road. The surrounding area is currently zoned as a mixture of agricultural land and industrial. The frontages surrounding both parcels, while zoned agricultural, are primarily residential homes.

There are no identified floodplains on either parcel, but several small wetlands do exist. There are no public utilities located on either parcel. Greely Chapel Rd. is classified as a Local Rd. on the Federal Functional Classification System with traffic volumes of approximately 2908 AADT and Breese Rd is classified as a Minor Collector with a traffic count of 1287(All traffic counts provided by ODOT TMS).

Current zoning in the immediate area varies between agricultural and I-2 industrial. The land usage does not generally agree with the zoning as much of the industrial land is vacant farm ground, and a substantial portion of the agricultural land serves as residential housing not associated with a farm. The Perry Township comprehensive plan is ambiguous as far as the projected land use of the parcels in question It can be stated however that this proposed rezoning would not constitute a spot zone, and would serve to expand the existing industrial site.

Staff has several concerns regarding the potential rezoning. Principally, the proposed zoning petition has the potential to dramatically increase commercial traffic on roadways that are not sufficiently built to handle such usage. Additionally, because of the prevalence of the existing residential homes, the proposed rezoning vastly expands potential commercial developments that may not be compatible with the residential homes.

Mr. Doyle stated that the Staff recommends **DENIAL** of the zoning petition as submitted. Mr. Haunhorst gave additional comments on the staff recommendation paperwork:

- By separating the frontage away from the rest of the parcels proposed to be rezoned the possibility of additional access (and therefore traffic) onto deficient roadways would be significantly reduced. This would reasonably address this agency's primary infrastructure concern. Additionally, this solution would allow for increased setback distance between existing residential homes and any potential developments.

Involved discussion was undertaken by the committee members. Primary concerns centered around the surrounding roadways and the fact that they were not built for industrial use. Also, the rezoning would open the properties up to a wide variety of businesses and industrial uses, not just the data center. The committee and LACRPC need to look at not just the present, but also what might happen in 15-20 years if the proposed data center moves, what could then come into those parcels. Staff indicated that when they look at zoning, they look at all possibilities, not just what is indicated in the petition. There were questions regarding different configurations, to which LACRPC said they would be open to other configurations. However, the property is also dealing with a railroad configuration that would require extra negotiations with the railroad as it creates additional liability. It was mentioned that some areas of the country are developing specific zoning for data centers to limit the other potentials, but Perry Township would have to see if that would work with their objectives. It was also questioned if another type of zoning designation would be more appropriate. There were also questions as to whether the proposed developer brought the road up to standard to provide improvements to the area roadways. This was unknown.

After significant discussion, Mr. Baxter asked for a motion to move the petition to a vote.

**Motion 41 (07-30-24) DCC**

Mr. Gilden made the motion that the DCC approve the zoning petition on conditions as specified. The specified conditions are:

- By separating the frontage away from the rest of the parcels proposed to be rezoned the possibility of additional access (and therefore traffic) onto deficient roadways would be

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significantly reduced. This would reasonably address this agency’s primary infrastructure concern. Additionally, this solution would allow for increased setback distance between existing residential homes and any potential developments.

Seconded by Mr. Keller. Mr. Cox and Mr. Meyer abstained. The motion carried.

**5. OTHER**

There was no other business discussed.

**6. ADJOURNMENT**

**Motion 42 (07-30-24) DCC**

Mr. Cox made the motion to adjourn. Seconded by Mr. Meyer; the motion carried.

The meeting adjourned at 3:27 p.m.

The next meeting is scheduled for August 13, 2024 at 3:00 p.m.

Minutes approved on August 13, 2024.

  
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Chuck Schierloh, Chair