



Delaware County Regional Planning Commission

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Scott B. Sanders, AICP
Executive Director

MINUTES

Thursday, January 28, 2010 at 7:00 PM
Willis Building, 2079 US 23 North, Conference Room,
Delaware, Ohio 43015

I. ADMINISTRATIVE BUSINESS

- Call to order
- Roll Call
- Approval of December 17, 2009 RPC Minutes
- Executive Committee Minutes of January 27, 2010
- Statement of Policy

II. VARIANCES *(none)*

III. ZONING MAP/TEXT AMENDMENTS

- 01-10 ZON Dr. Thomas Garey – Troy Twp. – 2.869 acres from FR-1 to PC
02-10 ZON Orange Twp. Zoning Commission – text amendments (Sec. 26.04)

IV. SUBDIVISION PROJECTS

Township

Lots/Acres

Preliminary *(none)*

Preliminary/Final *(none)*

Final *(none)*

T=TABLED, W=WITHDRAWN

V. EXTENSIONS *(none)*

VI. OTHER BUSINESS

VII. POLICY / EDUCATION DISCUSSION

- Current active Subdivisions as of January 1, 2010

VIII. RPC STAFF AND MEMBER NEWS

- Welcome to New Members

I. ADMINISTRATIVE BUSINESS

▪ **Call to Order**

Vice-Chairperson Steve Burke called the meeting to order at 7:00 p.m.

▪ **Roll Call**

Representatives: Jeff George, Mike Jones, Fred Fowler, Ken O'Brien, Todd Hanks, Steve Burke, Tiffany Jenkins, Sharon Hough, Gary Gunderman, Tom Hopper, Dave Stites, Hal Clase, Dick Gladman. Lloyd Shoaf, Bonnie Newland, Mike Dattilo, and Doug Price. *Alternates:* Pat Blayney, James Hatten and James Gauldin. *Arrived After roll call:* *Representatives:* Rick Sedlacek, Joe Clase and Tom Brown. *Staff:* Scott Sanders, Da-Wei Liou and Stephanie Matlack.

▪ **Approval of the December 17, 2009 RPC Minutes**

Mr. Stites made a motion to approve the minutes from the December 17, 2009 RPC meeting. Mr. Gladman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

▪ **January 27, 2010 Executive Committee Minutes**

1. **Call to order**

Vice-Chairperson Burke called the meeting to order at 8:30 a.m. Present: Steve Burke, Dick Gladman, Lloyd Shoaf, and Ken O'Brien. Holly Foust was absent. Staff present: Scott Sanders and Stephanie Matlack.

2. **Approval of Executive Committee Minutes from December 8, 2009**

Mr. Gladman made a motion to approve the minutes from the December meeting. Mr. Shoaf seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

3. **New Business**

a. Financial / Activity Reports for December 2009

REGIONAL PLANNING RECEIPTS		DECEMBER	YTD TOTAL
General Fees (Lot Split)	(4201)		\$3,280.00
Fees A (Site Review)	(4202)		\$1,000.00
Insp. Fees (Lot Line Transfer)	(4203)	\$300.00	\$2,000.00
Membership Fees	(4204)	\$8,070.00	\$239,921.00
Planning Surcharge (Twp. Plan. Assist.)	(4205)	\$26,337.06	\$44,037.69
Assoc. Membership	(4206)		\$0.00
General Sales	(4220)		\$624.15
Charges for Serv. A (Prel. Appl.)	(4230)		\$15,992.30
Charges for Serv. B (Final. Appl.)	(4231)		\$16,730.80
Charges for Serv. C (Ext. Fee)	(4232)		\$900.00
Charges for Serv. D (Table Fee)	(4233)		\$800.00
Charges for Serv. E (Appeal/Var.)	(4234)		\$900.00
Charges for Serv. F (Planned District Zoning)	(4235)		\$1,500.00
OTHER DEPT. RECEIPTS			
Health Dept. Fees	(4242)		\$2,600.00
Soil & Water Fees	(4243)		\$1,575.00
MISCELLANEOUS REVENUE			

Other Reimbursements	(4720)		\$2,404.00
Other Reimbursements A			\$1,309.00
Other Misc. Revenue (GIS maps)	(4730)		\$399.40
Misc. Non Revenue Receipts	(4733)		
Sale of Fixed Assets	(4804)		\$1,421.00
TOTAL RECEIPTS		\$34,707.06	\$337,394.34

Balance after receipts	\$ 78,549.66
Expenditures	- \$ 28,063.52
End of December balance	\$ 50,486.14

Mr. O'Brien made a motion to approve the financial reports as presented. Mr. Gladman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

- b. January RPC Preliminary Agenda – there are 2 rezoning/text amendment cases on the agenda for January. A PRD rezoning in Troy Twp. and a text amendment to the Orange Township zoning code.
- c. Director's Report
 - 1.) Contract billing to date:

Twp.	Contract amount	Free hours remaining	Billed to date (12/31/09)	Remaining on contract
Berlin	\$10,000.00	0	\$7,261.13	\$2,738.87
Genoa	\$10,000.00	55	\$1,509.83	\$8,490.17
Kingston	\$8,000.00	0	\$3,928.32	\$4,071.68
Orange	\$18,000.00	0	\$6,874.67	\$11,125.33
Co. Eng.	\$25,000.00	0	\$25,000.00	\$0.00

- 2.) Protocol for Advancement in Community Excellence – Environmental Health: Continued involvement.
- 3.) Informal reviews for a development in Delaware Township (Eckel's Lake property) and southeast corner of Sawmill Pkwy/Seldom Seen.
- 4.) Census Road Show: attended special event at the Hayes Building and heard about plans to contact "Hard to Reach" populations.
- 5.) While at the above event, Nancy Reger mentioned that MORPC really wants representation from Delaware County in the survey which was noted in the December minutes.
- 6.) MORPC Grant for Balanced Growth study within the Olentangy Watershed: received official invitation to be a non-voting stakeholder within the study. First meeting to be in Delaware on February 10.
- 7.) Uploaded some wind power resources to the website with more to come.
- 8.) Annual presentation at Leadership Delaware.

4. Old Business – (none)

5. Other Business

- 1.) Discussion of office space – Mr. Sanders informed the Committee about the possibility of sharing some unused office space. There has been interest from two County offices and Mr. Dave Cannon, County Administrator. It is understood that the full Commission would have to approve any agreement.
- 2.) Potential summer intern – Mr. Sanders received an offer from a Ball State student who lives locally for a summer internship. This internship would be a non-paying project for experience only. More information to follow.

6. Personnel

- 1.) Executive Director evaluation – Mr. Burke explained that if the Committee agreed they could postpone the Director evaluation until the February 17th meeting in hopes of all members to be in attendance. All members present agreed. Mr. Burke asked the Committee members to forward comments for the evaluation to Mrs. Foust if they had not already done so.

7. **Adjourn** – *At 9:30 a.m., Mr. O'Brien made a motion to adjourn the meeting. Mr. Gladman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

The next regular Executive Committee meeting will be Wednesday, February 17, 2010 at 8:30 a.m. at 109 North Sandusky Street, Delaware, Ohio, 43015.

- **Statement of Policy**

As is the adopted policy of the Regional Planning Commission, all applicants will be granted an opportunity to make their formal presentation. The audience will then be granted an opportunity to speak, at which time the chair will allow questions from the members of the Commission. This policy was adopted by the Regional Planning Commission to provide for the orderly discussion of business scheduled for consideration. The Chairperson may limit repetitive debate.

II. VARIANCES *(none)*

III. ZONING MAP/TEXT AMENDMENTS

01-10 ZON Dr. Thomas Garey – Troy Twp. – 2.869 acres from FR-1 to PCD

I. Request

The applicant, Dr. Thomas Garey, is requesting a 2.869-acre rezoning at 1961 Troy Rd., from FR-1 to PCD to allow the lot to be split into two lots, one of which would contain the proposed Oakside Animal Clinic. An existing structure, previously a farm market shall be removed. The plan shows space for the public as well as space for doctors and staff. The preliminary space plan potentially devotes space for 12 kennels and cages for dogs and 20 cages for cats, as well as other cages for I.C.U. and treatment purposes.

Although this application does not state whether this is a Preliminary Development Plan or a one-step Preliminary/Final plan, it appears to be Preliminary and is reviewed as such.

II. Conditions

Location: northwest corner of the intersection of Troy Rd. and Hills-Miller Rd., Troy Township

Present Zoning: Farm Residential (FR-1)

Proposed Zoning: Planned Commercial and Office (PCD)

Present Use(s): One single-family house

Proposed Use(s): veterinary clinic (Oakside Animal Clinic)

Existing Density: 1 unit per 2 acres

Proposed Density: N/A

School District: Buckeye Valley Local School District

Utilities Available: well and private on-lot treatment

Critical Resources: none

Surrounding land uses: Agriculture, residential to the adjoining northern lot and commercial to the southeast

Soils: BoA Blount Silt Loam 0-2% slope

PwA Pewamo Silty Clay Loam 0-1% slope

III. Issues

Use: Veterinary Clinics (NAICS 541940) are covered under Professional, Scientific and Technical Services (Code 54), and are therefore a permitted use in this district.

Tract Size: The Planned Commercial District requires a minimum of 10 acres to allow for a cohesive mix of commercial uses. However, only the southern portion of the 5.4-acre site is shown as future commercial on the Comprehensive Plan map. This is a divergence to the code that needs to be requested in the application. It is a reasonable request.

Comprehensive Plan: The 2006 Troy Township Comprehensive Land Use Plan acknowledged the need for local commercial development as well as the unique characteristics of this site. The proposed rezoning sits at the intersection of two roads and is impacted by the railroad crossing to the west of the parcel. The plan recommends that three of the four corners of this intersection be a Planned Commercial use.

Rear Yard Setback: The rear yard setback required is 100 feet and the applicant is requesting a 5-foot divergence. With the rear lot line parallel to the railroad, this is a reasonable request.

Access: A revised site plan received on January 26th indicates a single access on Troy Road, as well as internal circulation, twelve client parking spaces and eight staff spaces. The access is approximately 320 feet from the intersection of Troy Road and Hills-Miller Road. The zoning resolution requires a Preliminary Traffic Impact Analysis for a Preliminary Development Plan. A letter from the County Engineer's staff has also been added to the application stating that a Traffic Impact Study is not required but that a dedicated north-bound turn lane will be required.

Waste treatment: The zoning resolution states "Centralized water and sewer shall be provided unless otherwise approved on the final development plan." The applicant presents no information related to waste treatment except that a "perk test shall be performed to determine site drainage." There may be adequate land available for on-site treatment, but soils at the site are flat and poorly-draining. The Delaware General Health District would have authority over the development if the projected use is under 1,000 gallons-per-day but specific detail must be provided as to whether adequate treatment can take place on the site.

Water availability: The application states that this site is served by a well. Del-Co states that there is no water service directly to the site, although a line exists approximately 2,700 feet to the west. As stated above, the code requires the site be served with public water unless otherwise approved. It is questionable whether a well can provide the amount of water needed for the medical facilities as proposed. Del-Co has indicated that there is a plan for the city to provide water from the east, but no current timeline exists.

Landscaping: The code requires a landscaping plan. The applicant indicates landscaping by supplying an artist rendering. If this is a Preliminary Development Plan, this elevation drawing is sufficient, but a complete plan should be required at the Final Development Plan phase.

Signage: Detail for signage is not required until the Final Development Plan. However, the site plan in the current application shows a monument sign in the right-of-way of Troy Road. This must be moved outside the right-of-way and more detail must be provided to the township before Final Development Plan approval.

IV. Required Findings for PCD Approval

The Zoning Commission and Trustees may approve an application requesting that property be included in the PCD zoning district, provided they find that the proposed use complies with all of the following requirements:

1. That the proposed development is consistent in all aspects with the purpose, criteria, intent, and standards of this Zoning Resolution.

Staff response: There are numerous deficiencies in the plan. These would have to be resolved before the township could judge whether it is consistent with the resolution.

2. That the proposed development is in conformity with the comprehensive plan as adopted or concurrently amended or portion thereof as it may apply.

Staff response: The proposal generally is in conformity with the plan with regard to use.

3. That the proposed development promotes the health, safety, and general public welfare of the township and the immediate vicinity.

Staff response: With no detail given as to waste disposal, these issues cannot be definitively judged.

4. That the proposed plan meets all of the design features required in this Resolution.

Staff response: Except for the issues pointed out in the report, the plan generally meets the other design features in the resolution.

5. That the proposed development will be compatible in appearance with surrounding existing or proposed land uses.

Staff response: The area is generally undeveloped, although there are some storage units and a dog park to the southeast of the site. Based on the elevation drawings, this development would be a compatible commercial use in a generally residential area.

6. That the development promotes the efficient use of land and resources, promotes greater efficiency in providing public utility services and encouraging innovation in the planning and building of all types of development.

Staff response: This requirement generally relates to developments that have multiple uses and buildings or a mix of uses and is not applicable in this case.

IV. Staff Recommendations

Staff recommends **Denial** for Dr. Thomas Garey from FR-1 to PCD to the DCRPC, the Troy Township Zoning Commission and the Troy Township Trustees *until complete information can be provided as to the feasibility of waste treatment and water supply. Staff notes that the use is appropriate and the other deficiencies of the application can be worked out by the township zoning commission.*

Commission / Public Comments

The applicant was not present.

Mr. Price stated that the City of Delaware will be running a 24" water line to the site in the spring.

Mr. Burke explained that his office has not received a soils report yet which would determine the suitability of an onsite treatment system.

Mr. Stites agreed with the staff report recommending denial until the applicant provides an explanation of how sewage would be handled.

Mr. Joe Clase stated that Troy Township had their hearing on Wednesday, January 27th and approved the rezoning request by Mr. Garey, which will now be forwarded to the Township Trustees.

Mr. Shoaf made a motion to recommend Conditional Approval of the rezoning request, subject to the applicant providing information for the feasibility of waste treatment and water supply, as suggested by staff. Mr. Brown seconded the motion. HAND VOTE: 14 For, 7 Opposed, 1 Abstained (Mr. Price, Troy Twp.). Motion carried.

02-10 ZON Orange Twp. Zoning Commission – text amendments (Sec. 26.04)

I. Introduction

The Orange Township Zoning Commission initiated an amendment in its code, **Section 26.04 – Zoning Secretary.**

II. Description

The township seeks to make slight adjustments to its verbiage regarding Zoning Secretary. The change will allow the trustees to assign the duties of the Zoning Secretary to one or more positions which are within township employment. The proposal goes on to specify that the township Fiscal Officer may be named the Zoning Secretary, which is provided for in the ORC.

III. DCRPC Staff Recommendation

Staff recommends **Approval** for the proposed text changes in the Orange Township zoning code to the DCRPC, the Orange Township Zoning Commission and the Orange Township Trustees.

Commission / Public Comments

Mr. Hanks made a motion to recommend Approval of the Orange Twp. text amendments. Mr. Gunderman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

IV. SUBDIVISION PROJECTS

Preliminary (none)

Preliminary/Final (none)

CONSENT AGENDA

Final (none)

V. EXTENSIONS (none)

VI. OTHER BUSINESS *(none)*

VII. POLICY / EDUCATION DISCUSSION

- Current active Subdivisions as of January 1, 2010

RPC #	Subdivision	Lots	Expiration	RPC #	Subdivision	Lots	Expiration
19-02.2	Alum Crossing, Sec. 2	97	12/6/2010	22-06.2-4	Hidden Creek, Sec. 2-4	106	12/1/2012
19-02.2.A	Alum Crossing, Sec. 2, Ph. A	19	7/30/2011	24-05	Little Bear Village	94	10/11/2011
06-05	Cheshire Woods Estates	50	10/18/2011	02-06.2	Mansard Estates, Sec. 2	117	1/1/2012
01-05	Cheshire Woods, Sec. 2-4	271	6/20/2011	03-06	Meadows at Lewis Center	135	5/1/2010
20-05	Clear Creek	4	12/17/2010	07-05	Nelson Farms, Sec. 1-3	150	3/1/2013
09-09	Colt's Gate, Sec. 1	6	8/13/2010	27-03	North Star, Sec. 1	5	11/15/2012
07-09	Deer Creek Farms	2	9/17/2011	07-04.3	Olentangy Crossings, Sec. 3	118	3/1/2011
08-09	Deerfield Farms	4	9/17/2011	06-09	Orange Centre Drive Extension	1	4/30/2011
28-04	Derby Glen Farms	53	8/1/2012	19-05	Ravines at Meadow Ridge	3	6/1/2010
21-04	Estates at Cheshire	21	8/1/2011	13-08	Sage Creek, Sec. 5	6	7/30/2010
05-05	Estates at Sherman Lakes	39	8/27/2010	08-07	Sherwood Hills	75	3/27/2010
15-02.4.B	Estates of Glen Oak, Sec. 4, Ph. B	63	5/25/2010	06-07	Sorrento at Highland Lakes	1	7/26/2010
08-08	Fair Haven	4	8/1/2010	06-08	Stirling Lakes	29	5/29/2010
26-04	Fairways at Blue Church	243	2/13/2013	06-04	Summerwood Lakes	101	12/15/2011
09-07	Fiddler's Creek	29	11/19/2010	04-09	The Estates of River Run	10	9/17/2011
09-02.5-8	Glen Oak, Sec. 5,7,8	132	8/10/2014	05-07	The Reserve at Duncan Run	4	12/27/2008
11-06	Greyland Estates, Sec. 2, Ph. B	69	10/1/2012	04-08	Williams Subd.	3	5/29/2010

VIII. RPC STAFF AND MEMBER NEWS

- Welcome to New Members:
 - Shawnee Hills: Charlie Callender, Rep., James Gauldin, Alt.
 - Genoa Twp. – Karl Gebhardt, Alt.
 - Liberty Twp. – David Anderson, Alt.
 - Brown Twp. – Mike Jones, Rep.

Having no further business, Mr. Shoaf made a motion to adjourn the meeting at 7:20 p.m. Mr. Price seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

The next meeting of the Delaware County Regional Planning Commission will be Thursday, February 25, 2010, 7:00 PM at the Willis Building, 2079 US 23 North, Conference Room, Delaware, Ohio 43015.

Steve Burke, Vice-Chairperson

Stephanie Matlack, Executive Administrative Assistant