



Delaware County Regional Planning Commission

109 North Sandusky Street
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www.dcrpc.org

Scott B. Sanders, AICP
Executive Director

MINUTES

Thursday, February 25, 2010 at 7:00 PM

Frank B. Willis Building, 2079 US 23 North, Conference Room,
Delaware, Ohio 43015

I. ADMINISTRATIVE BUSINESS

- Call to order
- Roll Call
- Approval of January 28, 2010 RPC Minutes
- Executive Committee Minutes of February 17, 2010
- Special Executive Committee Minutes of February 24, 2010
- Statement of Policy

II. VARIANCES *(none)*

III. ZONING MAP/TEXT AMENDMENTS

03-10 ZON Genoa Twp. Zoning Commission – text amendments

04-10 ZON Orange Road Partners, LLC – Orange Twp. – 28.1 acres – MFPRD

IV. SUBDIVISION PROJECTS

Township

Lots/Acres

Preliminary *(none)*

Preliminary/Final *(none)*

Final

02-06.2	Mansard Estates, Section 2	Genoa	53 lots / 43.425 acres
07-09	Deer Creek Farms	Liberty	02 lots / 21.681 acres
08-09	Deerfield Farms	Liberty	04 lots / 16.474 acres

T=TABLED, W=WITHDRAWN

V. EXTENSIONS *(none)*

VI. OTHER BUSINESS

- Consideration for recommendation of approval: 2010 ESRI maintenance agreement, \$3,047.00
- Consideration for recommendation of approval: Liability Insurance, \$6,828.00
- Consideration for recommendation of approval: contract, 2010 Berlin Twp. Comp. Plan update
- Appointing the Nominating Committee for Executive Committee members
- Discussion of office space
- Director Evaluation and Consideration of Compensation

VII. POLICY / EDUCATION DISCUSSION *(none)*

VIII. RPC STAFF AND MEMBER NEWS *(none)*

I. ADMINISTRATIVE BUSINESS

▪ **Call to Order**

Chairwoman Foust called the meeting to order at 7:10 p.m.

▪ **Roll Call**

Representatives: Jeff George, Rick Sedlacek, Mike Jones, Fred Fowler, Steve Burke, Gary Gunderman, Dave Stites, Holly Foust, Carolyn VanBrimmer, Lloyd Shoaf, Tom Brown, Bill Metzler, Bonnie Newland, and Mike Datillo. *Alternates:* Jack Smelker, Doug Riedel, and Tom Farahay. *Staff:* Scott Sanders, Da-Wei Liou and Stephanie Matlack.

▪ **Approval of the January 28, 2010 RPC Minutes**

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

▪ **February 17, 2010 Executive Committee Minutes**

1. **Call to order**

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

2. **Approval of Executive Committee Minutes from January 27, 2010 – Mr. Gladman made a motion to approve the minutes from the last meeting. Mr. Shoaf seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Chairperson Foust). Motion carried.**

3. **New Business**

a. Financial / Activity Reports for January 2009

REGIONAL PLANNING RECEIPTS		JANUARY	YTD TOTAL
General Fees (Lot Split)	(4201)		
Fees A (Site Review)	(4202)		
Insp. Fees (Lot Line Transfer)	(4203)	\$400.00	\$400.00
Membership Fees	(4204)	\$200,118.00	\$200,118.00
Planning Surcharge (Twp. Plan. Assist.)	(4205)	\$1,721.31	\$1,721.31
Assoc. Membership	(4206)		
General Sales	(4220)	\$120.00	\$120.00
Charges for Serv. A (Prel. Appl.)	(4230)		
Charges for Serv. B (Final. Appl.)	(4231)	\$5,400.00	\$5,400.00
Charges for Serv. C (Ext. Fee)	(4232)		
Charges for Serv. D (Table Fee)	(4233)		
Charges for Serv. E (Appeal/Var.)	(4234)		
Charges for Serv. F (Planned District Zoning)	(4235)	\$300.00	\$300.00

OTHER DEPT. RECEIPTS			
Health Dept. Fees	(4242)		
Soil & Water Fees	(4243)		
MISCELLANEOUS REVENUE			
Other Reimbursements	(4720)		
Other Reimbursements A			
Other Misc. Revenue (GIS maps)	(4730)	\$30.00	\$30.00
Misc. Non Revenue Receipts	(4733)		
Sale of Fixed Assets	(4804)		
TOTAL RECEIPTS		\$208,089.31	\$208,089.31

Balance after receipts \$ 258,575.45
 Expenditures - \$ 19,207.81
 End of January balance \$ 239,367.64

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. February RPC Preliminary Agenda – includes 2 rezoning/text amendments, 3 Final applications and 4 items under other business.
- c. Director's Report
 - 1.) Contract billing to date:

Twp.	Contract amount	Free hours remaining	Billed to date (01/31/10)	Remaining on contract
Berlin	\$10,000.00	24	\$7,261.13	\$2,738.87
Kingston	\$8,000.00	18	\$3,937.32	\$4,062.68
Orange	\$18,000.00	103	\$7,196.26	\$10,803.74

- 2.) Attended a meeting regarding the EPA giving MORPC the duty of reviewing 208 Plans (Sanitary) for Delaware County.

4. Old Business

5. Other Business

- 1.) Discussion of Soil & Water booklet – Milt Link with the Soil & Water Conservation District is asking for printing assistance donations for the booklet “Buying Land and Building a Home in Delaware County”. The Committee agreed it was a worthy cause but was not a budgeted expense. They suggested Mr. Link approach the Township Trustees for donations. The Committee also agrees to look at the budget at the end of the year for possible donations at that time.
- 2.) Discussion of office space – Mr. Sanders explained that he had been approached by two County offices looking for temporary office space. Mr. Cannon also met with Mr. Sanders seeking availability of unused space and the rate of compensation the RPC would request. The Executive Committee agreed that there is currently space available that could be used by another compatible County agency. The Executive Committee asked Mr. Sanders for the “going rate for office space rental”. He explained that a year ago Realtor, Doug Price estimated an office in downtown Delaware could rent for approximately \$300.00 per month. RPC legal advisor said that a new lease does not have to be approved but that an agreement could be prepared and approved.

The Executive Committee agreed to ask that the full Commission grant them the authority to negotiate and execute the agreement.

- 3.) Consideration for recommendation of approval: 2010 ESRI maintenance agreement, \$3,047.00
Mr. Shoaf made a motion to recommend approval of the maintenance expenditure of \$3,047.00 for ESRI. Mr. O'Brien seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.
- 4.) Consideration for recommendation of approval: Liability Insurance, \$6,828.00
Mr. O'Brien made a motion to recommend approval of the Liability Insurance expenditure of \$6,828.00. Mr. Gladman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.
- 5.) Consideration for recommendation of approval: Contract, 2010 Berlin Twp. Comp. Plan update – Mr. Sanders explained that this is the continuation of the current contract but is for work to be completed in 2010.
Mr. Gladman made a motion to recommend approval of the contract between the DCRPC and the Berlin Twp. Zoning Commission for the Comprehensive Plan update. Mr. Shoaf seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

6. Personnel

- 1.) Executive Session for Consideration Of Appointment, Employment, Dismissal, Discipline, Promotion, Demotion Or Compensation Of A Public Employee Or Public Official per ORC 121.22 (G).
At 9:50 a.m. Mr. O'Brien made a motion to go into Executive Session for Consideration Of Appointment, Employment, Dismissal, Discipline, Promotion, Demotion Or Compensation Of A Public Employee Or Public Official per ORC 121.22 (G). Mr. Gladman seconded the motion. Roll call: Mrs. Foust aye, Mr. Gladman aye, Mr. O'Brien aye, and Mr. Shoaf aye. Motion carried.

At 10:39 a.m., it was moved by Mr. O'Brien, seconded by Mr. Shoaf to adjourn out of Executive Session. VOTE: Unanimously For, 0 Opposed. Motion carried.
- 2.) Discussion of Director evaluation – Chairwoman Foust presented Mr. Sanders with the results of his annual performance evaluation. She explained that the Executive Committee agreed that Mr. Sanders has met expectations. They established the goal that Mr. Sanders is to personally visit a minimum of 80% of the member communities by appearing either at meetings of the Board of Trustees or of the Zoning Commission by the end of 2010 to introduce himself, explain what the RPC does and what services it can offer to its members.
- 3.) Staff evaluations – Mr. Sanders explained that the two staff evaluations were completed in early January with both earning the maximum available merit increase. The 2010 Budget allowed for a maximum of 2% raises for staff. Staff raises are to be recommended by the Executive Director and in concurrence of the Executive Committee. Since Mr. Burke was not present, the Executive Committee agreed to hold a special meeting prior to next week's RPC meeting to discuss this matter further. Notices will be posted as required.

7. Adjourn – *Having no further business, Mr. Shoaf made a motion to adjourn the meeting at 11:05 a.m. Mr. O'Brien seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

A Special Executive Committee meeting will be held Wednesday, February 24, 2010 at 1:00 p.m. at 109 North Sandusky Street, Delaware, Ohio, 43015.

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

▪ **February 24, 2010 Special Executive Committee Minutes**

1. Call to order

Chairwoman Foust called the meeting to order at 1:00 p.m. *Present:* Holly Foust, Steve Burke, Dick Gladman, Ken O'Brien and Lloyd Shoaf. *Staff:* Scott Sanders and Stephanie Matlack.

2. Executive Session for Consideration Of Appointment, Employment, Dismissal, Discipline, Promotion, Demotion Or Compensation Of A Public Employee Or Public Official per ORC 121.22 (G).

At 1:00 p.m. Mr. Gladman made a motion to go into Executive Session for Consideration Of Appointment, Employment, Dismissal, Discipline, Promotion, Demotion Or Compensation Of A Public Employee Or Public Official per ORC 121.22 (G). Mr. O'Brien seconded the motion. Roll call: Mrs. Foust aye, Mr. Gladman aye, Mr. O'Brien aye, Mr. Burke aye and Mr. Shoaf aye. Motion carried.

At 1:12 p.m., Mr. O'Brien made a motion to go back into regular session. Mr. Burke seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

3. Consideration of Appointment, Employment, Dismissal, Discipline, Promotion, Demotion or Compensation of a Public Employee.

Mr. Gladman made a motion to approve the 2% salary increases for Stephanie Matlack and Da-Wei Liou effective immediately. Mr. Burke seconded the motion. VOTE: Majority For, 1 Opposed (Mr. Shoaf) and 1 Abstained (Mr. O'Brien). Motion carried.

Mr. Burke made a motion to recommend approval of a 2% salary increase for Scott Sanders effective immediately. Mr. Gladman seconded the motion. VOTE: Majority For, 1 Opposed (Mr. Shoaf) and 1 Abstained (Mr. O'Brien). Motion carried.

4. Adjourn

At 1:15 p.m., Mr. O'Brien made a motion to adjourn the Special Meeting, seconded by Mr. Gladman. VOTE: Unanimously For, 0 Opposed. Motion carried.

The next regular Executive Committee meeting will be Wednesday, March 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

03-10 ZON Genoa Twp. Zoning Commission – text amendments

I. Description

The Genoa Township Zoning Commission initiated an amendment of its code. In 2009, the Regional Planning staff worked with the township on a reorganization of its Zoning Resolution. During that major revision, some items were inadvertently relocated to the incorrect section or otherwise missed. These include:

- Minimum floor area requirements incorrectly referenced in the Rural Residential District, Planned Rural Residential Conservation District, and Suburban Residential District;
- Internal references were incorrect in the Planned districts with regard to the process by the Zoning Commission and Board of Trustees;
- Some references to “Clerk” were not changed to “Fiscal Officer.”

II. DCRPC Staff Recommendation

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

Commission / Public Comments

No one was present to represent the applicant.

Mr. Sedlacek made a motion to recommend Approval of the text changes to the Genoa Township zoning code. Mr. Gunderman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

04-10 ZON Orange Road Partners, LLC c/o Schottenstein Real Estate Group – Orange Twp. – 28.116 acres from MFPRD to MFPRD

Request: Rezone 28.116 acres from MFPRD, which currently allows 128 condominiums to MFPRD to allow 220 units of apartments within the Orange Village Centre.

Applicant: Orange Road Partners LLC c/o Schottenstein Real Estate Group

Location: Southeast of US 23 and Orange Road, and west of Highfield Drive, Orange Township.

I. Conditions

Present Zoning: Multi Family Planned Residential (MFPRD)

Proposed Zoning: Multi Family Planned Residential (MFPRD)

Present Use: Open Field, existing street

Proposed Uses: 220 units of apartments

Existing Density: (proposed) 4.6 units/acre per approved 2006 MFPRD zoning (128 units of condominiums).

Proposed Density: 7.8 units/acre

School District: Olentangy

Utilities Available- Del Co Water, Delaware County sanitary sewer

Soils: GwB – Glynwood 2-6 % slope

GwC2 – Glynwood 6-12 % slope

BoA – Blount 0-2 % slope

LyE2 – Lybrand 18-25 % slope

PwA – Pewamo 0-1 % slope

II. Project Description

This proposal is part of the 141 +/- acre Orange Village Centre development, which was zoned in 1992. The overall development is located south of Orange Road and extends from US 23 to the Conrail RR tracks. It was planned to contain a mix of condominiums, apartments, a central park, and future retail and office buildings. Highfield Drive bisects the development with multi-family residential uses to the east and planned commercial zoning to the west. The Hidden Springs and Hidden Ravines condos and Dooley's Orchard apartments have been developed within Orange Village Centre. Surrounding land use includes commercial and industrial to the south and north, and commercial to the west across US 23. Williamsville Cemetery is in the southwest corner of this development. Single-family residences are to the north along Orange Road.

In 2006, The Glimcher Company rezoned the subject property acres from PC to MFPRD to develop 128 units of condos west of Highfield Drive. This was to include a west-east public street, East Hidden Ravines Drive which has been built to connect US 23 with Highfield Drive. A north-south road, Orange Centre Drive, has also been built connecting this development to Orange Road.

The current applicant now requests to rezone 28.116 to MFPRD to allow four 12-unit apartment buildings, 12 eight-unit buildings, four seven-unit buildings, and six eight-unit buildings. The community would also include a clubhouse, pool, and 2.43 acres of maintained passive open space.

Because this area has already been rezoned to a lower density MFPRD, this report will deal with the proposed density and the requested divergences. Landscaping, lighting, architectural details and provision for utilities have all been addressed unless otherwise noted.

III. Conformance with Local Comprehensive Plans

The Orange Township 2001 Comprehensive Plan identifies the area between Orange Road and Powell Road, east of US 23 to the Conrail RR tracks as the "Central Commercial/Industrial Corridor" (Sub Area 5). It recommends planned commercial and office as in-fill to all existing commercial zoning. The township is currently undergoing a review of its Comprehensive Plan although no recommended changes have been discussed for this area. The map recognizes the existing MFPRD zoning at the approved density of 128 condominium units.

Multi-family is certainly an acceptable use and, in this case, an approved use for this site. However, Orange Township is generally developed at approximately 2 units per acre. At 7.8 units per acre, this proposal is more than

three times that density. The area includes a large number of existing multi-family developments, including 52 units at Hidden Reserve condos, 160 units at Hidden Springs condos, 218 units at Dooley's Orchard Apartments, and 48 units at Hidden Springs II condos with another 32 approved. These 510 approved units are located on approximately 70 acres, resulting in a density of 7.28 units/acre. This exceeds the overall density target for the township.

IV. Requested Divergences and other Issues

- 1) **Intensity of Use** – The zoning allows up to 4 units per acre with an exception of additional density if the proposed development is adjacent to other multi-family developments, in which case it can be 2/3 the density of the contiguous development (or 4.9 units/acre). The proposal requests 7.8 units per acre.
Staff comment: As previously stated, the density exceeds the density recommended on the Comprehensive Plan as well as the density within the zoning resolution. The density is too high in an area that currently includes a concentration of apartment and condominium product. Increasing expected densities also affects the anticipated provision of infrastructure, roads, schools, and other services.
- 2) **Maximum Units on Any Single Acre** – The code limits the number of dwelling units on any single acre to a maximum of 8 units. This proposal exceeds that number. The applicant states that the additional units are required to support the level of quality and amenities proposed. The applicant also notes that existing ponds and topography limit the developable area.
Staff comment: This statement in the zoning resolution is intended to limit the size of buildings and concentration of units in a single area. If there was unique topography within the site and other natural features that justified a divergence in this area, staff could concur. However, existing natural features to the south are not significant and the detention basin to the east was part of the original development of the site. The applicant does not propose to develop these open space areas (although the developer does commit to build a leisure trail along existing streets, which is commendable). However, none of this justifies such a substantial increase in the density. The commitment to increased amenities is also commendable, but except for the leisure trails, they are all private.
- 3) **Required Off-Street Parking Spaces** – The code requires 3 spaces per dwelling unit whereas the application seeks 2.5, based on a desire to reduce impervious surfaces, improved appearance of the development and heat island reduction.
Staff comment: The higher density is driving the need for excessive parking. Again, it is commendable that the developer wishes to reduce impervious surface, especially within the Olentangy watershed. However, multi-family dwellings often need extra parking for guests as well as residents. The township can judge what number seems to work in existing apartment developments. Without such specific data, staff generally recommends against this divergence.
- 4) **Conditionally Permitted Signs** – The code allows no more than one monument sign whereas the application requests two signs: one on either side of East Hidden Ravines Drive.
Staff comment: This is a reasonable request, as the development is divided by a public street. It could cause confusion, however, by making the public East Hidden Ravines Drive appear as if it is a private internal street. This is difficult to judge since no sign exhibits or landscaping elevations are provided in the plan. If designed correctly, this divergence could be appropriate.
- 5) **Other Issues**
 - a) **Sanitary sewer** – As of this report, no letter had been provided from the Sanitary Sewer office regarding the availability of additional sewer capacity for these units. Such determination would be based on the number of bedrooms and the size of downstream lines.

- b) **Traffic and Road Infrastructure** – During the 2007 application, it was noted that East Hidden Ravines Road was built based on the approved use and density of the approved development plan. At the time, it was noted that the road was not built to support additional commercial in this area. Additional residential units could also have an impact on the roadway system. The township should request a new letter from the County Engineer stating whether the road is sufficient for the use.

V. Required Findings for MFPRD

- 1.) That the proposed development is consistent in all respects with the purpose, intent, and general standards of this zoning resolution.

***DCRPC Staff Finding:** No, the number of divergences indicates that the general standards cannot be met with this proposal. The parking and signage divergences are potentially acceptable, but the density issues are not resolved.*

- 2.) That the proposed development is in conformity with the comprehensive plan or portion thereof as it may apply.

***DCRPC Staff Finding:** The plan may meet some of the GOALS of the Comprehensive Plan, such as open space, access management, and providing paths and pedestrian connections, but the density exceeds the RECOMMENDATIONS of the Township Plan.*

- 3.) That the proposed development advances the general welfare of the township and the immediate vicinity.

***DCRPC Staff Finding:** Based on the divergences, the excessive density and the impacts to roads, infrastructure and schools, it cannot be simply said that this development advances the general welfare of the township.*

VI. DCRPC Staff Recommendation

Staff recommends **Denial** of the application by the Orange Road Partners LLC c/o Schottenstein Real Estate Group for a zoning change of 28.116 from MFPRD to MFPRD based on excessive density and the divergences needed to support that density, to the DCRPC, Orange Township Zoning Commission and the Orange Township Trustees.

Commission / Public Comments

Mr. Gary Smith with Bird – Houk Collaborative was present on behalf of the applicant. He explained that the developer is proposing a high-end apartment community within Orange Township. The proposed project would include a variety of architecture with few buildings with a better layout. Due to the higher quality of project, more units were needed. He stated that in other projects the developer has done have not gone over 2.5 parking spaces. The open space required is 5.6 acres, but this project is providing 6.7 acres not including the ponds. He said he would be happy to answer any questions from the Commission.

Mr. Gunderman asked if a public park was planned for the area to the north around the pond. Mr. Brett Kaufman, President of Schottenstein Real Estate Group explained that they are open to suggestions on use of the public space and would work with the Township.

Mr. Gunderman asked what improvements are being planned. Mr. Kaufman explained that a bike path along East Hidden Ravines is being looked at as a connection. Park benches and gazebos have been done in their other projects and welcome suggestions.

Mr. Gunderman asked what the long-range game plan was for the extension of Orange Centre Drive to the south? Mr. Sanders said a preliminary subdivision has been approved for the extension of it to include a right in/ right out at US 23. There is some agreement between the two owners for this. Mr. Kaufman explained that an agreement is in place with the neighboring property that upon development of this parcel, then the adjacent owner has a specified period of time to construct a road across the ravine to connect the parcels. He believes this rezoning would trigger that time frame. The responsibility of the improvement is to the neighboring property.

Mr. Stites asked how much coordination has been done with Orange Township on this project. It looks like there are significant issues in the density request. Mr. Kaufman said they have met for the last six months with staff, Trustees and Commission members to include them in the process and explain what they hope to accomplish. Mr. Kaufman said that the quality of this development is unlike anything that has been built for rent in this area. The apartments are all 8-10 unit buildings, two story town homes and garden (apartments). The rents that they achieve will automatically preclude some of the problem kinds of tenants that have concerned the Township Trustees in the past. These are the same types of apartments they are building in and around the Columbus area. The type of amenities the developer is planning to bring to the community requires them to have a few more units for financial reasons. They feel the density has been mitigated with some of the open space requirements and the amenities they will bring to the area.

Chairperson Foust asked if any of their previous projects have been built in incorporated areas or Township unincorporated areas and did they have this density issue on any other projects. Mr. Kaufman stated that this company has over 35 years of building experience. He said that this is the first within a Township that he has been involved with.

Chairwoman Foust asked what size of the apartments are and how many bedrooms. Mr. Kaufman stated that there are 1, 2 and 3 bedroom units with most being 2 bedroom town homes. Mr. Rick Fay with Bird-Houk explained that the 1 bedroom units are 750 sq. ft (750 required), 2 bedrooms are 950 sq. ft. (850 required), and 3 bedrooms are 1,100 sq. ft. (1,000 required).

Chairwoman Foust asked since the size does not seem luxurious, what it is about the amenities that make them luxury apartments. Mr. Kaufman agreed luxury is relative. He stated that the combination of finishes inside and out are comparable to a lot of the for sale product and in many cases much nicer. These units would have higher end appliances and counter tops and a variety of flooring. Also there is variation of shaker, brick and stone exteriors. Mr. Kaufman said that the architect for this project, Brian Kent Jones, is probably most well known for his developments in New Albany including the New Albany Country Club.

Chairperson Foust asked if, in his experience in this style of home, there are many children. Mr. Kaufman said that although there may be some school-age children, the majority would be single or couple households. With the rent that would be charged, he explained most families would want a single family home.

Mr. Sedlacek asked what the rental fees would be. Mr. Kaufman explained that they normally charge between \$0.85 to \$1.10 per foot, making rents between \$800 to \$1,200.00 per month.

Mr. Sanders concurred that the proposal is a nice looking product, with many details in the zoning application materials if anyone is interested in taking a look at them.

Mr. Jones asked the tenant turnover rate for their other projects. Mr. Kaufman said it depends on the area and the economy but they have a vacancy rate of about 25%-40%, which is lower than the national average of 60%.

Mr. Gunderman asked if they would consider changing this project at some point in the future to condominiums.

Mr. Kaufman stated that they have done that in the past but it is not something they do intentionally going in. The Highmeadows Village project was converted to condos about 18 years after it was built. He feels the conversion market is a long way away from coming around again. The intension for this project is for a rental project but there is always a possibility that that could happen.

Mr. Kaufman said that they understand the resistance of Township officials of another rental community in Orange Township but they will guarantee through deed or similar, that this project would never become Section 8 housing or subsidized of any kind.

Mr. Gunderman stated that this seems to be a good quality project and probably overall benefit the Township. He hopes they continue the discussion and come to an agreement with them. All things considered, he believes it is a little bit of a stretch for the plan to approve the requested density. He believes the parking could be approved at what is requested. He urged the applicant to cut back a little on the total number of units and try to upgrade some of the green areas and meet a little closer in the middle for the density. He would support a higher density than the plan suggests but what the applicant is proposing is just too much to make it work.

Mr. Gunderman made a motion to recommend denial of the rezoning by Orange Road Partners LLC c/o Schottenstein Real Estate Group, seconded by Mr. Shoaf. VOTE: Majority For, 1 Opposed (Mr. Brown), 1 Abstained (Mr. Farabay). Motion carried.

IV. SUBDIVISION PROJECTS

Preliminary (none)

Preliminary/Final (none)

CONSENT AGENDA

Final

02-06.2 Mansard Estates, Section 2 – Genoa Twp. - 53 lots / 43.425 acres

I. Conditions

- Applicant:** M/I Homes
- Subdivision Type:** Single Family Residential
- Location:** West side of Worthington Road, 600' north of Big Walnut Road, Genoa Twp.
- Current Land Use:** vacant land
- Zoned:** Planned Residential District (PRD)
- Utilities:** Del-Co water and public sanitary sewer
- School District:** Olentangy
- Engineer:** EMH & T

II. Staff Comments

Mansard Estate Section 2 includes the extension of Cornice Court and Braymore Drive, completing the connection to Grand Oaks, Section 2, Phase B. In addition to the 53 buildable lots, the plan includes the

dedication of 15 acres of open space. Lots are approximately 1/3 acre in size. This Section completes Mansard Estates, except for a small CAD, which received final plat approval but was not recorded.

The applicant has presented to the RPC Office a Final Plat (mylar) signed by the various County agencies, a requirement for Final approval.

III. Staff Recommendation

Staff recommends *Final Approval* of **Mansard Estates, Section 2** to the DCRPC.

Commission / Public Comments

Mr. Gunderman made a motion for Final Approval of Mansard Estates, Section 2. Mr. Sedlacek seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

07-09 Deer Creek Farms – Liberty Twp. - 02 lots / 21.681 acres

I. Conditions

- Applicant:** Thornwood Taggart Road LLC
- Subdivision Type:** Single Family Residential, Common Access Driveway
- Location:** East side of Taggart Road, 3,500 feet south of Hyatts Road
- Current Land Use:** Two single-family homes
- Zoned:** Farm Residential (FR-1)
- Utilities:** Del-Co water, on-site treatment
- School District:** Olentangy
- Engineer:** Hockaden and Associates

II. Staff Comments

This 2-lot re-plat is intended to clean up some ownership issues and remove undeveloped property from the current plat. Land has been vacated and transferred as directed by the township and the RPC during Preliminary Approval process.

The applicant has presented to the RPC Office a Final Plat (mylar) signed by the various County agencies, a requirement for Final approval.

III. Staff Recommendation

Staff recommends *Final Approval* of **Deer Creek Farms** to the DCRPC.

Commission / Public Comments

Mr. Gunderman made a motion for Final Approval of Deer Creek Farms. Mr. Sedlacek seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

08-09 Deerfield Farms – Liberty Twp. - 04 lots / 16.474 acres

I. Conditions

- Applicant:** Thornwood Taggart Road, LLC
- Subdivision Type:** Single Family Residential, Common Access Driveway
- Location:** East side of Taggart Road, approx. 4,500 feet south of Hyatts Road

Current Land Use: Two single-family homes
Zoned: FR-1 (Farm Residential)
Utilities: Del-Co Water, on-site treatment
School District: Olentangy
Engineer: Hockaden and Associates

II. Staff Comments

This 4-lot re-plat is intended to clean up some ownership issues and remove undeveloped property from the current plat. Land has been vacated and transferred as directed by the township and the RPC during Preliminary Approval process.

The applicant has presented to the RPC Office a Final Plat (mylar) signed by the various County agencies, a requirement for Final approval.

III. Staff Recommendation

Staff recommends *Final Approval* of **Deerfield Farms** to the DCRPC.

Commission / Public Comments

Mr. Gunderman made a motion for Final Approval of Deerfield Farms. Mr. Sedlacek seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

V. EXTENSIONS (*none*)

VI. OTHER BUSINESS

- Consideration for recommendation of approval: 2010 ESRI maintenance agreement, \$3,047.00
Mr. Sedlacek made a motion to approve the ESRI payment of \$3,047.00. Mr. Gunderman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

- Consideration for recommendation of approval: Liability Insurance, \$6,828.00

Mr. Shoaf made a motion to approve the Liability insurance payment of \$6,828.00. Mr. Farahay seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

- Consideration for recommendation of approval: contract, 2010 Berlin Twp. Comp. Plan update - *This contract continues the current update of the Comprehensive Plan (begun in 2009) and includes a maximum of \$5,000 for 2010.*

Mr. Gunderman made a motion to approve the contract for the 2010 Berlin Twp. Comp. Plan update. Mr. Brown seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

- Appointing the Nominating Committee for Executive Committee members

Chairwoman Foust appointed Tom Farahay, Tom Brown and Fred Fowler as the Nominating

Committee for Executive Committee members. She asked that anyone interested in serving on the Executive Committee please contact one of these members. The full Commission will vote on Executive Committee members at the March 25th RPC meeting.

- Discussion of office space

Chairwoman Foust explained that Mr. Sanders was approached by some County offices with an interest in renting some office space in the RPC building. The Executive Committee has discussed this and thought the full Commission may want to grant the Executive Committee the authority to negotiate and possibly execute a rental agreement.

Mr. Sanders stated that there are currently three (RPC) staff at 109 N. Sandusky St. In 2003, the RPC and the County contributed to the renovation of this building. In exchange for the RPC's financial assistance in the renovation we were given a 10-year lease for \$1 per year. The longer the RPC stays in the space the more it justifies the money spent in renovations. He explained the RPC wants to protect their interest in the building but it is a waste of a county asset to not have it used more thoroughly. If there is a chance at getting additional income or to extend the lease it is something to look into. The Data Center is growing and in need of three offices. This would be the IT team that works mostly from their office and is not constantly coming and going. The building currently has four empty offices. We would like to retain the larger office in case things pick up. Appointing the Executive Committee could help in the timing issue since they could meet as needed and not have to wait for the monthly RPC meeting to discuss options.

Mr. Gunderman asked if any inside work would need to be done to accommodate the Data center employees (additional wire running, server storage, etc). Mr. Sanders stated that if upgrades would need to be done it would be at their expense. Their staff did take a tour of the available space and did not mention any installation needs at this point. They would maintain their other staff in the building next to us (3rd floor of the Commissioner's).

Mr. George asked what the cost of commercial rental in this area. Mr. Sanders said he spoke with realtor, Doug Price and about a year ago and he mentioned \$300.00 per month for an office with no secretarial support. Mr. George stated he likes the idea of extending the lease as opposed to a monthly rental. Chairperson Foust asked if they would use the RPC furniture. Mr. Sanders stated that the furniture currently in the space was offered for their use.

Mr. Brown made a motion to grant the Executive Committee the authority to negotiate and execute an agreement between the RPC and the Data Center for office rental. Mr. Sedlacek seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

- Director Evaluation and Consideration for Employee Compensation

Chairperson Foust stated the Executive Committee evaluated Mr. Sanders and agreed he is doing a good job. One goal they established is that Mr. Sanders should visit at least 80% of the membership jurisdictions in the form of either going to a Trustees meeting or Zoning Commission meeting to introduce the RPC office and their duties. With this evaluation, the Executive Committee recommended a 2% pay increase, which was included in the 2010 Budget.

Mr. Stites asked how the pay raises impact existing contracts. Mr. Sanders said that the contracts say those amounts could go up if the salaries change. Mr. Sanders stated he would discuss this with the three current contracts prior to increasing.

Mr. Sedlacek asked to confirm that the increase was part of the budget. Chairwoman Foust stated that it was in the budget for all staff beginning January 1st. If it were approved and made effective immediately, then it would actually cost less because it was budgeted with the assumption that it would take effect January 1st.

Mr. Shoaf said he feels the increase should wait until there is more business. Mr. Shoaf asked what the carry forward is projected at with this years' budget. Mr. Sanders said it is about \$80,000 carry forward into 2011.

Mr. Sedlacek asked what the 2% amounts to for the year. Chairwoman Foust said approximately \$3,600.00. Mr. Burke said that none of the staff has had a pay increase for two years.

Mr. Stites said that based on the Executive Committee's evaluation and recommendation he would move to approve the goal for Scott Sanders as well as the 2% increase effective immediately. Mr. Jones seconded the motion. VOTE: Majority For, 1 Opposed (Mr. Shoaf). Motion carried.

VII. POLICY / EDUCATION DISCUSSION (none)

VIII. RPC STAFF AND MEMBER NEWS (none)

Having no further business, Mr. Sedlacek made a motion to adjourn the meeting at 8:20 p.m. Mr. Brown seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

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

Holly Foust, Chairperson

Stephanie Matlack, Executive Administrative Assistant