



Delaware County Regional Planning Commission

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www.dcrpc.org

Scott B. Sanders, AICP
Executive Director

MINUTES

Thursday, February 28, 2008 at 7:00 PM

Delaware Hayes Services Building,

140 N. Sandusky Street, Room 313, Delaware, Ohio 43015

I. ADMINISTRATIVE BUSINESS

- Call to order
- Roll Call
- Approval of January 31, 2008 RPC Minutes
- Executive Committee Minutes of February 20, 2008
- Statement of Policy

II. VARIANCES *(none)*

III. ZONING MAP/TEXT AMENDMENTS

- 04-08 ZON Columbus State Community College – Liberty Twp. – 10.867 – development plan approval
- 05-08 ZON P & D Builders – Berlin Twp. – 3.508 acres – development plan approval
- 06-08 ZON Porter Twp. Zoning Commission – text amendments
- 07-08 ZON Market at Liberty Crossing LLC – Liberty Twp. – 25.781 acres – development plan approval

IV. SUBDIVISION PROJECTS

Preliminary *(none)*

Preliminary/Final

		Township	Lots/Acres
14-07	Maxtown Subdivision, Lot# 3460, Div. #2	Genoa	01 lot / 0.653 acres

Final

15-98.2	Westerville Reserve, Phase 2	Genoa	03 lots / 06.39 acres
10-07	Schybal No. 2	Harlem	03 lots / 31.04 acres
21-06.2	Woodland Hall, Section 2	Liberty	36 lots / 53.44 acres
07-05.1.A.I	Nelson Farms, Section 1, Phase A, Part I	Liberty	23 lots / 28.53 acres
07-05.1.B	Nelson Farms, Section 1, Phase B	Liberty	05 lots / 05.95 acres

T=TABLED, W=WITHDRAWN

V. EXTENSIONS *(none)*

VI. OTHER BUSINESS

- SWCD discussion regarding conservation easements
- Appoint Nominating Committee for Executive Committee members

VII. POLICY / EDUCATION DISCUSSION

- MORPC's Capital Ways 2008-2030 Regional Transportation Plan presentation

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

I. ADMINISTRATIVE BUSINESS

▪ **Call to Order**

Chairwoman Foust called the meeting to order at 7:00 p.m.

▪ **Roll Call**

Representatives: Bill Berry, Dale Johnson, Fred Fowler, Joe Clase, Holly Foust, Dick Gladman, Larry Crile, Bill Thurston, Marvin Miller, Lloyd Shoaf, Yvonne Clippinger, and Mike Datillo. *Alternates:* Ray Armstrong, Jim Cogar, Jack Smelker, Pat Blayney, Dave Stites, Eric Fischer, and Sandra Stults. *Arrived after roll call:* David Andrian (R). *Staff:* Scott Sanders, Paul Deel, Da-Wei Liou, and Stephanie Matlack.

▪ **Approval of the January 31, 2008 RPC Minutes**

Mr. Eric Fischer made a motion to approve the minutes from the last meeting. Mr. Miller seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

▪ **February 20, 2008 Executive Committee Minutes**

1. Call to order

Chairwoman Foust called the meeting to order at 8:30 a.m. *Present:* Holly Foust, Steve Burke, Dick Gladman and Lloyd Shoaf. *Mr. Ward was absent. Staff present:* Scott Sanders and Stephanie Matlack.

2. Approval of Executive Committee Minutes

a. January 23, 2008 – *Mr. Gladman made a motion to approve the minutes of the last meeting. Mr. Shoaf seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

3. Old Business

4. New Business

a. Financial / Activity Reports for January 2008

REGIONAL PLANNING RECEIPTS		JANUARY	YTD TOTAL
General Fees (Lot Split)	(4201)	\$1,025.00	\$1,025.00
Fees A (Site Review)	(4202)	\$810.00	\$810.00
Insp. Fees (Lot Line Transfer)	(4203)	\$20.00	\$20.00
Membership Fees	(4204)	\$197,885.00	\$197,885.00
Planning Surcharge (Twp. Plan. Assist.)	(4205)	\$1,149.47	\$1,149.47
Assoc. Membership	(4206)		
General Sales	(4220)	\$135.00	\$135.00
Charges for Serv. A (Prel. Appl.)	(4230)	\$900.00	\$900.00
Charges for Serv. B (Final. Appl.)	(4231)	\$3,650.00	\$3,650.00
Charges for Serv. C (Ext. Fee)	(4232)		
Charges for Serv. D (Table Fee)	(4233)	\$200.00	\$200.00
Charges for Serv. E (Appeal/Var.)	(4234)	\$300.00	\$300.00
OTHER DEPT. RECEIPTS			
Health Dept. Fees	(4242)	\$19,550.00	\$19,550.00
Soil & Water Fees	(4243)	\$500.00	\$500.00
MISCELLANEOUS REVENUE			
Other Reimbursements	(4720)		
Other Reimbursements A	(4721)		
Other Misc. Revenue (GIS maps)	(4730)	\$6.00	\$6.00
Misc. Non Revenue Receipts	(4733)		

TOTAL RECEIPTS		\$226,130.47	\$226,130.47
Balance after receipts		\$274,636.51	
Expenditures	-	\$ 26,399.93	
End of January balance		\$248,236.58	

Mr. Burke 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 4 text amendment/development plan applications, 1 Preliminary/Final, and 5 Final applications. In other business, Mr. Milt Link from the Soil and Water Conservation District has asked to give a presentation regarding conservation easements to the Commission. The Commission will also be asked to appoint a Nominating Committee for Executive Committee members. The Commission will vote on Executive Committee members at the March 27th RPC meeting.

c. By-Laws review – Mr. Sanders reviewed several suggested amendments to the By-Laws. These proposed amendments were presented at the January Executive Committee meeting. After some discussion, Chairwoman Foust asked Mr. Sanders to prepare a draft and email to all Executive Committee members for discussion at the March Executive Committee meeting. She also asked that he contact Loveland and Brosius for some clarification on a few matters prior to next months meeting.

5. **Other Business** (none)

6. **Personnel** (none)

7. **Adjourn** – *At 10:05 a.m., Mr. Shoaf made a motion to adjourn the meeting. Mr. Gladman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

The next Executive Committee meeting will be Wednesday, March 19, 2008 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

04-08 ZON Columbus State Community College – Liberty Twp. – 10.867 – development plan approval

I. Request

Columbus State Community College is a state funded higher education institution that serves Franklin, Union, Delaware and Madison Counties. Due to the population growth in Delaware and Union the college has been planning to build a second campus. Such a public institution is a permitted use in the PC district. Overall campus

build-out is anticipated to take 20-30 years.

This 103-acre site, now owned by CSCC, was originally reviewed by the RPC for rezoning to the Planned Commercial district in May of 2004 and subsequently approved by Liberty Township in July of that year. The applicant is now presenting a Final Development Plan for the construction of the first academic building, renovation of two existing buildings, and development of access roads and parking lots.

II. Conditions

Applicant: Columbus State Community College

Location: 5100 Cornerstone Drive, Liberty Twp.

Zoning: Planned Commercial (PC)

Present Use(s): Vacant, former agriculture and Tru-Green office site

Proposed Use(s): School Campus

School District: Olentangy Local School District

Utilities Available: Del-Co Water and Public Sanitary Sewer

Critical Resources: n/a

Soils: BoA: Blount Silt Loam (0 to 2% slopes)

GwB: Glynwood Silt Loam (2 to 6% slopes)

PwA: Pewamo Silty Clay Loam (0 to 1% slopes)

III. General Description

The College is in the design phase of the initial academic building with construction set to commence in May, 2008 with a completion date of May, 2010. The state had also appropriated funds for the design of a second building, which will begin the design process in 2009 with completion in 2013.

The initial building will be the one closest to US 23. It will be oriented to the south, taking advantage of natural light by utilizing an array of tinted and translucent panels on the south side of the building. The north side of the building will be faced with brick and a section of metal wall panels. The building will be LEED (Leadership in Energy and Environmental Design) certified, qualifying it as a “green” building.

During RPC’s initial review in 2004, main access was planned from Winter Road with a second potential access to Cornerstone Drive. Based on changes planned for the Winter Road/Peachblow Road/US 23 intersection and the proposed Glenn Road extension from the city, the College is planning its initial “front-door” entrance and access road coming from Cornerstone Drive, which then links, to Greif Parkway.

Using Winter Road as a main entrance would require left turn lanes on US 23 at the intersection which already has very poor geometry and visibility and has been proposed to be moved north. The school states that it has no funding mechanism for such “offsite” improvements. Existing Winter Road residents were also against utilizing Winter Road as a main entrance. The time frame for moving the intersection north is unknown, with ownership of the corner by the Boy Scouts and a lack of funding being two barriers.

Numerous discussions have taken place between CSCC, the county, Liberty Township and ODOT to determine how and when the Winter Road access should be built. A second entrance is needed, but in addition to the issues raised above, the College does not want to encourage through traffic. Therefore, a future road is planned to be built from Winter Road headed south between the academic buildings and US 23, ending at the round-about where Cornerstone meets the site. This road will be built as the campus progresses.

The parking area will include bioswales to aid in the interception and treatment of stormwater before it is sent to the retention pond in the southeast corner of the site.

Signage, landscaping, grading and materials plans have been submitted to the township and are included in the

RPC file.

Site design and Building

The initial (2004) design of the campus indicated far-flung buildings with parking around the periphery. At the time, staff stated the buildings appeared to lack the pedestrian nature of a college campus by requiring students to walk great distances between buildings. The revised layout compacts the buildings in a more formal grouping to the north. The unfortunate result, however, is that the parking is largely limited to one huge area with a great distance between the farthest parking spaces and the academic buildings. It seems more logical to pull some buildings to the south and east and bring some of the parking north and west to provide better circulation for both cars and pedestrians. This would also improve the visibility of the campus from US 23.

It is also difficult to interpret the relationship between future buildings, other than a minimal grid of sidewalks shown on the development plan. Staff hopes that as the campus develops, more attention will be paid to the linkages and walk ability between buildings. Also, the building itself seems to lack the design and distinctiveness one might expect on a college campus.

IV. Criteria for Approval

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

Staff Comments: *It appears to be.*

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 Comments: *Yes. The Liberty Township Comprehensive Plan was adopted after this area was rezoned and identifies the acreage as institutional.*

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

Staff Comments: *Yes, it does.*

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

Staff Comments: *Yes.*

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

Staff Comments: *Yes – it will be compatible with proposed land uses.*

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 Comments: *Yes, when the campus is fully developed, both road accesses are in place, and a traffic signal is installed at the Greif Parkway entrance.*

V. Staff Recommendations

Staff recommends **Conditional Approval** of the Development Plan for Columbus State Community College to the DCRPC, the Liberty Township Zoning Commission and the Liberty Township Trustees, *based on comments in this report.*

Commission / Public Comments

Mr. Paul Goggin was present on behalf of Columbus State Community College along with several members of the design team.

Mr. Miller made a motion to recommend Conditional Approval of the Development Plan for Columbus State Community College, subject to staff comments. Mr. Shoaf seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

05-08 ZON P & D Builders – Berlin Twp. – 3.508 acres – development plan approval

I. Request

The applicant, P&D Builders, is requesting a development plan approval for 59 Greif Parkway (#3873) in “The Park at Grief.” The intention is to construct a 20,993 square foot corporate office building that will house the headquarters of P&D Builders, Ltd., and provide space for a second tenant, the Ohio Corn Growers Association.

II. Conditions

- Applicant:** P&D Builders, Ed Snodgrass, Vice President
- Location:** 59 Greif Parkway, Berlin Twp.
- Zoning:** Planned Commercial District (PC)
- Present Use(s):** Vacant
- Proposed Use(s):** Office Building
- School District:** Olentangy Local School District
- Utilities Available:** Del-Co Water and Public Sanitary Sewer
- Critical Resources:** n/a
- Soils:** BoA: Blount Silt Loam (0 to 2% slopes)
GwB: Glynwood Silt Loam (2 to 6% slopes)
PwA: Pewamo Silty Clay Loam (0 to 1% slopes)

III. General Description

The proposed 3.508-acre parcel will contain a 20,993 square foot office building housing the P&D Builders headquarters and the Ohio Corn Growers Association. The applicant has proposed an 82-space parking lot, some of which will be located in Liberty Township.

One full access point will be provided on Greif Parkway. This access is located within an off-site easement intended for future roadway construction. This easement was recorded in the original Grief Park plat to provide access for adjacent properties along US 23 to the south, giving those properties a way to reach the future traffic signal at Greif Parkway and US 23. There was some discussion regarding vacation of this easement and providing the adjacent lots with a different access to Greif Parkway. Staff and the County Engineer’s office recently reviewed the easement. Staff supports its current location as the best access for the offsite parcels.

A possible secondary right-in right-out may be located along Grief Parkway in the future.

As per the original agreement within The Park at Grief, the building will be built entirely within Berlin Township, placing only the parking area in Liberty Township.

Surrounding land uses include vacant commercial parcels to the north and west. A single-family residence on 3.9 acres is located to the south with other commercial properties along 23.

IV. Criteria for Approval

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

Staff Comments: *It appears to be.*

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 Comments: *Yes. The Berlin Township Comprehensive Plan reflects this site's current zoning: Planned Commercial.*

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

Staff Comments: *Yes, if the fire department approves the layout and configuration.*

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

Staff Comments: *Yes.*

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

Staff Comments: *Yes – it will be compatible with proposed land uses.*

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 Comments: *Yes, if the entrance is properly built and the access easement remains in its current location.*

V. Staff Recommendations

Staff recommends **Conditional Approval** of this PC development plan approval for P&D Builders Ltd. to the DCRPC, the Berlin Township Zoning Commission and the Berlin Township Trustees, *subject to the development of the portion of the site which is located in Liberty Township (parking) being approved by Liberty Township.*

Commission / Public Comments

Mr. Ed Snodgrass with P & D Builders was present to answer any questions from the Commission. He explained that the Ohio Corn Growers Association would occupy a portion of the proposed office space. They are coming from Marion, Ohio and bringing jobs to the area.

Mrs. Stults asked if the fire department has been contacted. Mr. Snodgrass said they have and are making a few adjustments to the plan concerning fire hydrants and pavement.

Mr. Blayney made a motion to recommend Conditional Approval of the development plan approval for P & D Builders, subject to the development of the portion of the site which is located in Liberty Township (parking) being approved by Liberty Township. Mr. Shoaf seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Mr. Berry). Motion carried.

06-08 ZON Porter Twp. Zoning Commission – text amendments

I. Introduction: The Zoning Commission initiated several changes to the township's zoning text in February. Substantive changes include, along with staff's comments, the following:

- Addition of the Telecommunications Towers section.

Staff comment: *Confirm that there is a reference to this section in the Conditional Use sections in the A-1, A-2, R-1 and PRD districts.*

- Changes the title of A-1 from Agricultural to Farm Residence District (2 net acre minimum lot) and Changes the title of R-1 from Farm Residential to Rural Residential (2 net acre minimum lot)
Staff comment: *Renaming these districts may cause confusion with property currently zoned. Both districts have a minimum lot size of 2 net acres but they have different frontage requirements. The A-1 definition of net acreage also includes the subtraction of acreage in a CAD easement whereas the R-1 definition does not reference CAD easement acreage. Both should reference the CAD easement.*

- Adds a new district (A-2) called the Big Walnut Critical Resource District, which has a 3-acre minimum lot size exclusive of CAD acreage.
Staff comment: *This brings the code into conformance with the goals of the Comprehensive Plan.*

However, opposite to the concern above, the net acreage of the lot size includes an exception for CAD acreage, but NOT for existing right-of-way. This may be the intention, but if not, it should be made more consistent with the other districts.

Adoption of this new district effectively rezones all property lying within 1,000 feet of Big Walnut Creek. This is appropriate, given the purpose of preserving resources along the creek. Reference could be added regarding the viability of parcels that are smaller than the minimum size when the code is adopted. This district may also reference the ORC for the authority to rezone the area.

- In PUD (Planned) districts, there are reference to initial, non-binding discussions with the township and the DCRPC.
Staff comment: *County Prosecutor staff recently noted that such references should include the following note: “No statement by official of the Township or County made prior to formal submission of a development plan and application to the Zoning Commission shall be binding. Any and/or all such informal consultations may be subject to Ohio’s open meeting laws (ORC 121.22) and may be required to be held in an open public meeting.”*
- Article X (PCD) includes a building height limit “as approved per plan.”
Staff comment: *Building height is largely determined by access by the Fire Dept. A common 35’ limit is appropriate, even in a planned district.*
- Article XII Olive Green-East Liberty Overlay
Staff comment: *The Zoning Commission may want to include a GIS map or copy of the original survey plat map in the code to avoid any confusion over the boundary of this overlay.*

Also, it seems that this district is missing some of the text. If it is actually complete, there should probably be some note that “all other standards of the underlying district shall apply unless otherwise defined by Article XII.”
- Article XIII - *check spelling of “Development” in the title.*
- Article XIII – Section 13.01 Purpose
Staff comment: *The Farm Village PUD is a conditional use in A-1, A-2, and R-1 districts. It is referenced as such in those districts. Other townships have avoided using the Conditional Use process for such conservation-based developments because BZAs are typically not used to reviewing development plans. If the township wishes to use the Conditional Use process, it’s a local choice. If the township would prefer the development plan go before the Zoning Commission, it should use the “float the cloud” process and reference the ORC 519.021(C).*
- Article XVI – XXII – Processes and Board Descriptions
Staff comment: *Changes in these articles are typically the result of changes in state law. The most recent township to have these articles reviewed is Berlin Township. Staff can provide a copy of their current code for comparison.*

- Section 16.04 – Non-Conforming Lots
Staff comment: Check Berlin code specifically in this section.
- Article XVII – Zoning Certificates
Staff comment: The Berlin code includes a section on Foundation Certificates that does not appear in the Porter draft.
- Article XVIII – Township Zoning Commission
Staff comment: Legal counsel has recommended that all townships check language regarding alternates to the Zoning Commission, which is recent change in the ORC.
- Article XIX – Amendments
Staff comment: Legal counsel has recommended that notice for publications be changed from “at least 15 days prior to the hearing” to “at least 10 days prior to the hearing.” Notice to adjoining should be changed from “at least 20 days prior to the hearing” to “at least 10 days prior to the hearing.” Staff has a flowchart created by legal counsel for reference.

II. DCRPC Staff Recommendation

Staff recommends **Conditional Approval** for the proposed text changes in the township’s zoning code to the DCRPC, the Porter Township Zoning Commission and the Porter Township Trustees, *subject to the comments in this report.* Staff also recommends the township request the County Prosecutor’s staff to review these changes.

Commission / Public Comments

There were no questions, from the public or Commission.

Mr. Miller made a motion to recommend Conditional Approval of the proposed text changes to the Porter Twp. Zoning code, subject to staff comments, along with the recommendation from DCRPC staff that the township request the County Prosecutor’s staff to review these changes. Mr. Berry seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

07-08 ZON Market at Liberty Crossing LLC – Liberty Twp. – 25.781 acres – development plan approval

I. Request

The applicant, Market at Liberty Crossing, LLC, is requesting a development plan amendment for a portion of a 25.78 acre lot (#3641) in “The Market at Big Bear.” The plan would allow future retail in individual buildings rather than a single plaza center.

II. Conditions

- Location:** Northwest corner of Sawmill Pkwy & Powell Rd (3952 W Powell Rd.), Liberty Twp
- Zoning:** Planned Commercial District (PC)
- Present Use(s):** Grocery store w/ commercial tenants in attached strip mall
- Proposed Use(s):** Ace Hardware w/ outdoor storage and future retail
- School District:** Olentangy Local School District
- Utilities Available:** Del-Co Water and Sanitary Sewer

Critical Resources: Drainage course that has been rerouted

Soils: BoA: Blount Silt Loam (0 to 2% slopes)

GwB: Glynwood Silt Loam (2 to 6% slopes)

PwA: Pewamo Silty Clay Loam (0 to 1% slopes)

III. General Description

This site was originally zoned Planned Commercial (PC) in 1995 (RPC 17-95 ZON) as part of a 215.2 acre rezoning request by Big Bear. The Market at Big Bear subdivision was recorded in 2000 (RPC #41-00). The Market at Big Bear is a 7-lot, 33.96-acre commercial subdivision including this 25.87-acre lot and 6 outlots. The outlots front on Powell Road and range from 1.03 to 1.79 acres.

The applicant proposes to amend the development plan for the western 8.62 acres of the original 25.87-acre lot. This section is referred to as Phase 3. The plan includes a proposed Ace Hardware with outdoor storage/sales area, and 3 additional buildings for future retail use totaling 55,277 s.f. Ace Hardware and Building 2 are attached, while Buildings 3 and 4 are separate. The original plan called for 77,331 s.f. of space in a single shopping center.

Surrounding land uses include Big Bear single-family subdivision to the north and west, another section of Big Bear commercial development to the east, and Wedgewood Commerce Park to the south. Other uses within the Market at Big Bear include Giant Eagle, a gas station/convenience store, and a couple of banks.

IV. Issues

The applicant has submitted a development plan as required in Article XIV. In addition, plans are provided for general development standards including, landscaping, lighting, signage and elevations. Service letters have also been provided. The following items need further consideration:

1. **Traffic Analysis:** The plan does not propose any additional access points, except for the completion of a new access from Farmington Avenue that was already provided for on the original plan. The traffic impact study from 1995 was updated. No additional improvements are recommended.

Staff Comments: The Fire Department needs to review the internal access roads and hydrant locations.

2. **Divergences:** In 2004, the township amended its PCD regulations. The development plan as approved in 1995 contains some facets that do not comply with the newer PCD requirements. For that reason, the applicant requests some divergences. Two of the divergences relate to setbacks for buildings and parking areas from adjacent residential districts. A reduction from 100' to 30' is requested along the west side of the site, with the reason being that Farmington Avenue provides additional separation from the adjacent residential zoning district (Farmington is shown on the zoning map as PRD)

A divergence is also requested from the parking requirements. The proposal is for 1 space for every 200 s. f. of floor space. The Zoning Resolution has several breakdowns, but is generally 1 space for every 400 s. f. of floor space. The plan does not provide a comparison table to show the various calculations.

Staff Comments: A divergence has not been requested for lot coverage and open space requirements (Section 14.04 A 2, 3). The proposed coverage on the plan is 77 percent where only 70 percent is allowed.

Staff would concur with the setback divergences if the proposed setbacks are equal to or greater than the setbacks shown on the original plan. The Township may want to consider additional landscaping/screening in this area.

Without a comparison of the required parking spaces vs. the proposed, it is not clear if a divergence is necessary. In fact, more parking may be shown than is necessary. The parking could probably be reduced since there will be overlap between uses. By reducing some of the parking, the maximum lot coverage/open space requirement may be achieved.

V. Criteria for Approval

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

Staff Comments: *It does if the divergences are approved. Staff would suggest the parking divergence be denied, which could negate a need for a maximum lot coverage divergence.*

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 Comments: *Yes.*

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

Staff Comments: *Yes, if setback and parking issues are resolved.*

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

Staff Comments: *Yes.*

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

Staff Comments: *Yes.*

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 Comments: *Yes.*

VI. Staff Recommendations

Staff recommends **Conditional Approval** of this PC development plan amendment for the Market at Liberty Crossing to the DCRPC, the Liberty Township Zoning Commission and the Liberty Township Trustees, *subject to resolution of the parking, setbacks, and lot coverage issues noted in the staff report.*

Commission / Public Comments

No one was present to represent the applicant.

Mr. Miller made a motion for Conditional Approval of this PC development plan amendment for the Market at Liberty Crossing, subject to resolution of the parking, setbacks, and lot coverage issues noted in the staff report. Mr. Berry seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

IV. SUBDIVISION PROJECTS

Preliminary (none)

Preliminary/Final

14-07 Maxtown Subdivision, Lot# 3460, Division #2 – Genoa Twp. - 01 lot / 0.653 acres

Applicant: Home Depot U.S.A., Inc.

Subdivision Type: Division of a platted commercial lot

Location: Genoa Square Shopping Center (6017 Maxtown Rd), Genoa Twp.

Current Land Use: Vacant

Current Zoning: PD-2

Utilities: Del-Co Water and County Sewer

School District: Westerville City School District

Engineer: Tim Decker

I. Staff Comments

The applicant is requesting to split 0.653 acres out of Lot #3460 in the Maxtown Subdivision. This would allow the construction of D.A. Coffee on a separate lot from the original 12.285-acre Home Depot lot. The lot will be accessed by a 40-foot access drive on its west side, which extends to Maxtown Road to the south.

Surrounding uses include the Kroger Shopping Center to the north, Home Depot to the east, Wendy's to the south, and other outlots to the west within the Genoa Square shopping center.

A technical review was held on November 20, 2007, after which the applicant has addressed all of the required changes. The applicant has also presented to the RPC Office a Final Plat (mylar) signed by the various County agencies, a requirement for Final approval.

II. Staff Recommendation

Staff recommends **Preliminary and Final approval** of the **Division #2, Maxtown Subdivision, Lot #3460**, to the RPC.

Commission / Public Comments

The applicant, Mr. David Disbarrow was present to answer questions from the Commission.

Mr. Blayney made a motion for Preliminary and Final approval of Division #2, Maxtown Subdivision, Lot #3460. Mr. Shoaf seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

CONSENT AGENDA

Final

15-98.2 Westerville Reserve, Phase 2 – Genoa Twp. - 03 lots / 06.39 acres

Applicant: Romanelli and Hughes Building Company
Subdivision Type: Single Family Residential
Location: North side of Maxtown Rd, east of Tussic Street
Current Land Use: Open Space/Residential
Zoned: PD-1 (Planned Residential) and Rural Residence (RR)
Utilities: DEL-Co. Water, Public Sanitary Sewer
School District: Westerville
Engineer: RD Zande & Associates

I. Staff Comments

The site is located on the north side of Maxtown Road. The 6.39 acre site will be divided into 3 lots. An existing house will remain 2.234 acres and will take access from Springview Drive in Phase 1. The two remaining lots are open space reserves of 3.143 and 0.668 acres each. The overall plan for Westerville Reserve was approved in 1998 and Phase 1 to the east has been recorded.

Westerville Reserve is surrounded by single-family residential subdivisions on all sides including Park Bend, part 2 to the north, Barrington Estates to the east, Hardbarger Subd. to the west, and Lake Forest Estates to the south in the City of Westerville.

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

II. Staff Recommendation

Staff recommends *Final approval* of **Westerville Reserve, Phase 2** to the RPC.

Commission / Public Comments

Mr. Gladman made a motion for Final approval of Westerville Reserve, Phase 2. Mr. Shoaf seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

10-07 Schybal No. 2 - Harlem Twp. - 03 lots / 31.04 acres

Applicant: Beverly and Joseph Schybal
Subdivision Type: Single-family Residential (CAD)
Location: East side of Miller Paul Rd., north of Center Village Rd., Harlem Township.
Current Land Use: Single-family residence
Zoned: Agricultural Residential District (AR-1) and Farm Residential (FR-1)
Utilities: Del-Co water and on-site septic
School District: Big Walnut Local School District
Engineer: Hoy Surveying Services, Inc.

I. Staff Comments

Schybal No. 2 is a proposed 3-lot subdivision of 31.03 acres. This site is currently one large lot owned by Mr. and Mrs. Schybal. There is an existing house and barn on Lot 2 that will remain. An existing shed on Lot 1 will be removed. The three lots range from 6.0 to 18.7 acres. The existing drive will be utilized as a Common Access Driveway (CAD).

The site is surrounded by single family residential, zoned AR-1 and FR-1.

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

II. Staff Recommendation

Staff recommends *Final Approval* of **Schybal No. 2** to the RPC.

Commission / Public Comments

Mr. Gladman made a motion for Final approval of Schybal No. 2. Mr. Shoaf seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

21-06.2 Woodland Hall, Section 2 – Liberty Twp. - 36 lots / 53.44 acres

Applicant: Highland Management Group, Inc., and Wingate Land Group

Subdivision Type: Single Family Residential

Location: West of SR 315, 4000' south of Home Rd, Liberty Township

Current Land Use: Vacant, partially wooded

Zoned: Farm Residential (FR-1)

Utilities: Del-Co water and County sewer

School District: Olentangy

Engineer: Terrain Evolution

I. Staff Comments

Woodland Hall Section 2 contains 35 residential lots on 53.44 acres (0.65 du/acre). It will link Woodland Hall, Section 1 (to the east) to Woodland Glen (to the west). Woodland Hall Drive is extended from both adjacent subdivisions, but will not provide a direct connection. This road will loop south from the east leg of Woodland Hall Drive then turns west along the south side of this site and finally extend north to connect with the west leg of Woodland Hall Drive. Woodland Run extends to the north boundary for potential future development of the adjacent land. Lots range in size from 1 acre to 2.47 acres, with a majority being slightly larger than 1 acre. Several small detention ponds are located throughout the subdivision and an existing pond on the adjacent Wingate tract will also be used for storm water management. This subdivision will be served by Del-co water and public sewer.

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

II. Staff Recommendation

Staff recommends *Final Approval* of **Woodland Hall Section 2** to the RPC.

Commission / Public Comments

Mr. Gladman made a motion for Final approval of Woodland Hall, Section 2. Mr. Shoaf seconded the

motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

07-05.1.A.I Nelson Farms, Section 1, Phase A, Pt. I – Liberty Twp. - 23 lots / 28.53 acres

Applicant: Nelson Farms Associates, LLC
Subdivision Type: Single-family Residential
Location: Between SR 315 and Liberty Rd. 1 mile north of Home Rd, Liberty Twp.
Current Land Use: Single family residence, woods and former agriculture
Zoned: Planned Residence District, (PR)
Utilities: Del-Co water and County sewer
School District: Olentangy
Engineer: EMH&T

I. Staff Comments

The overall Nelson Farms subdivision will contain 158 lots on 166.4 acres (0.94 du/acre). It also includes 7.6 acres of open space in 5 reserve lots. An existing house on the site will remain on a future lot within the subdivision. The eastern side of the subdivision contains 3 ravines running west to east and feeding directly into the Olentangy River along the subdivisions east boundary. The west side of the development is generally flat.

Section 1, Phase A, Part I is on the east side of the overall development. Shale Run Drive provides access from SR 315. Haverhill Court is a cul-de-sac extending to the south and then west. A bike path is proposed along the north side of Shale Run. An overhead electric transmission line with 100' wide easement is just west of this phase. Lot sizes are 0.75 acres and larger. The area between SR 315 and the Olentangy River (1.066 acres) will be preserved within an open space lot. Additional open space reserves (3.738 and 1.914 acres) are provided at the entrance to the subdivision on either side of Shale Run.

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

II. Staff Recommendation

Staff recommends *Final Approval* of **Nelson Farms, Sections 1, Phase A, Part I** to the RPC.

Commission / Public Comments

Mr. Gladman made a motion for Final approval of Nelson Farms, Sections 1, Phase A, Part I. Mr. Shoaf seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

07-05.1.B Nelson Farms, Section 1, Phase B – Liberty Twp. - 05 lots / 05.95 acres

Applicant: Nelson Farms Associates, LLC
Subdivision Type: Single-family Residential (CAD)
Location: Between SR 315 and Liberty Rd. 1 mile north of Home Rd, Liberty Twp.
Current Land Use: Single family residence, woods and former agriculture
Zoned: Planned Residence District, (PR)
Utilities: Del-Co water and County sewer
School District: Olentangy
Engineer: EMH&T

I. Staff Comments

The overall Nelson Farms subdivision will contain 158 lots on 166.4 acres (0.94 du/acre). It also includes 7.6 acres of open space in 5 reserve lots. An existing house on the site will remain on a future lot within the subdivision. The eastern side of the subdivision contains 3 ravines running west to east and feeding directly into the Olentangy River along the subdivisions east boundary. The west side of the development is generally flat.

Section 1, Phase B (5.95 acres) is a proposed 5 lot CAD on the east side of Haverhill Court. The four lots in the front are between 0.77 acres to 1.1 acres. The rear lot is slightly more than 2 acres and includes the CAD.

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

II. Staff Recommendation

Staff recommends *Final Approval* of Nelson Farms, Sections 1, Phase B to the RPC.

Commission / Public Comments

Mr. Gladman made a motion for Final approval of Nelson Farms, Sections 1, Phase B. Mr. Shoaf seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

VI. EXTENSIONS *(none)*

VII. OTHER BUSINESS

- **Appoint Nominating Committee for Executive Committee members**
Chairwoman Foust asked for volunteers for the Nominating Committee to gather names to present to the Commission for the Executive Committee. Mr. Eric Fischer and Mr. Bill Berry volunteered to be the Nominating Committee. Chairwoman Foust stated that if anyone would like to nominate someone for the Executive Committee to contact one of them. The Commission will take a vote for 4 Executive Committee members at the March RPC meeting.

VIII. POLICY / EDUCATION DISCUSSION

- **MORPC's Capital Ways 2008-2030 Regional Transportation Plan presentation, Room G-35, Hayes building, March 27th after regular business of the RPC.**
The MORPC Regional Transportation Plan will layout over 20 years of transportation priorities and projects for much of central Ohio. Various components of the Plan have been developed to address several aspects of transportation including Transportation Security, Freight and Logistics, Transportation Safety, Bicycles and Pedestrians, Maintenance and Operation, and Transit. A complete draft will be available for final public comment and review in March prior to being presented for formal adoption in May 2008. Notice will be sent by MORPC, but any representatives interested in attending should be encouraged to save the date.

- **SWCD discussion regarding conservation easements**

Mr. Larry Ufferman, Administrator for the Delaware County Soil and Water Conservation District along with Mr. Milt Link, Ditch Maintenance Coordinator attended the meeting to give a presentation on preservation easements. (See attached Power Point.)

Mrs. Stults asked if Townships could hold conservation easements. Mr. Ufferman said yes, along with Parks districts.

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

At 8:00 p.m. Mr. Miller made a motion to adjourn the meeting. Mr. Shoaf seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

The next meeting of the Delaware County Regional Planning Commission will be Thursday, March 27, 2008, 7:00 PM at the Delaware Hayes Services Building, 140 N. Sandusky Street, Conference Room G-35, Delaware, Ohio 43015.

