



Delaware County Regional Planning Commission

109 N. Sandusky Street, Delaware, Ohio, 43015
 Phone 740-833-2260 Fax 740-833-2259
 www.dcrpc.org

Scott B. Sanders, AICP, *Interim Executive Director*

MINUTES

Thursday, April 27, 2006 at 7:00 PM

Delaware Hayes Services Building,

140 N. Sandusky Street, Conference Room G-35, Delaware, Ohio 43015

I. ADMINISTRATIVE BUSINESS

- Call to order
- Roll Call
- Approval of March 30, 2006 RPC Minutes
- Executive Committee Minutes of April 19, 2006
- Statement of Policy

II. VARIANCES *(none)*

III. PUBLIC CONSTRUCTION PROJECTS *(none)*

IV. ZONING MAP/TEXT AMENDMENTS

- 16-06 ZON T Troy Twp. Zoning Comm. – Comprehensive Plan amendment – Planned Industrial District area
- 17-06 ZON Nancy Zaiser – Berlin Twp. – 0.564 acres from NCD to OCPUD
- 18-06 ZON Wayne Homes – Berlin Twp. – 2.1 acres – PCD development plan amendment
- 19-06 ZON Jerry Paul – Troy Twp. – 5.93 acres from FR-1 to PCD (Paul’s Marine)
- 20-06 ZON Highland Management Group/Wingate Land Group – Liberty Twp. – 77.966 acres from FR-1 to PR
- 21-06 ZON James & Kristen Roberts – Harlem Twp. – 2.13 acres from AR-1 to FR-1

V. SUBDIVISION PROJECTS

Township Lots/Acres

Preliminary

08-06	T	AVK Development	Concord	04 lots / 08.00 acres
07-05.1.B	T	Nelson Farms, Section 1, Phase B	Liberty	08 lots / 11.75 acres
09-06	W	Olentangy Falls East	Liberty	05 lots / 05.78 acres
06-06		Trenton Park	Trenton	37 lots / 75.13 acres

Preliminary/Final *(none)*

Final

01-05.1	T	Cheshire Woods, Section 1	Berkshire	94 lots / 80.27 acres
05-06	T	Fenstermaker	Concord	03 lots / 06.20 acres
34-98.20.B		Tartan Fields, Phase 20, Part B	Concord	17 lots / 10.57 acres
13-05.1.B		The Oaks, Section 1, Phase B	Concord	20 lots / 13.32 acres
02-05	T	Estates at Medallion	Genoa	12 lots / 07.68 acres
18-03		Keller Pines	Harlem	31 lots / 22.40 acres

T=TABLED, W=WITHDRAWN

VI. EXTENSIONS

18-04		Olentangy Falls	Liberty	132 lots / 211.50 acres
14-05		Olentangy Crossings South	Orange	43 lots / 41.33 acres
09-02.5-8		Glen Oak, Sections 5-8	Orange	132 lots / 91.28 acres
09-02.9		Glen Oak, Section 9	Orange	07 lots / 03.18 acres
10-05		Lake Shore	Orange	41 lots / 30.88 acres

VII. OTHER BUSINESS

- Consideration for Approval: Legal fees: Loveland & Brosius \$3,765.71
- Consideration for Approval: Legal Fees: Loveland & Brosius \$1,851.90

VIII. POLICY / EDUCATION DISCUSSION

- 2006 Subdivision Regulations

IX. RPC STAFF AND MEMBER NEWS

- Personnel

I. ADMINISTRATIVE BUSINESS

▪ Call to Order

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

▪ Roll Call

Representatives: Paul Snajd, Rick Sedlacek, Gary Gunderman, Tom Hopper, David Andrian, Bob Talbott, Holly Foust, Dick Gladman, Bill Thurston, Marvin Miller, Lloyd Shoaf, Tom Brown, Bonnie Newland, and Mike Dattilo. *Alternates:* Gary Spanner, Dusty Gurney, and Pat Blayney. *Arrived after roll:* Robert Jones (R) and Jim Ward (R). *Staff:* Scott Sanders, Paul Deel, Joe Clase, Da-Wei Liou, and Stephanie Matlack.

▪ Approval of the March 30, 2006 RPC Minutes

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

▪ April 19, 2006 Executive Committee Minutes

1. Call to order

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

2. Position Elections

- a. **Chairperson** – Mr. Gladman nominated Holly Foust for Chairperson. Mr. Shoaf seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.
- b. **Vice Chairperson** – Mr. Gladman nominated Lloyd Shoaf for Vice Chairperson. Mrs. Foust seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.
- c. **2nd Vice Chairperson** – Mrs. Foust nominated Dick Gladman for 2nd Vice Chairperson. Mr. Ward seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.
- d. **Member at large** – Steve Burke
- e. **Commissioners member** – Jim Ward

3. Approval of Executive Committee Minutes

March 22, 2006 – Mr. Ward made a motion to approve the minutes of the March Executive Committee meeting. Mr. Gladman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

4. **Subdivision Regulations** – Mr. Sanders presented the Committee with a copy of the proposed Subdivision Regulations including changes that were suggested by staff, attendees at the March public hearing and legal counsel. He suggested that a public notice be sent to the Delaware Gazette stating that the RPC would be discussing these proposed amendments at the April 27th RPC meeting with a public hearing to be scheduled May 25th prior to the regular RPC meeting. (see attached)

Chairwoman Foust made a motion to submit the Subdivision Regulations as amended today (4/19/06) to the full Commission at the April 27, 2006 meeting and to advertise that the proposed amendments would be discussed at the April 27, 2006 meeting and a public hearing be held May 25, 2006 after which the Commission may vote on the document. Mr. Gladman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

(Ed. Note: this sequence was later changed by the RPC to a public hearing scheduled for July.)

5. Old Business

a. Contract updates

- 1.) **Oxford Twp.** – Mr. Clase has scheduled the final meeting, the Township to begin their public meeting.
- 2.) **Berlin Twp.** – expressed interest in a contract to do zoning code updates

6. New Business

a. Financial / Activity Reports for March 2006

REGIONAL PLANNING RECEIPTS		MARCH	YTD TOTAL
General Fees (Lot Split)	(4201)	\$1,845.00	\$4,040.00
Fees A (Site Review)	(4202)	\$100.00	\$600.00
Insp. Fees (Lot Line Transfer)	(4203)	\$100.00	\$160.00
Membership Fees	(4204)	\$13,687.96	\$227,987.96
Planning Surcharge (Twp. Plan. Assist.)	(4205)	\$1,140.35	\$9,781.25
Associate Membership Fees	(4206)		\$1,500.00
Charges for Serv. A (Prel. Appl.)	(4230)	\$148.10	\$682.91
Charges for Serv. B (Final. Appl.)	(4231)	\$1,030.00	\$37,274.00
Charges for Serv. C (Ext. Fee)	(4232)	\$9,630.00	\$12,172.63
Charges for Serv. D (Table Fee)	(4233)	\$300.00	\$1,350.00
Charges for Serv. E (Appeal/Var.)	(4234)	\$600.00	\$1,400.00
General Sales	(4220)	\$300.00	\$600.00
OTHER DEPT. RECEIPTS			
Health Dept. Fees	(4242)		\$8,660.00
Soil & Water Fees	(4243)	\$150.00	\$6,002.00
MISCELLANEOUS REVENUE			
Other Reimbursements	(4720)		\$15.00
Other Reimbursements A	(4721)	\$6.35	\$13.10
Other Misc. Revenue (GIS maps)	(4730)	\$351.00	\$892.50
Misc. Non Revenue Receipts	(4733)		
Sale of Fixed Asset	(4804)		
TOTAL RECEIPTS			

Balance after receipts	\$251,981.03
Expenditures	- \$ 63,418.86
End of March balance	\$188,562.17

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

b. April RPC Preliminary Agenda – Mr. Sanders stated that the April agenda included 5 rezoning/text amendments, 4 preliminary (1 of which has requested a tabling), 6 final, and 5 extension requests.

c. Consideration for Recommendation of Approval:

- 1.) **Loveland & Brosius \$3,765.71 (January 2006: Fenker litigation, lot split issue, subdivision process, zoning matter, Subd. Regs., meeting rules...)**

Mr. Gladman made a motion to recommend approval of the legal expenses of \$3,765.71. Mr. Shoaf seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

- 2.) Loveland & Brosius \$1,851.90 (February 2006: Fenker litigation, public meeting notice, adoption process, personnel matters, attend Exec. Comm. mtg., prepare resolution for Sub. Regs adoption...)

Mr. Gladman made a motion to recommend approval of the legal expenses of \$1,851.90. Mr. Shoaf seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

6. Other Business (none)

7. Personnel

- a. **Joe Clase** – Mr. Clase has submitted a letter of resignation effective May 5, 2006. He will be taking a position at the Union County/Marysville Economic Development Partnership for the Chamber of Commerce.

Mr. Sanders spoke of the need for an additional Planner. He stated that he would be open to a Planner I or Planner II.

Chairwoman Foust made a motion to approve Mr. Sanders placing an advertisement for a Planner I / Planner II with pay according to the approved salary scale. Mr. Shoaf seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

- b. **Reimbursement policy for employee handbook** – the Committee agreed to have attorney Don Brosius prepare a reimbursement policy and form to be presented at the next Executive Committee meeting for consideration.

8. **Adjourn** – Having no further business, *Mr. Shoaf made a motion to adjourn the meeting at 10:30 a.m. Mr. Gladman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

The next regular Executive Committee meeting will be Wednesday, May 17, 2006 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. **PUBLIC CONSTRUCTION PROJECTS** (none)

IV. ZONING MAP/TEXT AMENDMENTS

16-06 ZON T Troy Twp. Zoning Comm. – Comprehensive Plan amendment – Planned Industrial District area

*** This application was tabled by the Township. ***

17-06 ZON Nancy Zaiser – Berlin Twp. – 0.564 acres from NCD to OCPUD

Location: 5192 Cheshire Road

This applicant seeks final development plan approval for an existing building in Old Cheshire for the purposes of developing a neighborhood restaurant. This is the first case to utilize the OCPUD code. Because the OCPUD is a 519.021(C) “float the cloud” district, this is not a rezoning. Instead, it is a Development Plan Review which the township has forwarded for our comment.

According to the zoning code, the OCPUD is intended to offer landowners alternatives to standard tract development of their land, thereby establishing a less sprawling, more efficient use of land, streets and utilities; ... and encouraging creativity in design through a controlled process of review and approval of the development plan and related documents.

I. Conditions

Present Zoning: Neighborhood Commercial (NCD)

Proposed Zoning: Old Cheshire Planned Unit Development District (OCPUD)

Present Use: Vacant commercial structure

Proposed Use: Restaurant/Piranha’s Grill

Existing Density: N/A

Proposed Density: N/A

School District: Olentangy

Utilities Available: Del Co Water, County sewer

Soil: BeB Bennington Silt Loam, 2-4% slope

II. Surrounding Land Use

The site is surrounded by a variety of uses in the Old Cheshire area. To the north are single-family homes and condos along the USA Lands that surround a ravine leading to Alum Creek Reservoir.

III. Plan

The project combines three small platted lots for a restaurant site. An existing block building which has been used in the past as a restaurant will be redeveloped into Piranha’s Grill. The plan includes removal of a mobile home on one of the lots and the addition of parking areas. Landscaping detail, a lighting plan, a floor plan, and proposed signage are all included in the application.

IV. Approval Process

Similar to Conservation Subdivisions which are a Permitted Use under ORC 519.021(C), this application goes through a similar process, including the 1.) preparation and 2.) submission of an Existing Features Plan, 3.) an on-site walkabout with the township, 4.) submission of a Final Development Plan, 5.) a Public Hearing, 6.) a

vote by the Zoning Commission, 7.) the filing of a Subdivision Plat, and 8.) the issuing of Zoning Permits. This review is for the submitted Final Development Plan. Action by the township is administrative and not subject to referendum.

V. Issues

The zoning text is detailed as to the requirements for the Development Plan. This report does not attempt to check every item in the required aspects of the plan but instead to point out areas of possible concern.

Staff notes, however, that because the OCPUD was created as a way to allow continued development of residential within the area, most of the standards apply to non-commercial use. Staff recommends the Zoning Commission review these standards with regard to potential development of commercial sites in Old Cheshire.

1. Use: The OCPUD standards include a listing of NAICS codes that determine the permitted uses within this district, including 722 – Food Services and Drinking Places.
2. Traffic impact analysis is not included, although one is suggested in the code if required by the Zoning Commission.
Staff Comment: Study may not be needed for this use, but as development occurs throughout the OCPUD area, the township may wish to work with the County Engineer's office to determine what uses and what level of development should require a traffic study.
3. Divergence for paving: the applicant notes that due to the limited size of the three parcels, stormwater cannot be detained on-site without significantly reducing the parking area. The applicant is requesting a gravel, or pervious parking surface thus reducing the amount of run-off for the site.
Staff Comment: This seems appropriate, if the County Engineer staff and township concur.
4. Divergence from the sign standards: the applicant wishes to use the existing 1950s-era gas station sign post which is in the inside edge of the right-of-way where the code recommends monument signs.
Staff Comment: If the size of the sign is appropriate, then the applicant should be able to hang it from an existing pole, although it may need to be moved out of the right-of-way. Based on the small lot sizes and mix of uses, OCPUD should have its own set of sign standards which encourage small pole signs that are suspended from a bracket as opposed to monument signs.

VI. Comprehensive Plan

The 2005 amended Berlin Township Comprehensive Plan indicates that the area be developed as a mixed use village. The proposed use complies with the plan.

VII. DCRPC Staff Recommendation

Staff recommends to the DCRPC, the Berlin Township Zoning Commission and Trustees that the Development Plan for OCPUD application for Nancy Zaiser land be **Conditionally Approved**, subject to the following staff recommendations:

1. That the township assure that the proposed traffic pattern and unpaved surface is appropriate for the use;
2. That the sign divergence be approved and that the township review the sign standards for the OCPUD;
3. That the Zoning Commission review the standards of the OCPUD with regard to the development of commercial sites;

4. That the Township alert the applicant that they will need to file a Subdivision Plat, as required by the zoning text.

Commission / Public Comments

Mr. Mark Schluetz with Design Tech Architecture was present to represent the applicant. He agreed with the staff comments. The site has an existing structure with an existing business. The new owners hope to improve the looks of the building.

Mr. Shoaf made a motion to recommend conditional approval of the development plan for OCPUD request by Nancy Zaiser, subject to staff comments. Mr. Andrian seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

8-06 ZON Wayne Homes – Berlin Twp. – 2.1 acres – PCD development plan amendment

I. Request

The applicant, Wayne Homes, LLC (c/o John Christianson), is requesting a 2.1-acre Planned Commercial & Office District (PCD) final development plan amendment. The applicant is requesting the amendment to allow for modifications to an office building, a model home and replacement of another model home. The applicant is also requesting to add an additional model home to the site.

II. Conditions

- Applicant:** Wayne Homes, LLC (c/o John Christiansen)
- Location:** Northwest corner of U.S. 36/S.R. 37 and 3B's & K Rd., Berlin Twp.
- Present Zoning:** Planned Commercial & Office District (PCD)
- Proposed Zoning:** Planned Commercial & Office District (PCD)
- Present Use(s):** An office building and 2 model homes
- Proposed Use(s):** An office building and 3 model homes
- School District:** Olentangy Local School District
- Utilities Available:** Del-Co Water and County Sanitary Sewer
- Critical Resources:** Ravine
- Soils:** AmE: Amanda Silt Loam (18 to 25% slopes)
BeA: Bennington Silt Loam (0 to 2% slopes)
BeB: Bennington Silt Loam (2 to 4% slopes)

III. General Description

This 2.1 acre site currently contains two model homes fronting on U.S. 36/S.R. 37 and an office building off 3 B's & K Road. Access to the site is provided by two driveways off 3 B's & K Road. The northern driveway is gravel and provides access to the office building for construction vehicles. The southern driveway is paved and provides access to a paved parking lot.

The development plan indicates the applicant's intent to combine Lot 301 (Hey Estates Sub.) with the 1.099 acre parcel to the west. The existing split-level model home in the southeast corner is planned to be demolished and replaced by a new one-story model with a four car garage. A twelve foot addition is planned on the east side of the two-story model home to create a three car garage. The applicant intends to construct a new split-level model home behind the two-story model with a walk out partial basement along the ravine.

The development plan also indicates the applicant's intent to modify the office building for additional office space, an 8' x 14' conference room and a 16' x 24' conference room.

Surrounding land uses include single-family residences to the north and west. A retail center and tow truck company are located on the east side of 3 B's & K Road. There are two separate model home sites located to the south of this site, across U.S. 36/S.R. 37.

IV. Issues

The applicant has submitted a development plan indicating the proposed design, including landscaping and signage to demonstrate compliance with the zoning standards. The following are issues that staff finds with the proposed development plan:

1. **Minimum Rear Yard:** Section 15.05-A-9 of the Berlin Township Zoning Resolution states that the minimum rear yard "in no case shall be less than one hundred (100) feet from any Residential Zoning District... or as approved per plan."

Staff Comments: Because of the ravine north of this property, the closest house will be over 200 feet from the proposed model home and office expansion. A divergence from this 100-foot setback would be appropriate.

2. **Platting:** This site currently contains two separate lots, resulting in some setback issues if the lots are not joined.

Staff Comments: Because a portion of this site is already platted, the applicant must file a subdivision plat to re-plate the previously platted portion and add the additional acreage. This plat must be recorded prior to any site improvements being completed that will decrease building setbacks from the existing property lines.

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: Yes, if the divergence is approved for rear yard setback from a residential district.

2. That the proposed development meets all applicable requirements of Article XV and the Zoning Resolution.

Staff Comments: Yes, if a subdivision plat is filed for the 2.1 acre lot.

3. 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 2005 Berlin Township Comprehensive Plan Map reflects this property being zoned PCD and does not recommend a change of use.

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

Staff Comments: Yes.

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

Staff Comments: Yes.

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

Staff Comments: Yes, there are other model homes on the south side of U.S. 36/S.R. 37 and other PCD developments along this corridor.

7. 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 PCD final development plan amendment for Wayne Homes LLC to the DCRPC, the Berlin Township Zoning Commission and Trustees, *subject to:*

1. *A divergence being granted from Section 15.05-A-9 to allow the reduced rear yard setback from a residential district.*
2. *The applicant recording a subdivision plat combining the two parcels.*

Commission / Public Comments

Mr. John Christiansen of Wayne Homes clarified that they would tear down the split level and construct the ranch model as well as expand the administration building prior to platting. Mr. Clase stated that would be up to the Zoning officer.

Mr. Blayney made a motion to recommend conditional approval of the development plan amendment for Wayne Homes, subject to staff comments. Mr. Miller seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

I. Request

The applicant, Paul's Marine Inc. (c/o Jerry Paul), is requesting a 5.93-acre rezoning from FR-1 to the Planned Commercial District (PCD). The applicant is requesting that the site be rezoned to bring it into compliance with the Troy Township Zoning Resolution and allow for leasable office space in the front of the site.

II. Conditions

Applicant: Paul's Marine Inc. (c/o Jerry Paul)

Location: 328 Radnor Road, Troy Twp.

Present Zoning: FR-1

Proposed Zoning: Planned Commercial District (PCD)

Present Use(s): Boat & RV sales, service and storage facilities (non-conforming in FR-1)

Proposed Use(s): Use of office space by the Percheron Co. in addition to existing uses

School District: Buckeye Valley Local School District

Utilities Available: Del-Co Water and on-site septic treatment system

Critical Resources: none (historic sites in the area)

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 used as a popcorn factory with grain storage units. In 1990 a conditional use was granted by Troy Township to permit boat and RV sales, service and storage facilities. This property was classified as a nonconforming use in 1998 when Troy Township amended its zoning resolution because it did not meet FR-1 standards and no development plan was filed to comply with PCD standards. This application includes a development plan that is intended to bring this site into compliance with the PCD standards.

The proposed development plan indicates a 1,050 square foot office building at the entrance of the property surrounded by parking for employees and customers. The applicant is proposing to use this existing building for office space, which was previously used as a weight station for agricultural grain trucks. The plan indicates that this building is seventeen (17) feet off the road right-of-way for Radnor Road.

The development plan also reflects four other existing buildings that are being used for boat and RV storage. A perimeter fence encompasses all outdoor storage with an access gate east of the proposed offices. There is one primary entrance to this site that is located just east of the proposed offices and provides direct access to the gated storage lot. A pull-off area is located to the west of the proposed offices and is proposed to be upgraded to allow for public (consumer) parking. The applicant is not proposing any additional signage.

Surrounding land uses include scattered single-family residences on large lots surrounded by agricultural farmland. There is a raised railroad track adjacent to the east of this property with a signaled intersection at Radnor Road.

IV. Issues

The applicant has submitted a development plan indicating the existing building locations, field drainage tile location and size, extent of perimeter fencing and proposed parking areas. Staff raises the following issues in regard to the PCD and general development standards of the Troy Township Zoning Resolution.

1. Setbacks: The applicant is requesting to allow for the existing buildings to remain, though they do not fully comply with the building setbacks required in the PCD standards. Standards require 130 foot front yard setback from the centerline of the road. The office building is 47 feet from centerline and the eastern storage building is 43 feet from centerline.

Staff Comments: A divergence may be appropriate to allow these buildings to remain as long as the non-conformity is not expanded.

2. Landscaping: The PCD standards require that all yards be appropriately landscaped.

Staff Comments: The applicant should submit landscaping drawings to comply with Article XXIII.

3. Sight Distance: The applicant has not indicated edge of gravel or pavement on their development plan.

Staff Comments: Due to the close proximity of the access to this site with the elevated railroad tracks, sight distance should be examined by the County Engineer to guarantee safety for vehicles entering and exiting this site.

4. Drainage: The development plan indicates an extensive subsurface drainage network.

Staff Comments: The applicant should consult with Delaware County Soil & Water Conservation District staff and Delaware County Engineer's staff to determine if this is adequate for this site and if drainage easements are needed.

5. Driveway: Access to this site is not delineated on the development plan.

Staff Comments: Access points should also be delineated on the development plan to demonstrate compliance with Section 21.10.

6. Lighting: No additional lighting is being proposed.

Staff Comments: The development plan should inventory and delineate existing lighting to comply with Section 21.17.

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: Yes, if appropriate items are added to the development plan.

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

Staff Comments: The 2003 Troy Township Comprehensive Plan label's this site as a non-conforming use. This rezoning will bring it into compliance, if the applicant can prove that they meet the PCD standards.

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

Staff Comments: Yes, if adequate sight distance is proven.

VI. Staff Recommendations

Staff recommends **Conditional Approval** of this rezoning case from FR-1 to PCD for Paul’s Marine Inc. to the DCRPC, the Troy Township Zoning Commission and Trustees, *subject to:*

1. *Approval of a divergence for existing buildings not meeting setback requirements;*
2. *Landscaping elements being added to the development plan;*
3. *Sight distance exhibits are reviewed by the County Engineer’s office;*
4. *Drainage plans being reviewed by the County Engineer’s office;*
5. *Driveways being delineated on the plan to comply with Section 21.10;*
6. *Lighting plans being submitted to show compliance with Section 21.17.*

Commission / Public Comments

No one was present to represent the applicant.

Mr. Miller made a motion to recommend conditional approval of the rezoning request by Jerry Paul, subject to staff comments. Mr. Gladman seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Mr. Andrian). Motion carried.

20-06 ZON Highland Management Group/Wingate Land Group – Liberty Twp. – 77.966 acres from FR-1 to PR

**** The RPC previously reviewed and made a recommendation of denial for this request in January (Case 07-06 ZON). The applicant has modified the development plan in response to two of the issues raised by staff and submits this amendment to the original application.*

Request: Highland Management Group is requesting a PR zoning to develop a residential subdivision with large open spaces and flexible lot sizes, including cluster homes between the Woodland Hall and Woodland Glen subdivisions in Liberty Township.

I. Conditions

- Present Zoning:** Farm Residence District (FR-1)
- Proposed Zoning:** Planned Residence District (PR)
- Present Use:** Ag. /partially wooded and 2 residences with accessory buildings/use.
- Proposed Use:** Residential subdivision
- Existing Density:** 1 unit per acre
- Proposed Density:** 1.06 units per acre
- School District:** Olentangy
- Utilities Available-** Del Co Water, Delaware County sanitary sewer.

Soils: GwB – Glynwood 2-6 % slope
GwC2 – Glynwood 6-12 % slope
LyD2 – Lybrand 12-18 % slope
LyE2 – Lybrand 18-25 % slope
BoA – Blount 0-2 % slope
BoB – Blount 2-6 % slope
LsA – Lobdell 0-2 % slope

II. Project Description

This proposal is an infill development located between Liberty Road and SR 315 as well as between Home Road and Carriage Road. The site is generally flat to the north and west with a small ravine along the south side of the property and a drainage course to the northeast. The northwest corner is heavily wooded and trees line the perimeter of most of the property. Surrounding land use is mostly large lot single family residential subdivisions. Adjacent subdivisions include Woodland Hall to the east, Wingate Farms and Westchester to the south. Woodland Glen to the west, and Bridlespur Place to the north. The Knowlton Farm to the north is the only undeveloped tract remaining in this area.

The proposed development “Woodland Hall, Section 2” is designed in an attempt to preserve a large amount of open space while providing a couple of housing options not available in the other sections of the Woodland development. It is comprised of 82 dwelling units arranged into 2 clusters and 2 areas of larger fee simple lots. Approximately 33 acres are set aside for open space (42.08% of the site). The development will extend Woodland Hall Drive from Woodland Hall Subd. to connect to the existing Woodland Hall Drive in Woodland Glen. The street will curve to the south after it enters the site then turn west through the middle then turn back north before connecting to the west. Riverstone Drive will extend from Woodland Hall then travel north and intersect Woodland Hall Drive before stubbing at the north property line for future extension into the Knowlton Farm.

Another street extends from Riverstone Drive to Woodland Hall Drive. Both street intersections on Woodland Hall Drive will contain a traffic circle to slow traffic through the subdivision. Two streets that stub to this development will not contain public streets through this site. Lindell Lane in Woodland Glen will serve one of the cluster home pods but will be gated. Wingate Drive which stubs to the south property line of the site will extend a 20’ emergency access drive to the condos in the southwest corner. The emergency access will be gated at both ends. This is one of the changes from the January application. Previously, there was no extension of Wingate Drive.

Woodland Glen Section 2 will be developed in 4 phases. The first phase is to the southwest and includes 29 units on 14.423 acres (2.06 units/acre). The previous application was for 34 units. The homes are clustered in the northern two-thirds of this phase with a perimeter setback of 50’ from the large (1+ acre) lots in Woodland Glen to the north and west. Units will be accessed by private streets. The southern one-third is set aside for open space (6.89 acres). The net density of the cluster is 3.85 units/acre. The second phase is immediately east of the first phase and includes 15 fee simple lots on 30.768 acres (0.49 units/acre). The lots in this phase range from 0.75 to 1.1 acre in size and are arranged around the Riverstone Drive extension and the other (un-named) street. A large open space reserve (14.91 acres) is proposed between this phase and the cluster units to the west as well as along the south perimeter. A large retention pond is proposed along the north side of the open space.

The third phase is located in the northwest corner and includes 28 units on 19.966 acres (1.4 units/acre). The large wooded area is preserved within open space (8.731 acres) for buffering of the cluster homes from the larger lots in Woodland Glen. The net density for phase 3 is 2.49 units per acre. The last phase is to the northeast and contains 10 lots on 12.809 acres (0.78 units/acre). Lots range in size from 0.75 to 1.2 acres and all front on the proposed Riverstone Drive extension. This section also includes 2.16 acres of open space along the north side of Woodland Hall Drive and will contain a retention pond for storm water management.

III. Conformance with Comprehensive Plan

The 2006 Liberty Township Comprehensive Plan established the 900' elevation as the dividing line between the Olentangy Heritage Corridor (below 900') and the Olentangy West Highlands (above 900'). The plan recommends single family residential in both, but the maximum density is 1 unit per net developable acre in the areas below 900' and 1.25 maximum units per net developable acre above 900'. The development plan does not show the 900' elevation nor does it calculate the acreage in the 2 corridors within the site. It appears that a large portion of the cluster homes fall below the 900' elevation. Based on available DALIS topo data, the RPC Staff estimates that 57 acres of the site are below 900' (east/south portion) and 20 acres are above 900' (north/west). Using the formula for calculating the net developable acreage, the site would be permitted 21 units above 900' and 43 units below 900', a total of 64 dwelling units. There are also open space requirements that may not be met. The applicant needs to provide more information and make adjustments accordingly.

IV. Issues

1. Use and density – The PR regulations provide for a maximum 2 units per acre but further states that the permitted density shall not exceed the recommended density of the Comprehensive Plan. It appears that there are too many units. The applicant needs to provide additional calculations. The applicant needs to be aware that the Woodland Hall Section 1 density cannot be combined with the units in this development for the purpose of lowering the density within this site. That data needs to be eliminated from the development plan.
2. Arrangement of structures/ yard regulations – The development plan indicates that the cluster homes will be spaced a minimum of 15' as provided by the zoning resolution. The cluster homes in the southwest portion of the site are compacted at a net density of nearly 4 units per acre adjacent to 1-acre-plus lots in Woodland Glen. This is inappropriate. The cluster homes to the northwest are dispersed a little more and separated from Woodland Glen by the large woods, but the density may still be too high. These are driven by the preservation of over 40 percent open space. Except for the woods and the shallow ravine, the site is open and generally flat. Considering the overall low density and large lot sizes of the adjacent subdivisions, an open space cluster subdivision may not be the best development alternative for this site. Staff applauds the applicant's effort to incorporate conservation design elements into the development plan, but this site may not be the right location.
3. Proposed Traffic Patterns and their relationship to existing conditions-
 - a) A public street connection needs to be made to Wingate Drive. The Wingate Farms development contains 63 lots with only one access (SR 315). There needs to be a second point of access for emergency situations and to allow maintenance, service and residents to travel between Wingate and Woodland developments without traveling onto SR 315. The ravine is only 12' deep in the area of the connection. The RPC staff and County Engineer's office has consistently stated that there needs

to be a public street connection to Wingate Drive from this site and has told the current applicant as well as previous prospective developers that this would be a requirement of any future subdivision plat.

- b) A private street cross-section is not provided, however the development plan indicates that private streets will be built to county standards. The township should adopt the County Engineer's design manual standard cross sections and require they be used on private streets in condominiums, as these developments escape platting review and the quality of the street base and surface is totally up to the developer. The township should demand under drains as well as side road drainage and a paving designed to last 20 years. This must be done as a condition of zoning since there is no subdivision review for condominium sites. The layout should also be reviewed by the Fire Chief to determine if the turning radii are sufficient for fire and emergency vehicles.
- c) A bike path is proposed throughout the open space.

4. Provisions for utilities.

- a. Sanitary sewer – Sewer is available through an existing trunk line in Woodland Hall. A letter of service availability has been provided.
- b. Water – There is an 8" Del-Co water line along Woodland Hall Drive. A service letter has been provided.
- c. Other utilities – Other utilities are available through adjacent developments. Service letters have been provided from Columbia Gas, Verizon, American Electric Power, and Time Warner.

5. Storm water – The site drains to the south. A storm water management plan has been provided. The development plan shows 2 large retention ponds. The storm water plan must be submitted to and approved by the County Engineer.

6. Architectural design criteria – The development plan includes artist renderings to illustrate the character of the buildings, signs, and mailboxes. The development plan text states that the single family homes will be required to meet the same restrictions and standards as those in Woodland Hall. Staff notes that those restrictions need to be included in this application.

7. Landscaping – A landscaping plan has been provided.

8. Divergences – none requested.

V. Required Findings for PR

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

***DCRPC Staff Finding:** Yes, if items noted in Section IV of the Staff report are adequately addressed prior to the Zoning Commission public hearing.*

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

DCRPC Staff Finding: *No. The density is too high. The applicant needs to delineate the 900' elevation.*

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

DCRPC Staff Finding: *The design preserves open space, which is a benefit, but all of the open space is not available to the single family residents of Woodland Glen and Woodland Hall Section 1, so it does not provide an overall benefit to the township or the immediate vicinity. The site is surrounded by subdivisions that are much lower density and larger lots than what is proposed. A public street connection to Wingate Drive is also not provided.*

VI. DCRPC Staff Recommendation

Staff recommends **Denial** of the application by Highland Management Group & Wingate Land Group, for PR zoning of 77.966 acres, to the DCRPC, Liberty Twp. Zoning Commission and Liberty Twp. Trustees, *due to the reasons noted in Section III, IV, and V of the staff report.*

Commission / Public Comments

Mr. Thom Reis with Terrain Evolution was present to represent the applicant. He stated that he faxed late this afternoon the approval from the Fire Chief in regards to alignment, radii, and width. The project reflects the reduction of 5 units which complies with the previous Comprehensive Plan that was in place at the time the original application was submitted. The 900' contours that staff requested were on a map in the submittal packet labeled S-2. Mr. Reis stated that the layout was an attempt at a smart growth layout to preserve some of the open space.

Mr. Miller made a motion to recommend denial of the application by Highland Management Group & Wingate Land Group, based on staff comments. Mr. Blayney seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

21-06 ZON James & Kristen Roberts – Harlem Twp. – 2.13 acres from AR-1 to FR-1

I. Request

The applicants, James and Kristen Roberts, are requesting 2.13-acre rezoning from AR-1 to FR-1. The applicant has expressed intent to subdivide this property into two single-family residential lots, creating a 6.13 acre lot behind the existing residence.

II. Conditions

Location: North side of Center Village Rd, about ¼ mile west of Miller-Paul Rd, Harlem Twp.

Present Zoning: Agricultural Residential (AR-1), 1 d.u./5 acres

Proposed Zoning: Farm Residential (FR-1), 1 d.u./2 acres

Present Use(s): Single-family residence, pastures, and woods

Proposed Use(s): Single-family residential lots

School District: Big Walnut Local School District

Utilities Available: Del-Co Water and private on-lot septic systems

Critical Resources: None

Surrounding land uses: Scattered single-family residences and agricultural land

Soils: BeA: Bennington Silt Loam (0 to 2% slopes)

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

III. Issues

1. This is a previously reviewed case under a different applicant from January of 2005.
2. Electric Easement: This property contains a 150-foot wide power line easement that occupies the western half of the lot. A letter from AEP accompanies the application giving conditional permission to use the easement for driveways and septic use as long as no grading or excavation is done within thirty feet of the structures. Other conditions are also noted.
3. Soils: The overall 8.26 acres is predominately Pewamo (PwA) soil. The applicant states that he has a letter from the Delaware General Health District stating the lots have adequate area and suitable soils for treatment systems.
4. Comprehensive Plan: The 1988 Harlem Township Comprehensive Plan indicates the proposed site as residential. Due to the surrounding 5-acre lots that share the deep nature of this property, the FR-1 district would change the character of the area.

IV. Staff Recommendations

Staff recommends a **Conditional Approval** of this rezoning to the DCRPC, Harlem Twp. Zoning Commission and Harlem Twp. Trustees, *subject to endorsement from the Delaware General Health District that an additional on-lot treatment systems can be located on both lots.*

Commission / Public Comments

Mr. James Roberts was present. Mr. Roberts stated that he has found adequate sites for the back up systems.

Mr. Ward made a motion to recommend conditional approval of the rezoning request by Mr. Roberts, subject to staff comments. Mr. Gunderman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

V. SUBDIVISION PROJECTS

Preliminary

08-06 T AVK Development - Concord Twp. - 04 lots / 08.00 acres

Applicant: AVK Development
Consultant: Patridge Surveying

I. Staff Comments

The applicant has requested a 60 day tabling in order to have a preliminary plan prepared by a professional surveyor.

II. Staff Recommendation

Staff recommends *approval of the 60-day tabling of AVK Development* to the RPC.

Commission / Public Comments

Mr. Miller made a motion to approve the 60-day tabling of AVK Development. Mr. Snajd seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

07-05.1.B Nelson Farms, Section 1, Phase B – Liberty Twp. - 08 lots / 11.75 acres

Applicant: Nelson Farms Associates, LLC
Engineer: EMH&T

I. Staff Comments

The applicant requests a 30-day tabling of Nelson Farms to resolve Technical Review Committee issues.

II. Staff Recommendation

Staff recommends that the Preliminary plan for **Nelson Farms** be *tabled* for 30 days.

Commission / Public Comments

Mr. Miller made a motion to approve the 30-day tabling of Nelson Farms, Section 1, Phase B. Mr. Snajd seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

09-06 Olentangy Falls East – Liberty Twp. - 05 lots / 05.78 acres

*** The applicant has requested to withdraw this application. ***

06-06 Trenton Park – Trenton Twp. - 37 lots / 75.13 acres

Applicant: Michael Jones Builder, Inc.
Subdivision Type: Single-family residential/Conservation Subdivision

Location: North side of Trenton Road, 3000' east of Sage Creek Drive, Trenton Twp.
Current Land Use: Woods and former agriculture
Zoned: Planned Conservation Residential Subdivision
Utilities: Del-Co water and individual on-site waste disposal
School District: Big Walnut
Engineer: Hoy Surveying, Bryan Lundgren

I. Staff Comments

Trenton Park is Trenton Township's first subdivision to be developed under the Conservation Subdivision standards. The applicant initiated the subdivision process in March and the township reviewed and approved the Development Plan in April.

The overall density is .49 units per acre, which is lower than what is allowed in the code. All 37 lots are adjacent to the 37.52 acres of open space, or 50% of the site. Open space includes a large area of useable land in the center of the site as well as woods and ravines to the west. A 4' asphalt path will be built on one side of both streets. Lots are large for a planned district, at an average size of .75 acre, and most have 150' of frontage.

The design consists of a north/south entrance road, Trenton Park Court, ending in a cul-de-sac to the north. A second street, Walnut Park Court, extends to the west and provides a stub to adjacent property to the north.

A technical review was held on March 21, 2006, after which the applicant has addressed all of the required changes.

II. Staff Recommendation

Staff recommends *Preliminary Approval* of **Trenton Park** to the RPC.

Commission / Public Comments

Mr. Dave McCoy of Hoy Surveying was present.

Mr. Ward asked if there would be a Homeowners Association taking care of the open space. Mr. Hoy said yes.

Mr. Jones asked how the site would be sewerred. Mr. McCoy stated that they would be using on-lot systems with drip irrigation. The Health Department and Stream Key from Cincinnati are assisting.

Mr. Brown questioned the green space containing secondary systems. Mr. Gurney stated that the secondary systems won't be on the ¾ acre lots but will be in an easement area. Each lot has a specific easement area for backup.

Mr. Miller made a motion for Preliminary approval of Trenton Park Subdivision. Mr. Spanner seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

Preliminary/Final (none)

CONSENT AGENDA

Final

01-05.1 **Cheshire Woods, Section 1 – Berkshire Twp. - 94 lots / 80.27 acres**

Applicant: Cheshire Woods LLC

Engineer: Advanced Civil Design

I. Staff Comments

The applicant requests a 30-day tabling of Cheshire Woods to resolve sanitary issues.

II. Staff Recommendation

Staff recommends that the Final plat for **Cheshire Woods, Section 1** be *tabled* for 30 days.

Commission / Public Comments

Mr. Jones made a motion to approve the 30-day tabling of Cheshire Woods, Section 1. Mr. Shoaf seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

05-06 **Fenstermaker – Concord Twp. - 03 lots / 06.20 acres**

Applicant: Jon Fenstermaker

Engineer: Brad Patridge, Patridge Professional Surveyors

I. Staff Comments

The applicant has requested a 30 day tabling in order to resolve Technical Review comments.

II. Staff Recommendations

Staff recommends *approval of the 30-day tabling* for **Fenstermaker Subdivision** to the RPC.

Commission / Public Comments

Mr. Jones made a motion to approve the 30-day tabling of Fenstermaker Subdivision. Mr. Shoaf seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

34-98.20.B **Tartan Fields, Phase 20, Part B – Concord Twp. - 17 lots / 10.57 acres**

Applicant: Saunders Enterprises, FLP

Subdivision Type: Single Family Residential
Location: South side of Harriott Road, 250' east of Archer Lane
Current Land Use: former agriculture
Zoned: PRD
Utilities: Del-Co Water, County Sewer
School District: Dublin
Engineer: R.D. Zande & Associates, Inc.

I. Staff Comments

The applicant is requesting final plat approval of 17 lots on the eastern extension of Raynor Court from Phase 20, Part A. This phase includes 17 lots on 10.57 acres including 0.646 acre of open space that is to be used for drainage. To the west of this site Raynor Court connects with Brodie Boulevard which provides access to Harriott Road. Lucy Depp Subdivision is adjacent to this development to the east and south with other phases of Tartan Fields to the west.

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 **Tartan Fields, Phase 20, Part B** to the RPC.

Commission / Public Comments

Mr. Miller made a motion for Final approval of Tartan Fields, Phase 20, Part B. Mr. Blayney seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

13-05.1.B The Oaks, Section 1, Phase B – Concord Twp. - 20 lots / 13.32 acres

Applicant: Dave Haid
Subdivision Type: Single-family Residential
Location: 7931 Harriott Road, Concord Township.
Current Land Use: Vacant (former Twin Oaks Golf Course).

Zoned: Planned Residential District, (PRD)
Utilities: Del Co Water, Tartan Fields sanitary sewer w/ land application
School District: Dublin
Engineer: RD Zande

I. Staff Comments

The Oaks, Section 1, Phase B consists of 20 lots on 13.32 acres. It includes the southerly extension of Allen Drive to a cul-de-sac. Dennison Court and Ginger Place are cul-de-sac streets extending off the east side of Allen Drive. There is no open space within this phase, but some open space is adjacent in other sections. The lots in this section range from one third to one half acre in size and will utilize Del-Co water and the Tartan Fields sanitary treatment facility.

This is the second phase of The Oaks, a proposed subdivision of 43 lots on 34.78 acres (1.24 units/acre). The development is located on the south side of Harriott Road approximately 2,100' west of Concord Road. Surrounding land use includes the Tartan Fields subdivision to the south and west, Woods of Glen Erin to the east, and large lot single family residences along Harriott Road. The site was previously used as the Twin Oaks golf course. Preliminary approval was granted in April 2005.

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 *Approval* of the Final plat for **The Oaks, Section 1, Phase B** to the RPC.

Commission / Public Comments

Mr. Miller made a motion for Final approval of The Oaks, Section 1, Phase B. Mr. Blayney seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

02-05 Estates at Medallion – Genoa Twp. - 12 lots / 07.68 acres

Applicant: Romanelli & Hughes Building Co.
Engineer: Ed Miller, EMH&T, Inc.

I. Staff Comments

The applicant is requesting a 90 day tabling in order to resolve sanitary issues.

II. Staff Recommendations

Staff recommends *Approval of the 90-day tabling* of the **Estates at Medallion** to the RPC.

Commission / Public Comments

Mr. Jones made a motion to approve the 90-day tabling of Estates at Medallion. Mr. Shoaf seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

18-03 Keller Pines – Harlem Twp. - 31 lots / 22.40 acres

Applicant: Brad Keller

Subdivision Type: Single-Family Residential

Location: Westside of Harlem Rd., about ½ mile south of Woodtown Rd.

Current Land Use: Agriculture / Wooded

Current Zoning: PRD in Harlem Twp. & RR in Genoa Twp.

Utilities: Del-Co Water and County Sewer

School District: Big Walnut

Engineer: EMH&T

I. Staff Comments

Keller Pines includes 31 lots on 22.40 acres. All homes are proposed on 20.62 acres in Harlem Township, with three lots protruding west onto 1.80 acres of Genoa Township. The proposed subdivision has an overall density of 1.38 du/acre with 3.4 acres of reserves. Preliminary plan approval was granted October 30, 2003.

The site contains three roads, Pine View Drive, Keller Pines Court and White Fir Lane. Pine View Drive is the main entrance to the site from Harlem Road. It turns south after entering the site and stubs into the south property line. Nine lots access it from the east. Keller Pines Court is a cul-de-sac street that extends west from Pine View Drive and provides access to twelve lots. White Fir Lane is a loop street that access from Pine View Drive and loops back to reconnect with Pine View Drive. It provides access for another ten lots. A 15-foot access easement crosses the edge of Reserve “C” (Lot 529) for access to a future single-family home to the west.

There are four open space reserve lots included in this subdivision. Reserves “A” (0.5 acres) and “B” (0.3 acres) line both sides of Pine View Drive along the subdivision’s entrance from Harlem Road. Reserve “C” (1.3 acres) is located in the middle of the site and includes a retention pond. White Fir Lane circles Reserve “D” on the southern portion of the subdivision. All reserves are proposed to be owned and maintained by the Keller Pines Homeowners Association.

Surrounding land uses include large-lot single-family homes to the north and east. The lot to the south is wooded with a wooded/open field to the west that is the future site for a single-family home. Hoover Woods Subdivision is located to the northwest of this site.

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 *Approval* of the Final plat for **Keller Pines**, to the RPC.

Commission / Public Comments

Mr. Miller made a motion for Final approval of Keller Pines Subdivision. Mr. Blayney seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

VI. EXTENSIONS

18-04 Olentangy Falls – Liberty Twp. - 132 lots / 211.50 acres

Applicant: Planned Communities

Consultant: Floyd Browne

I. Staff Comments

The applicant is requesting a 6 month extension of the Preliminary approval of Olentangy Falls. This project received Preliminary approval May 27, 2004. The project is currently under construction. However, the construction will not be accepted until the Perry-Taggart Sanitary Sewer is completed. If approved, the preliminary approval would be extended until November 2006.

II. Staff Recommendation

Staff recommends *approval of the 6-month extension* for the Preliminary plan of **Olentangy Falls** to the RPC.

Commission / Public Comments

Mr. Ward made a motion to approve the 6-month extension for Olentangy Falls Subdivision. Mr. Gunderman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

14-05 Olentangy Crossings South – Orange Twp. - 43 lots / 41.33 acres

Applicant: Planned Communities

Consultant: Floyd Browne

I. Staff Comments

The applicant is requesting a 6-month extension of the Preliminary approval of Olentangy Crossings South. Construction plans have recently been approved and the applicant stated that the project would be under construction soon. This subdivision received Preliminary approval May 26, 2005. If the extension is approved, the application would expire November 30, 2006.

II. Staff Recommendation

Staff recommends approval of the 6-month extension of Olentangy Crossings South to the RPC.

Commission / Public Comments

Mr. Ward made a motion to approve the 6-month extension for Olentangy Crossings South. Mr. Gunderman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

09-02.5-8 Glen Oak, Sections 5-8 – Orange Twp. - 132 lots / 91.28 acres

Applicant: Dominion Homes

Consultant: RD Zande

I. Staff Comments

The applicant is requesting a second 6-month extension of the Preliminary approval of Glen Oak, Sections 5-8. The first extension was granted October 2005. The applicant anticipates construction to begin this summer. This subdivision received Preliminary approval October 28, 2004. If the extension is approved, the application would expire October 26, 2006.

II. Staff Recommendation

Staff recommends *approval of the 6-month extension* for **Glen Oak, Sections 5-8** to the RPC.

Commission / Public Comments

Mr. Ward made a motion to approve the 6-month extension for Glen Oak, Sections 5-8. Mr. Gunderman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

09-02.9 Glen Oak, Section 9 – Orange Twp. - 07 lots / 03.18 acres

Applicant: Dominion Homes
Consultant: RD Zande

I. Staff Comments

The applicant is requesting a second 6-month extension of the Preliminary approval of Glen Oak, Section 9. The first extension was granted October 2005. The applicant anticipates construction to begin this summer. This subdivision received Preliminary approval October 28, 2004. If the extension is approved, the application would expire October 26, 2006.

II. Staff Recommendation

Staff recommends *approval of the 6-month extension* for **Glen Oak, Section 9** to the RPC.

Commission / Public Comments

Mr. Ward made a motion to approve the 6-month extension for Glen Oak, Section 9. Mr. Gunderman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

10-05 Lake Shore – Orange Twp. - 41 lots / 30.88 acres

Applicant: Carlo Silvestri
Consultant: Civil & Environmental Consultants, Inc.

I. Staff Comments

The applicant has requested a 6 month extension of the Preliminary approval of Lake Shore Subdivision in order to obtain construction plan approval from the County Engineer. This application received Preliminary plan approval April 28, 2005. If the extension is approved, the application would expire October 26, 2006.

II. Staff Recommendation

Staff recommends *approval of the 6-month extension* for **Lake Shore Subdivision** to the RPC.

Commission / Public Comments

Mr. Ward made a motion to approve the 6-month extension for Lake Shore Subdivision. Mr. Gunderman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

VII. OTHER BUSINESS

- **Consideration for Approval:** Legal fees: Loveland & Brosius \$3,765.71
Mr. Sedlacek made a motion to approve the legal fees for Loveland & Brosius for \$3,765.71. Mr. Shoaf seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.
- **Consideration for Approval:** Legal Fees: Loveland & Brosius \$1,851.90
Mr. Sedlacek made a motion to approve the legal fees for Loveland & Brosius for \$1,851.90. Mr. Shoaf seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.
- **Annual Report:** Mr. Sanders presented the Commission with the 2005 Annual Report. The report is a summary of projects and happenings of the office over the last year. He also stated that the report will be on our web site for download if there are others interested in getting a copy.

VIII. POLICY / EDUCATION DISCUSSION

- **2006 Subdivision Regulations** – (*document attached*) Mr. Sanders explained that the proposed Subdivision Regulations presented this evening includes comments from staff, public comments from the March meeting and additional legal comments. The copy is a clean copy with no strike outs or highlights. He explained that he has made personal contact with the County Engineer, Health Dept., and SWCD regarding lots splits and CAD's. The Executive Committee reviewed the changes that he has recommended. The copy tonight includes all those comments. The plan is to give the 30-business day notice and have a public hearing on June 27th followed by the Commission hearing and possible vote. Mr. Sanders stated that amendments can be offered tonight and incorporated into a new clean copy to be available.

Mr. Sanders explained that there are some areas that were moved to provide for a more logical flow. The changes from last month fall into three main categories; 1.) typos and internal reference errors, 2.) large lot review and 3.) CAD standards. In the Large Lot No Plat Approval section there have not been any substantive changes in what we require for the submittal. One of the big issues with last month's discussion on the NPA-LL was to streamline the process. The items that are asked for in the proposed regulations are for the other departments (Co. Engineer, Health Dept., Zoning and SWCD.) The only thing that the RPC could take out was items (i.) and (l.) which asked for the recording data of any other NPAs from that original tract and a plan illustrating all NPA subdivisions on adjacent tracts within the last year. We can track both of those items ourselves in our GIS. The only way of streamlining this procedure would be to cut some of those departments out of the process. Mr. Sanders was not comfortable with that. Chairwoman Foust stated she agreed with the review process for the NPA-LL and asked the Commission their feelings on it. Mr. Ward said he didn't think it was the RPC's place to cut other departments out of it. Mr. Snajd agreed.

Mr. Sanders stated that the Common Access Driveway standards have basically gone back to the old regulations allowing for 3 lots on a CAD (plus 2 lots if they are contiguous at the road with their own road frontage). The paving requirement was removed. “The minimum cross-section of the CAD shall be an approved geo-grid material on a base of compacted subsoil, covered with 12 inches of 304 aggregate. Four inch diameter under-drains shall be installed along the sides of the CAD at a distance of one foot below sub-grade. Under-drain shall connect to an approved outlet to the drainage system. Adequate roadside (CAD) drainage shall be provided either enclosed or in grassy ditches with a maximum side slope within ditches of 3:1, in addition to utility easements. Minimum drainage ditch gradient profile shall be .5%”. Mr. Andrian asked if there has been any further investigation into the ability to require the partial paving then additional paving after the homes are built. Mr. Blayney agreed that this proposal is a decent compromise to require the geo-grid material and the compaction. Mr. David Leitch, Concord Twp. Zoning officer suggested having optional language for those that wish to volunteer to a greater standard and get more homes. Chairwoman Foust stated that the only reason there was an attempt to increase the number of lots was because we were going to require the paving. She thinks maybe Townships could handle that through their own Zoning Codes. In Liberty Twp. it is required to be paved in the planned zoning districts. Mr. Leitch stated that the option could be there instead of requiring a variance request which would cost more money and time. Mr. Sanders said there is an option of a low volume/low density street which is sort of in between a CAD and a public street. Mr. Andrian asked if escrowing money could be an option for paving. Chairwoman Foust asked who would control the escrow and decide how much money would be used?

Mr. Gordon Williams stated that the pilot project CAD Edgewater Estates has surpassed the one year warranty and only one house had been built but already needs improvements on the driveway.

Chairwoman Foust asked the Commission members to share the proposed regulations with their Township Trustees and Zoning Commission members. We are hoping to get approval from the Commission tonight to set the public hearing for June 27th which would allow for the 30 business day notice. *Mr. Jones made a motion to set the public hearing.* Mr. Ward suggested that the motion be made at the next regular RPC meeting after they come back from presenting them to their members and have the public hearing at the July 27th RPC meeting. Mr. Jones withdrew his motion.

Chairwoman Foust stated that the public hearing would be advertised for the July 27th meeting.

Mr. Miller suggested a note for Appendix A stating that the contents of the form are to be considered the minimum contents.

Mr. Brown asked what the consensus of the Commission was on the NPA-LL and CAD regulations in order to give staff some feed back. Chairwoman Foust asked if the NPA-LL proposed regulations have the support of the Commission. The majority was in favor. Mr. Snajd stated they have had so many problems and would like to see the regulation. Mr. Brown stated that on behalf of himself and the Scioto Twp. Trustees they are opposed to the NPA-LL regulations. They don't want to deter the FR-1 development currently in absence of sewer because they don't want the density. The large lot review deters the large lot development. Mr. Sanders asked what the other choice would be. If you don't develop FR what is the other choice to develop? Mr. Brown said they don't want to put any

additional burden on developing FR-1.

IX. RPC STAFF AND MEMBER NEWS

- Mary Newcomb – Senior Planner for the City of Dublin for 18 years, an Alternate representative for the RPC and former Delaware County Regional Planning Commission employee passed away April 2, 2006. Mr. Gunderman stated that her funeral services will be held Saturday April 29th, 3 pm. at the Zion United Church of Christ.
- Joe Clase – Mr. Clase has accepted a position with the Union County/Marysville Economic Development Partnership. His last day will be May 5th. He has been with the RPC for 7 years. The Commission thanked Mr. Clase for his time with the RPC. Mr. Clase stated that he enjoyed his time with the Commission. He will remain on the Troy Twp. BZA and looks forward to continuing working with the Commission in another capacity.
- Mr. Spanner commended Mr. Sanders for his first meeting as Interim Director. The Commission agreed.

Having no further business, *Mr. Jones made a motion to adjourn the meeting at 9:00 p.m. Mr. Andrian seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

The next meeting of the Delaware County Regional Planning Commission will be Thursday, May 25, 2006, 7:00 PM at the Delaware Hayes Services Building, 140 N. Sandusky Street, Conference Room 313, Delaware, Ohio 43015.