



Delaware County Regional Planning Commission

109 N. Sandusky Street, Delaware, Ohio, 43015
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www.dcrpc.org

Scott B. Sanders, AICP, Executive Director

MINUTES

Thursday, July 26, 2007 at 7:00 PM
Delaware Hayes Services Building,
140 N. Sandusky Street, Room G 35, Delaware, Ohio 43015

I. ADMINISTRATIVE BUSINESS

- Call to order
- Roll Call
- Approval of June 28, 2007 RPC Minutes
- Executive Committee Minutes of July 18, 2007
- Statement of Policy

II. VARIANCES *(none)*

III. ZONING MAP/TEXT AMENDMENTS

- 17-07 ZON Melinda Pyle – Berkshire Twp. – 2.661 acres from A-1 to FR-1
 18-07 ZON J.Ciminello, R.Younkin & R.Miller – Harlem Twp. - 28.257 acres from AR-1 to C-2

IV. SUBDIVISION PROJECTS

Preliminary

		Township	Lots/Acres
04-07	Howard / Henschen CAD	Berkshire	02 lots / 52.70 acres
06-07	Preserve at Highland Lakes	Genoa	01 lot / 30.57 acres
07-07	Mansard Estates, Sec. 1, lot #7451, Division #1	Genoa	04 lots / 09.23 acres
08-07.1-4	T Sherwood Hills, Sections 1-4	Scioto	84 lots / 269.49 acres

Preliminary/Final *(none)*

Final *(none)*

T=TABLED, W=WITHDRAWN

V. EXTENSIONS

VI. OTHER BUSINESS

- Consideration for approval: Da-Wei Liou reimbursement ESRI \$1,447.07

VII. POLICY / EDUCATION DISCUSSION

- OPC Planning & Zoning Workshop

VIII. RPC STAFF AND MEMBER NEWS

I. ADMINISTRATIVE BUSINESS

▪ **Call to Order**

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

▪ **Roll Call**

Representatives: Don Poland, Rick Sedlacek, Dale Johnson, Fred Fowler, Sharon Hough, Gary Gunderman, Dave Stites, Holly Foust, Dick Gladman, Larry Crile, Bill Thurston, Marvin Miller, Lloyd Shoaf, Tom Brown, Scott Love, Bonnie Newland, Mike Dattilo, Larry Starling. *Alternates:* David Leitch, Jim Cogar, Pat Blayney, Dave Jackson and Larry Witt. Arrived after roll call: Jim Ward (R). *Staff:* Scott Sanders, Paul Deel, Ben Henson, Da-Wei Liou and Stephanie Matlack.

▪ **Approval of the June 28, 2007 RPC Minutes**

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

▪ **July 18, 2007 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, Jim Ward and Lloyd Shoaf. Staff: Stephanie Matlack. Scott Sanders was absent.

2. Approval of Executive Committee Minutes

- a. **June 20, 2007 – Mr. Gladman made a motion to approve the minutes from the June 20, 2007 Executive Committee meeting. Mr. Shoaf seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.**

3. Old Business

4. New Business

a. **Financial / Activity Reports for June 2007**

REGIONAL PLANNING RECEIPTS		JUNE	YTD TOTAL
General Fees (Lot Split)	(4201)	\$205.00	\$5,740.00
Fees A (Site Review)	(4202)		\$900.00
Insp. Fees (Lot Line Transfer)	(4203)	\$140.00	\$280.00
Membership Fees	(4204)		\$235,269.00
Planning Surcharge (Twp. Plan. Assist.)	(4205)	\$1,858.66	\$7,635.47
Assoc. Membership	(4206)		\$1,500.00
General Sales	(4220)	\$4.00	\$712.00
Charges for Serv. A (Prel. Appl.)	(4230)	\$760.00	\$10,670.16
Charges for Serv. B (Final. Appl.)	(4231)	\$26,095.54	\$37,479.52
Charges for Serv. C (Ext. Fee)	(4232)	\$450.00	\$1,840.00
Charges for Serv. D (Table Fee)	(4233)	\$200.00	\$1,200.00
Charges for Serv. E (Appeal/Var.)	(4234)		\$900.00
OTHER DEPT. RECEIPTS			
Health Dept. Fees	(4242)	\$840.00	\$1,190.00
Soil & Water Fees	(4243)	\$125.00	\$1,825.00
MISCELLANEOUS REVENUE			

Other Reimbursements	(4720)		
Other Reimbursements A	(4721)		
Other Misc. Revenue (GIS maps)	(4730)	\$59.00	\$1,058.00
Misc. Non Revenue Receipts	(4733)		
TOTAL RECEIPTS		\$30,737.20	\$308,199.15

Balance after receipts **\$221,168.31**
Expenditures **- \$ 34,692.49**
End of June balance **\$186,475.82**

Mr. Ward made a motion to approve the financial reports. Mr. Burke seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

- b. **July RPC Preliminary Agenda** – includes 2 rezonings and 4 preliminary.
- c. **Consideration for approval:** \$1,447.07 reimbursement to Da-Wei Liou for ESRI conference. Chairwoman explained that the Commission approved the conference and expenses up to \$1,600.00 March 29, 2007, now Mr. Liou has presented all the receipts for the conference and is requesting reimbursement.

Mr. Gladman made a motion to recommend approval of the \$1,447.07 reimbursement for Mr. Liou. Mr. Ward seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

5. Other Business

6. Personnel *(none)*

- 7. **Adjourn** – *Mr. Gladman made a motion to adjourn the meeting at 9:00 a.m. Mr. Shoaf seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

The next regular Executive Committee meeting will be Wednesday, August 22, 2007 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

17-07 ZON Melinda Pyle – Berkshire Twp. – 2.661 acres from A-1 to FR-1

I. Request

Melinda Pyle is requesting a rezoning from A-1 to FR-1 in order to split a 2.661 acre parcel out of a 62.954 acre tract owned by Carol Wirick at 1211 South Old 3C Highway, Berkshire Township.

II. Conditions

Location: 1211 South Old 3C Highway, Berkshire Township

Present Zoning: Agricultural (A-1)

Proposed Zoning: Farm Residential (FR-1)

Present Use(s): Single-family residential

Proposed Use(s): Single-family residential

Existing Density: 1 du / 5 acres

Proposed Density: 1 du / 2 acres

School District: Big Walnut Local School District

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

Critical Resources: Ravine/Big Walnut Creek to the east

Surrounding land uses: Single-family residential.

Soils: BeB - Bennington Silt Loam (2 to 6% slope)

AmE - Amanda Silt Loam, Loamy (25 to 50% slope)

III. Staff Comments

The proposed 2.661-acre lot would contain an existing house and barn. The east side of the property drops 20 feet into a ravine along the Big Walnut Creek. Other similarly sized, and zoned, residential lots are located along South Old 3C Highway. The Village of Sunbury is to the north and Galena is to the south and west of the site.

A survey of the proposed lot split has been provided with the application. If the rezoning is approved the applicant would then proceed with a NPA lot split application. The applicant should consult with the Board of Health to assure that the on-lot treatment system can still be contained within the new lot lines.

IV. Staff Recommendations

Staff recommends **Approval** of the rezoning from A-1 to FR-1 for Melinda Pyle to the RPC, the Berkshire Township Zoning Commission and the Berkshire Township Trustees.

Commission / Public Comments

No one was present to represent the applicant.

Mr. Miller made a motion to recommend approval of the rezoning request by Melinda Pyle. Mr. Blayney seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

**18-07 ZON Joseph Ciminello, Ronald Younkin & Russell Miller – Harlem Twp. - 28.257 acres
from AR-1 to C-2**

I. Request

The applicants are requesting to rezone a 28.257-acre portion of a 101.693-acre tract currently zoned Agricultural Residential District (AR-1) to Neighborhood Commercial (C-2) to allow for the unspecified development of any one or more of the uses permitted within the C-2 district.

II. Conditions

Location: East side of SR 605, north of Bevelheimer Rd. (TR #2), south of Fancher Rd. (CR #20)

Present Zoning: Agricultural Residential District (AR-1)

Proposed Zoning: Neighborhood Commercial (C-2)

Present Use(s): Vacant/Agricultural

Proposed Use(s): Use(s) permitted within C-2 zoning district

Existing Density: 1 du / 5 acres in AR-1

Proposed Density: N/A

School District: Big Walnut Local School District

Utilities Available: Del-Co water, private on-lot septic treatment systems

Critical Resources: None

Surrounding land uses: Single family residential to the west, north and east, agricultural to the east.

Soils: GwB: Bennington Silt Loam (0 to 2% slope)

CeB: Centerburg Silt Loam (2 to 6% slope)

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

CeC2: Centerburg Silt Loam (6 to 12% slope, eroded)

III. General

This is a request for a rezoning to a “straight” commercial district. Therefore, the applicant is not required to provide information regarding this request beyond a change from agricultural to commercial. The stated purpose of the Neighborhood Commercial District is for the development of “small neighborhood shopping areas which are pleasant, safe, and convenient to the neighborhood yet not designed to serve the public at large. Twenty-eight acres represents a significant shopping center, comparable to the North Pointe development in Orange Township or Genoa Square/Northgate in Genoa Township.

While no specific use has been proposed for the site, permitted uses within the C-2 district include:

Retail Stores: hardware stores, grocery stores, meat, seafood, fruit, vegetable markets, candy stores, but and confectionary stores, dairy product stores, carry-outs, florists, eating and drinking places where service is provided entirely within the building, self service laundromats, laundry and dry-cleaning shops, beauty shops, health spas, barber shops, shoe repair or shining shops.

Office Facilities: insurance agencies, insurance brokers, real estate offices, law offices, offices of physicians, dentists, osteopaths, chiropractors, podiatrists or other allied medical, dental or optical fields, accountants, architects and engineers, credit agencies, personal credit institutions, loan offices, veterinarians.

IV. Conformance with Harlem Township Comprehensive Plan

The 1988 Comprehensive Plan Map recognized the need for commercial tax base in the township and the logical

location of such non-residential development along the southern border adjacent to an arterial road. The 1988 plan identifies potential commercial areas on each side of 605 south of Fancher Road. The land requested in this application roughly corresponds to the eastern half of the commercial area on the map.

The township has been in the process of updating its Comprehensive Plan for the last two years. The process included much discussion regarding the placement and quality of future commercial development. Although several sites were discussed, the final draft current under review by the township showed non-residential development only as mixed-use development in an expanded Center Village at the crossroads of 605 and Center Village Road.

Staff anticipates that the final adopted plan may reference additional non-residential development outside of Center Village, which may be appropriate at this location. With the proper amount of detail and review, this location could serve as a valuable commercial gateway to the township. The trend in Delaware County townships is for major commercial developments to be proposed as Planned Districts. The scale of this proposal indicates that it should be developed in the township's PCD district.

V. Sanitary Service

A major issue of discussion during the Comprehensive Planning process is sewer service. The densities and uses within the draft plan assume sewer service either directly from a County facility or via an agreement between the County and the City of Columbus (which currently exists) to serve this area. A commercial development of any quality at this site would likely require sewer service, although this is not addressed in the application. While this may be a logical location for commercial development, the lack of proposed utilities suggests that such a change in land use designation could be defined as "spot zoning".

VI. Staff Recommendation

Staff recommends **Denial** from AR-1 to C-2 for Joseph Ciminello, Ronald Younkin, Russell Miller to the DCRPC, Harlem Township Zoning Commission and Harlem Township Trustees, *based on the scale of the proposal with respect to the purpose of the Neighborhood Commercial District*. Staff supports well-planned non-residential development at this location and encourages the applicant to submit a Planned Commercial rezoning application for this site.

Commission / Public Comments

No one was present to represent the applicant.

There was some discussion over the current 1988 Master Plan designation for the site and whether that should outweigh concerns expressed in the staff report.

Mr. Miller made a motion to recommend approval of the rezoning by Joseph Ciminello, Ronald Younkin, Russell Miller. Mr. Blayney seconded the motion. VOTE: Majority Opposed. Motion denied.

Mr. Starling made a motion to recommend denial of the rezoning request by Joseph Ciminello, Ronald Younkin, Russell Miller. Mr. Love seconded the motion. VOTE: Majority For. Motion carried.

IV. SUBDIVISION PROJECTS

Preliminary

04-07 **Howard / Henschen CAD – Berkshire Twp. - 02 lots / 52.70 acres**

Applicant: Mary Howard and James Henschen
Subdivision Type: Single-family Residential (CAD)
Location: 2232 State Route 61, Berkshire Township.
Current Land Use: Single-family residence
Zoned: Agricultural (A-1)
Utilities: Del-Co water and on lot sewage treatment
School District: Big Walnut
Engineer: Steven Fox, P & L Systems, Inc.

I. Staff Comments

The Howard/Henschen subdivision includes 2 lots on 52.7 acres. Both lots would be accessed by a CAD, which will also serve an existing landlocked 16.945-acre lot to the north (owned by Joseph Krinn and Christy Hall). The proposed 12.001-acre lot includes an existing vet clinic (Henschen) and the proposed 40.847-acre lot an existing residence (Howard). The lots utilize Del-Co water and on-site wastewater treatment.

The RPC approved a variance in April 2007 to allow the Krinn/Hall lot to access the CAD without being included in the subdivision plat. A CAD maintenance agreement describing maintenance responsibility for the two platted lots and the adjacent Krinn/Hall lot will be recorded and referenced on the plat. As part of the variance approval, a signpost will be placed at the CAD entrance displaying the three lot addresses and a placard sign labeled “Private Driveway”. The addresses will also be displayed at each lot’s individual driveway off the CAD.

This site is located on the east side of SR 61 just north of the Village of Sunbury. It is zoned Agricultural which requires a minimum lot size of 5 acres. Surrounding land use is agricultural and single family residential.

A technical review was held on July 17, 2007, after which the applicant has addressed all of the required changes.

II. Staff Recommendation

Staff recommends *Approval* of the **Howard / Henschen CAD** Subdivision, to the RPC.

Commission / Public Comments

Mr. Mike Shade, attorney for the applicants was present.

Mr. Blayney made a motion for Preliminary approval of the Howard / Henschen CAD subdivision. Mr. Poland seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

06-07 Preserve at Highland Lakes - Genoa Twp. - 01 lot / 30.57 acres

Applicant: Romanelli & Hughes
Subdivision Type: Multi family Residential (Condominiums)
Location: East of Worthington Rd. north on Highland Lakes Ave., Genoa Township.
Current Land Use: Single-family residence
Zoned: Planned Residential (PD-1)
Utilities: Del-Co water and sanitary sewer
School District: Westerville City School District
Engineer: R.D. Zande & Associates

I. Staff Comments

The Preserve at Highland Lakes is a proposed condominium development on a 30.57-acre tract. This site is currently two separate lots (17.579 & 12.987 acres) owned by John Shawd. There are two existing buildings on the site. One, a single family home on the existing flag lot will remain, the other, near Worthington road will be removed. Forty-two condominiums will be constructed on this site. An easement is being purchased from the Highland Lakes Homeowners Association to gain access off Highland Lakes Avenue. There is an additional emergency access from Worthington Rd.

The site is surrounded by single family, multi family and a golf course, zoned within the PD-1 and SR classifications.

A technical review was held on July 17, 2007, after which the applicant has addressed all of the required changes.

II. Staff Recommendation

Staff recommends *Preliminary Approval* of **The Preserve at Highland Lakes** to the RPC.

Commission / Public Comments

Ms. Lenell Sniechowski with RD Zande was present to represent the applicant.

Mr. Gunderman asked if the issues brought up during the RPC's rezoning review of this parcel had been taken care of. Ms. Sniechowski stated that the RPC had requested a second access, to which the Township did not agree to.

Mr. Miller made a motion for Preliminary approval of The Preserve at Highland Lakes. Mr. Gladman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

07-07 Mansard Estates, Sec. 1, lot #7451, Division #1 – Genoa Twp. - 04 lots / 09.23 acres

Applicant: Jay Scott Gillis
Subdivision Type: Single-family Residential (CAD)
Location: West of Worthington Rd. off Braymoor Dr., Genoa Township.
Current Land Use: Single-family residence
Zoned: Planned Residential District (PD-1)
Utilities: Del-Co water and sanitary sewer
School District: Olentangy Local School District
Engineer: EMH&T

I. Staff Comments

Mansard Estates, Section 1, Lot #7451, Division #1 is a proposed 4-lot subdivision of 9.228 acres. This site is currently one large lot owned by Mr. Gillis. Access to this site was originally from Worthington Rd., just north of where Braymoor Dr. now intersects. The drive has been removed and access is now from Braymoor Dr. This new drive will be utilized as a Common Access Driveway (CAD). Lot 7451 will be divided into 4 lots, ranging from 1.04 to 2.67 acres. Lot 4 of the subdivision has frontage on Braymoor Dr., thus a variance for a fourth lot accessing the CAD is not necessary.

The site is surrounded by single family residential, zoned PD-1 and RR.

A technical review was held on July 17, 2007, after which the applicant has addressed all of the required changes.

II. Staff Recommendation

Staff recommends *Preliminary Approval* of **Mansard Estates, Section 1, Lot #7451, Division #1** to the RPC.

Commission / Public Comments

Mr. Ed Miller of EMH & T was present to answer any questions from the Commission.

Mr. Gladman made a motion for Preliminary Approval of Mansard Estates, Section 1, Lot #7451, Division #1. Mr. Miller seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

08-07.1-4 T Sherwood Hills, Sections 1-4 – Scioto Twp. - 84 lots / 269.49 acres

Applicant: Amity Carter, Ltd.
Engineer: Ryan Badger, ADR and Associates, Ltd.

I. Staff Comments

The applicant has requested a 90-day tabling to resolve sanitary sewer issues.

II. Staff Recommendation

Staff recommends *Approval of the 90-day tabling* for the **Sherwood Hills, Sections 1-4** to the RPC

Commission / Public Comments

Mr. Ward made a motion to approve the 90-day table request for Sherwood Hills, Sections 1-4. Mr. Poland seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

Preliminary/Final (none)

CONSENT AGENDA

Final (none)

VI. EXTENSIONS (none)

VII. OTHER BUSINESS

- Consideration for approval: Da-Wei Liou reimbursement ESRI \$1,447.07

Mr. Gunderman made a motion to approve the reimbursement of \$1,447.07 to Da-Wei Liou for the ESRI conference expenses. Mr. Sedlacek seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

VIII. POLICY / EDUCATION DISCUSSION

- **OPC Planning & Zoning Workshop** - The Ohio Planning Conference will be holding a one-day Planning and Zoning Workshop as part of its annual state conference. It will be on September 19 from 8:30-2:30 at the Columbus Convention Center. Cost is \$85 (\$70 for OPC members) and includes lunch. For more information, visit www.ohioplanning.org, call Chris Strayer at 614-837-1894, or call the RPC staff.

IX. RPC STAFF AND MEMBER NEWS (none)

Mr. Ward made a motion to adjourn the meeting at 7:35 p.m. 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, August 30, 2007, 7:00 PM at the Delaware Hayes Services Building, 140 N. Sandusky Street, Conference Room G-35, Delaware, Ohio 43015.

Holly Foust, Chairperson

Stephanie Matlack, Executive Administrative Assistant