



Delaware County Regional Planning Commission

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www.dcrpc.org

Scott B. Sanders, AICP
Executive Director

MINUTES

Thursday, August 28, 2014 at 7:00 PM
Frank B. Willis Building, 2079 US 23 North, Conference Room,
Delaware, Ohio 43015

I. ADMINISTRATIVE BUSINESS

- Call to order
- Roll Call
- Approval of July 31, 2014 RPC Minutes
- Executive Committee Minutes of August 20, 2014
- Statement of Policy

II. VARIANCES *(none)*

III. ZONING MAP/TEXT AMENDMENTS

17-14 ZON DCR Commercial Development LLC – Liberty Twp. - 14.02 acres from FR-1 to PR

IV. SUBDIVISION PROJECTS

Preliminary

		Township	Lots/Acres
14-14	T Stablewood	Berlin	28 lots / 63.3 acres
19-14	Olentangy Crossings, Sec. 2, Lot 7353, Div. #2	Orange	01 lot / 01.608 acres

Preliminary/Final *(none)*

Final

11-13	Meadows at Lewis Center North	Orange	38 lots / 25.83 acres
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T=TABLED, W=WITHDRAWN

V. EXTENSIONS *(none)*

VI. OTHER BUSINESS

- Consideration for Approval – Estimated 2014 Cash balance and 2015 Revenues for Budget Commission

VII. POLICY / EDUCATION DISCUSSION

- Consideration for Approval – Merit Compensation Policy
- Lot Combination discussion

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

I. ADMINISTRATIVE BUSINESS

▪ **Call to Order**

Chairman O'Brien called the meeting to order at 7:00 p.m.

▪ **Roll Call**

Representatives: Jeff George, Rick Sedlacek, Susan Kuba, Ric Irvine, Fred Fowler, Ken O' Brien, Tiffany Jenkins, Tom Hopper, Joe Clase, Dave Stites, Matt Huffman, Hal Clase, Tom Farahay, Teresa Watkins, Mike Dattilo and Doug Price. *Alternates:* Adam Howard and John Piccin. *Arrived after roll call:* Charlie Callender (R). *Staff:* Scott Sanders, Da-Wei Liou and Stephanie Matlack.

▪ **Approval of the July 31, 2014 RPC Minutes**

Mr. Hal Clase made a motion to Approve the minutes from the last meeting as mailed. Mr. Sedlacek seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

▪ **August 20, 2014 Executive Committee Minutes**

1. Call to order

Chairman O'Brien called the meeting to order at 8:45 a.m. *Present:* Ken O'Brien, Tiffany Jenkins, Susan Kuba, and Dave Stites. *Jeff George was absent. Staff:* Scott Sanders and Stephanie Matlack.

2. Approval of Executive Committee Minutes from July 23, 2014

Mrs. Kuba made a motion to Approve the minutes from the last meeting as presented. Mr. Stites seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

3. New Business

- Financial / Activity Reports for July 2014

• REGIONAL PLANNING RECEIPTS		JULY	YTD TOTAL
General Fees (Lot Split)	(4201)	\$205.00	\$3,895.00
Fees A (Site Review)	(4202)	\$600.00	\$4,200.00
Insp. Fees (Lot Line Transfer)	(4203)	\$400.00	\$1,500.00
Membership Fees	(4204)		\$268,280.00
Planning Surcharge (Twp. Plan. Assist.)	(4205)	\$636.04	\$3,017.64
Assoc. Membership	(4206)		
General Sales	(4220)		\$10.00
Charges for Serv. A (Prel. Appl.)	(4230)	\$33,950.00	\$103,888.80
Charges for Serv. B (Final. Appl.)	(4231)	\$8,300.00	\$16,153.80
Charges for Serv. C (Ext. Fee)	(4232)		\$450.00
Charges for Serv. D (Table Fee)	(4233)		
Charges for Serv. E (Appeal/Var.)	(4234)		\$1,025.00
Charges for Serv. F (Planned District Zoning)	(4235)	\$1,500.00	\$3,300.00
OTHER DEPT. RECEIPTS			
Health Dept. Fees	(4242)	\$6,820.00	\$7,665.00
Soil & Water Fees	(4243)	\$1,325.00	\$4,775.00

MISCELLANEOUS REVENUE			
Other Reimbursements	(4720)		\$207.64
Other Reimbursements A			
Other Misc. Revenue (GIS maps)	(4730)	\$39.00	\$1,354.28
Misc. Non-Revenue Receipts	(4733)		
Sale of Fixed Assets	(4804)		
TOTAL RECEIPTS		\$53,775.04	\$419,722.16

Balance after receipts	\$721,028.03
Expenditures	- \$ 22,230.49
End of July balance (carry forward)	\$698,797.54

After discussion of the financial reports, Mrs. Kuba made a motion to approve the financial reports as presented for audit. Mr. Stites seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

- Site Review
 - 1.) Creekside Industrial Park – Orange Twp. – 08 lots / 92.55 acres
- July RPC Preliminary Agenda
 - 1.) Rezoning:
 - DCR Commercial Development LLC – Liberty Twp. – 14.02 acres from FR-1 to PR
 - 2.) Variance: *(none)*
 - 3.) Preliminary:
 - Stablewood – Berlin Twp. - 28 lots / 63.3 acres *(Tabled)*
 - Olentangy Crossings, Sec. 2, Lot 7353, Div. #2 – Orange Twp. 1 lot / 1.608 acres
 - 4.) Preliminary/Final: *(none)*
 - 5.) Final:
 - Meadows at Lewis Center North – Orange Twp. – 38 lots / 25.83 acres
 - 6.) Extension: *(none)*
- Director’s Report
 - 1.) Attended meeting at Code Compliance regarding software that communities could use for permitting. Software would allow connection between zoning permits and building permits. Discussions continue.
 - 2.) Attended discussion with County Engineer and larger townships related to platting process.
 - 3.) Attended the MORPC visit with County leaders on 8/5.
 - 4.) Berlin Zoning Code – adopted and referendum period passed. Updated on website. (approx. 70 hrs. non-contract over 2013 and 2014)
 - 5.) Concord Comp Plan: “final” meeting with Steering Committee was on 8/13/14. Finalized recommendations. Next steps to update final document and forward to Zoning Commission, then Trustees.

- 6.) No change on Berkshire Zoning Code and Liberty Zoning Code – both in adoption process.
- 7.) Liberty Comp Plan: begin stakeholder meetings in the next few months.
- 8.) Oxford Zoning Code: reformatted, beginning internal updates before meeting this fall.
- 9.) Future educational sessions at RPC meetings: Site review, Tech Review, Lot split, Preliminary Plan, CADs.

4. Old Business

- Merit Compensation Policy –

Mr. Stites requested that clarification of how non contract comp time could be used. Mr. Sanders made wording suggestions. The ability to carry over unused time was questioned. Mr. Stites asked Mr. Sanders to make those clarifications and email to the Executive Committee. A special Executive Committee meeting will be held at 6:45 p.m. Thursday, August 28th to make a recommendation to the Commission for approval.

5. Other Business

- Recommendation of estimated 2015 revenues

Mrs. Matlack explained that Jane Tinker, Administrator of Fiscal Services has requested that the RPC approve a revenue estimate for 2015 and a 12/31/14 projected cash balance as required by ORC 5705.35 A. The revenue estimate for 2015 was calculated using the projected dues for 2015 with the same dues credit as 2014, \$60,000 in platting fees and \$8,000 in contracts for a total of \$338,978. Projected cash balance for 12/31/14 is \$598,797 with estimated \$5,000 income (Aug-Dec) and \$25,000 in projected expenses.

Mr. Stites made a motion to recommend Approval of \$338,978 as the projected 2015 revenue and \$598,797 projected cash balance 12/31/14 as calculated by RPC staff at the direction of the Delaware County Fiscal Administrator.

Roll call: Mr. O'Brien, No, Mrs. Jenkins, Yes, Mrs. Kuba, Yes, Mr. Stites, Yes. Motion carried.

6. Personnel (*none*)

7. Adjourn

Having no further business, Mrs. Kuba made a motion to adjourn the meeting at 10:40 a.m. Mrs. Jenkins seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

The next regular Executive Committee meeting will be Wednesday, September 17, 2014 at 8:45 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

17-14 ZON DCR Commercial Development LLC – Liberty Twp. - 14.02 acres from FR-1 to PR

I. Request

The applicant, DCR Commercial Development, LLC, is requesting a 14.02-acre rezoning from FR-1 to PR to allow a 13-lot single family residential subdivision called Wedgewood Park North.

II. Conditions

Location: south side of Seldom Seen Rd., east of Riverside Dr.

Present Zoning: Farm Residential (FR-1)

Proposed Zoning: Planned Residence District (PR)

Present Use(s): several single-family house sites and accessory buildings

Proposed Use(s): 13-lot single family subdivision

Existing Density: 1 du / acre

Proposed Density: .93 du / acre

School District: Olentangy Local School District

Utilities Available: Del-Co Water and central sanitary sewer

Critical Resources: pond, streams, wetlands, slope > 20%

Soils: GwB Glynwood Silt Loam 2-6% slope

GwC2 Glynwood Silt Loam 6-12% slope

LyD2 Lybrand Silt Loam 12-18% slope

PwA Pewamo Silty Clay Loam 0-1% slope

III. Proposal

In March, 2006, Wedgewood Park, Section 2, Phase D was recorded, creating a road stub to an undeveloped area between Creighton Drive, in Wedgewood Park, and Seldom Seen Road to the north. This area includes 35.66 acres under common ownership. The proposal seeks to rezone almost all of 4677 Seldom Seen Road (a 15.66-acre parcel) leaving a small strip presumably to be added to the parcel to the immediate east. It also includes the buildable portion of 4725 Seldom Seen Road (approximately 2 acres).

The proposal shows a street extending from the existing stub (McDowall Drive) and ending in the cul-de-sac to the west. A second road extends to the east and stubs into the rear of a long, 2.5-acre parcel to the east. Lots range in size from 20,000 s.f. (.46 acre) to 40,200 s.f. (.92 acre). This is comparable to the existing adjacent lots, which are generally .45 acres in size. A retention pond will be built west of the cul-de-sac, with the existing pond proposed to remain.

IV. Comprehensive Plan

The 2006 Liberty Township Comprehensive Plan recommends this area be developed with residential uses at a maximum density of 1.25 units per acre with sewer. The proposal conforms to use (single-family) and density recommendations.

V. Divergences

The applicant is requesting four divergences which are detailed in the application but summarized here:

1. Each dwelling shall have a side yard setback of not less than 12.5 feet on each side (25 feet total).
Staff comment: *This request is valid as long as a 25-foot separation is maintained. These lots are comparable in size to Wedgewood Park, but the lots have a smaller amount of frontage.*
2. The minimum front yard setback is thirty (30) feet from the property line along the adjacent roadway right-of-way.
Staff comment: *This request is reasonable and similar to the front yard setbacks within Wedgewood Park.*
3. Parking shall be in compliance with the provisions of Article XXI as they pertain to single family zoning districts.
Staff comment: *This does not appear to require a divergence as it is a restatement of the current code.*
4. The centerline of the driveways on Lots 1 and 10 shall be permitted to be less than 100 feet from the intersection of McDowall Drive and Krendale drive.
Staff comment: *Lot 1 does not appear to need a divergence from this standard. It may be reasonable to grant this request for Lot 10, but the driveway on that lot should be located as far east, away from the intersection, as possible.*

VI. Access and Circulation

The road network appears to be reasonable for the site. A site review in 2006 recommended a connection to Seldom Seen Road, but a location for such was not feasible due to limited sight distance and the pond on the site. Based on the number of lots and eventual access to both Powell Road and Riverside Drive, the layout is appropriate. Continuation of the road from the stub to the east will require the collection of several of the unusually long single-family lots on Seldom Seen Road before additional lots could be created.

Sidewalks will be required in accordance with the Subdivision Regulations. The proposal indicates a walkway through the open space, providing a pedestrian connection to Seldom Seen Road, which staff supports.

VII. Utilities

Utility letters are enclosed. The Sanitary letter from the Environmental Services office states that sewer is adjacent to the site but the system does not have capacity for the proposed development at this time. This is similar to the situation in the Verona site to the southeast. That letter stated that there is not sufficient capacity in the Leatherlips pump station for the development and that downstream improvements (pipe size) will be necessary to allow that development to move forward. Further study will be needed, to identify whether there is sufficient capacity for the development, and whether capacity improvement might be required. The RPC has typically not recommended denial for sites that are within a sewer service area but limited in capacity or infrastructure. Such issues can be resolved at the subdivision phase.

VIII. Other issues

Remaining land that is not being zoned will include a strip from the largest parcel that is presumably being combined with the lot to the east. Also, the access to the 2-acre lot will remain, presumably to be combined with an adjacent lot. Thirdly, the parcel at 4837 Seldom Seen Road, which is under the same ownership, appears to be

the location of two residential structures, despite being zoned FR-1. The intent of these remaining lands should be clarified and may need to be processed prior to this development being initiated.

Tree preservation is not indicated on the plan. A strip along the southern boundary would benefit both the new development and the existing homes to the south.

IV. Staff Recommendations

Staff recommends **Conditional Approval** of the application by DCR Commercial Development, LLC, in requesting a 14.02-acre rezoning from FR-1 to PR to the DCRPC, Liberty Twp. Zoning Commission and Liberty Twp.

Trustees, *subject to the following:*

1. *Approval of the divergences, if appropriate;*
2. *Consideration of a tree preservation area along the southern edge of the development;*
3. *Clarification of the plans for sanitary service; and*
4. *Resolution of the issues with the remaining strips of land and the parcel with two residences.*

Commission / Public Comments

Mr. David Ruma with DCR Commercial Development LLC was present. He confirmed that the two strips of land mentioned by Mr. Sanders are intended to be combined into the larger lot in between. Also, they will work to preserve the tree line by pulling the storm sewer to the north.

Mr. Farahay made a motion to recommend Conditional Approval of the 14.02 acres rezoning by DCR Commercial, subject to staff recommendations as follows:

1. *Approval of the divergences, if appropriate;*
2. *Consideration of a tree preservation area along the southern edge of the development;*
3. *Clarification of the plans for sanitary service; and*
4. *Resolution of the issues with the remaining strips of land and the parcel with two residences.*

Mr. Irvine seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

IV. SUBDIVISION PROJECTS

Preliminary

14-14 T Stablewood – Berlin Twp. - 28 lots / 63.3 acres

I. Conditions

Applicant: Homewood Corp.

Engineer: EMH&T

II. Staff Comments

The applicant has requested a 60-day tabling in order to resolve issues presented by the County Engineer.

III. Staff Recommendation

Staff recommends *Approval* of the 60-day tabling of **Stablewood** to the DCRPC.

Commission / Public Comments

Mr. Joe Clase made a motion to Approve the 60-day tabling for Stablewood, seconded by Mrs. Kuba. VOTE: Unanimously For, 0 Opposed. Motion carried.

19-14 **Olentangy Crossings, Sec. 2, Lot 7353, Div. #2 – Orange Twp. - 01 lot / 01.608 acres**

I. Conditions

Applicant: Continental Real Estate Co.
Subdivision Type: commercial
Location: Pullman Dr., north of Lewis Center Rd., east of US 23
Current Land Use: Vacant
Zoned: Planned Commercial (PC)
Utilities: Del-Co water and public sanitary sewer
School District: Olentangy
Engineer: Woolpert

II. Staff Comments

The division of Lot 7353 in Olentangy Crossings, Section 2 is intended to allow the creation of a lot that is sized to house a stand-alone emergency room building. Olentangy Crossings, Section 2 was originally platted in October, 2006, with a subsequent division which created this lot in November, 2008. The 2008 Division allowed for the creation of other lots to the north of this site. This is the second Division of that original lot.

Development will include a driveway that aligns with Lacher Drive and a second access farther north on Pullman Drive. Both of these roads are private roads built to public standards. Development of the site will include the building, parking, and a reconfigured stormwater treatment area in the southwest corner of the site. This will be a dry basin. A driveway is stubbed to the northern undeveloped land to the north. No direct access is allowed to U.S. 23.

A technical review was held on August 19th, after which the applicant has addressed all of the required changes.

III. Staff Recommendation

Staff recommends *Preliminary Approval* of **Olentangy Crossings, Section 2, Lot 7353, Division #2** to the DCRPC.

Commission / Public Comments

Mr. Brian Smallwood with Woolpert was present to answer questions from the Commission.

Mr. Price made a motion for Preliminary Approval of Olentangy Crossings, Section 2, Lot 7353, Division #2. Mr. Sedlacek seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

Preliminary/Final (*none*)

CONSENT AGENDA

Final

11-13 Meadows at Lewis Center North – Orange Twp. - 38 lots / 25.83 acres

I. Conditions

- Applicant:** Jones/Lewis Center, LLC
- Subdivision Type:** Single Family Residential
- Location:** north side of Lewis Center Rd., west of South Old State Rd.
- Current Land Use:** vacant
- Zoned:** SFPRD (Single Family Planned Residential)
- Utilities:** Del-Co Water, central sanitary sewer
- School District:** Olentangy
- Engineer:** Kleingers Group

II. Staff Comments

Meadows at Lewis Center North is an extension of Meadows at Lewis Center, portions of which have been platted, with other sections planned for future development. It includes the extension of Ludington Drive from the south, traveling north and ending in a cul-de-sac. A connection is also made to the east into the Bryn Mawr subdivision. Lot sizes are generally 17,575 s.f. (.4 acres), creating a transition between the quarter-acre lots in Meadows at Lewis Center and the third-acre lots in Bryn Mawr. The design includes 5.17 acres of open space, all of which encompasses a large stormwater pond to the north.

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

III. Staff Recommendation

Staff recommends *Final Approval* of **Meadows at Lewis Center North** to the DCRPC.

Commission / Public Comments

Mr. Price made a motion for Final Approval of Meadows at Lewis Center North. Mr. Irvine seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

V. EXTENSIONS *(none)*

VI. OTHER BUSINESS

- **Consideration for Approval – Estimated 2014 Cash balance and 2015 Revenues for Budget Commission**

At the request of the Delaware County Auditor on behalf of the Budget Commission, the RPC staff has estimated a \$598,797 cash balance as of 12/31/14 and 2015 revenues of \$338,978. The Executive Committee recommended approval of those projections. The Commission is being asked for Approval of these projections.

Mr. Joe Clase made a motion to Approve the estimated 12/31/14 cash balance of \$598,797 and the estimated 2015 revenues of \$338,978 to be provided to the Auditor's office for the Budget Commission. Mr. Sedlacek seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

- **Lot Combination discussion**

Mr. Sanders briefly described the lot combination issue since it was a recent topic in the office. Applicants and owners may be asked by the zoning office or another department to combine several lots to make them buildable, or to conform to zoning. If all the lots existing and no new description is required, owners may apply to the County Auditor to combine lots “for tax purposes.” It is unlikely that an owner can be required to combine lots with a new survey, although that is the cleanest process. More information can be found on the DCRPC website at www.dcrpc.org/HOW_DO_I/transfer.htm.

VII. POLICY / EDUCATION DISCUSSION

- **Consideration for Approval – Merit Compensation Policy**

Mr. Sanders presented the Commission with the updated Merit Compensation Policy. This Policy conforms to current regulations including those of the FLSA (Fair Labor Standards Act). The Executive Committee has had many discussions regarding this Policy. They held a Special meeting prior to the RPC meeting in order to finalize their recommendation as presented.

Mr. Joe Clase made a motion to Approve the Merit Compensation Policy as presented. Mr Hal Clase seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

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

Having no further business, Mrs. Kuba made a motion to adjourn the meeting at 7:26 p.m. Mr. George seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

The next meeting of the Delaware County Regional Planning Commission will be Thursday, September 25, 2014, 7:00 PM at the Willis Building, 2079 US 23 North, Conference Room, Delaware, Ohio 43015.