



Delaware County Regional Planning Commission

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Scott B. Sanders, AICP
Executive Director

MINUTES

Thursday, September 17, 2015 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 August 27, 2015 RPC Minutes
- Executive Committee Minutes of September 9, 2015
- Statement of Policy

II. VARIANCES *(none)*

III. ZONING MAP/TEXT AMENDMENTS

29-15 ZON Berkshire Twp. Zoning Commission – Zoning Code revision

IV. SUBDIVISION PROJECTS

Township

Lots/Acres

Preliminary *(none)*

Preliminary/Final *(none)*

Final

13-14.1	Brookview Manor, Section 1	Berlin	31 lots / 26.607 acres
28-04.3	Derby Glen Farms, Section 3	Liberty	26 lots / 20.12 acres
08-12.5.1	Sanctuary at the Lakes, Section 5, Part 1	Orange	22 lots / 13.417 acres
08-12.5.2	Sanctuary at the Lakes, Section 5, Part 2	Orange	11 lots / 7.677 acres

T=TABLED, W=WITHDRAWN

V. EXTENSIONS *(none)*

VI. OTHER BUSINESS

VII. POLICY / EDUCATION DISCUSSION

VIII. RPC STAFF AND MEMBER NEWS

- Welcomed new members: Anthony Hray, Orange Twp. Zoning Officer, Joe Shafer, Genoa Twp. Zoning Officer

I. ADMINISTRATIVE BUSINESS

▪ **Call to Order**

Chairman Stites called the meeting to order at 7:00 p.m.

▪ **Roll Call**

Representatives: Jeff George, Chet Heid, Ric Irvine, Gary Merrell, Barb Lewis, Tiffany Jenkins, Tom Hopper, Joe Shafer, Jon Trainer, Dave Stites, Todd Dove, Bill Thurston, Dan Boysel, Bonnie Newland, Mike Dattilo and Doug Price. *Alternates:* Duane Matlack, Adam Howard, and Larry Witt. Arrived after roll call: Susan Kuba (R). *Staff:* Scott Sanders, Da-Wei Liou and Stephanie Matlack.

▪ **Approval of the August 27, 2015 RPC Minutes**

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

▪ **September 9, 2015 Executive Committee Minutes**

1. Call to order

Chairman Stites called the meeting to order at 8:45 a.m. Present: Dave Stites, Susan Kuba, Gary Merrell, Tiffany Jenkins and Jeff George. Staff: Scott Sanders and Stephanie Matlack.

2. Approval of Executive Committee Minutes from August 19, 2015

Mr. George made a motion to Approve the minutes from the August 19th meeting, seconded by Mrs. Kuba. VOTE: Majority For, 0 Opposed, 1 Abstained (Mr. Stites). Motion carried.

3. New Business

- Financial / Activity Reports for August 2015

REGIONAL PLANNING RECEIPTS		AUGUST	YTD TOTAL
General Fees (Lot Split)	(4201)		\$3,690.00
Fees A (Site Review)	(4202)	\$300.00	\$1,500.00
Insp. Fees (Lot Line Transfer)	(4203)	\$200.00	\$2,500.00
Membership Fees	(4204)		\$272,375.00
Planning Surcharge (Twp. Plan. Assist.)	(4205)		\$465.79
Assoc. Membership	(4206)		
General Sales	(4220)		
Charges for Serv. A (Prel. Appl.)	(4230)	\$23,600.00	\$56,210.60
Charges for Serv. B (Final. Appl.)	(4231)	\$8,300.00	\$40,199.60
Charges for Serv. C (Ext. Fee)	(4232)		\$600.00
Charges for Serv. D (Table Fee)	(4233)		
Charges for Serv. E (Appeal/Var.)	(4234)		\$1,200.00
Charges for Serv. F (Planned District Zoning)	(4235)	\$600.00	\$3,600.00
OTHER DEPT. RECEIPTS			
Health Dept. Fees	(4242)		\$2,385.00
Soil & Water Fees	(4243)	\$400.00	\$2,500.00
MISCELLANEOUS REVENUE			
Other Reimbursements	(4720)		
Other Reimbursements A			

Other Misc. Revenue (GIS maps)	(4730)		\$85.00
Misc. Non-Revenue Receipts	(4733)		
Sale of Fixed Assets	(4804)		
TOTAL RECEIPTS		\$33,400.00	\$387,310.99

Balance after receipts	\$838,067.38
Expenditures	- \$ 26,915.23
End of August balance (carry forward)	\$ 811,152.15

Mr. Merrell made a motion to Approve the financial reports as presented for audit. Mrs. Jenkins seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

- Site Review:
 - 1.) Harvest Curve – Liberty Twp. – 38 lots / 36.5 acres
 - 2.) Zajac CAD – Liberty Twp. – 5 lots / 20.5 acres

- September RPC Preliminary Agenda
 - 1.) Rezoning: (none to date)
 - 2.) Preliminary: (none)
 - 3.) Preliminary/Final: (none)
 - 4.) Final:
 - Brookview Manor, Section 1
 - Sanctuary at the Lakes, Section 5, Part 1
 - Sanctuary at the Lakes, Section 5, Part2
 - Derby Glen Farms, Section 3
 - 5.) Extensions: (none)

- Director’s Report
 - 1.) County Planning Directors met at CCAO on 21st. Discussed new Economic Development information on the CCAO website, upcoming Land Bank webinar, Ag Tourism bill continuing to go through the legislature, new on-site sanitary rules proposed, reminded us that the JEDD-Z is no longer an option.
 - 2.) One more meeting on the Oxford Zoning Resolution – to be initiated in October.
 - 3.) Continue to collect data for an update to the county’s Thoroughfare Plan targeted at the 36/37/71 corridor.
 - 4.) Continued involvement as Trustees President with Convention and Visitors Bureau.
 - 5.) Stream information is now on the county’s webmap.
 - 6.) Galena asked for some GIS assistance, Genoa asked for some trail mapping assistance.
 - 7.) Berkshire will initiate some zoning code changes this month.
 - 8.) Supporting a grant application with the Health District for developing a checklist to be used for health-related design aspects in zoning reviews and subdivisions.

9.) Zoning Inspector meeting scheduled for tomorrow.

- 2016 Budget discussion – Mr. Sanders reminded the Committee that the first review of the budget would be at the next meeting (Oct. 14th). The full Commission vote would take place November 19th. Since the final numbers for administrative expenses have not been approved from the County Commissioners, staff will prepare several scenarios for the Committee to review and make a recommendation to the full Commission. Membership fees were also discussed with a possible credit.

4. **Old Business** (*none*)

5. **Other Business** (*none*)

6. **Personnel** (*none*)

7. **Adjourn**

Having no further business, Mrs. Kuba made a motion to adjourn the meeting at 10:20 a.m. Mr. George seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

The next regular Executive Committee meeting will be Wednesday, October 14, 2015 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**

29-15 ZON **Berkshire Twp. Zoning Commission – Zoning Code revision**

I. Request

The Berkshire Township Zoning Commission initiated a new Article in its Zoning Resolution referred to as the Planned Mixed Use District (PMUD). It would impact an area along the US 36/SR 37 corridor.

II. Process

The proposal sets this district up in accordance with ORC 519.021(C), which allows a Planned Unit Development to be “floated” over a specific area. A future applicant would then submit to the Zoning

Commission a Development Plan that meets the standards as outlined in the code. The standards of the PMUD would then apply to that defined area of land. The adoption of the zoning district is a Legislative act and the future approval of the Development Plan would be an Administrative act by the Zoning Commission. This is the process known as “floating a cloud” and has been used in some Delaware County township zoning resolutions for the Conservation Subdivision applications as well as the POD23 district in Liberty Township.

III. Description

The purpose of this application is to allow property owners or future owners within the applied area to have flexibility in a fast-changing business environment. Berkshire Township has identified the 36/37 corridor, especially at the I-71 interchange, as a critical location for continued economic development. This amendment will allow the initial rezoning to take place now, allowing for quicker development plan reviews in the future. There is a rigorous process with safeguards and standards within the text to ensure appropriate future development.

Permitted uses include a variety of office and business uses, including Retail uses, Printing Services, Specialty Food, Health and Personal Care, Data Processing, Finance, Real Estate Agents, Scientific and Technical Services, Health Care Services, Hotels and Motels, Food Services and Drinking Places, Dry Cleaning and Laundry Services, Public Administration, and Residential Dwellings.

Materials, façade treatments, design elements, exterior lighting, signage, landscaping, and other details as typically required in the Planned Districts are required here.

Open space at a minimum of 30% is required. This is allowed to be set aside all at once for the overall site, or as smaller areas within developed areas. Twenty percent must be located within an individual development site, with 10% allowed to be dedicated on-site, elsewhere within the overlay area, or mitigated with a contribution to a fund as defined in the code. The code references Net Developable Acreage, which will be determined with each development plan based on the site being developed.

A map representing the area where this district can potentially apply is required as part of the text amendment. RPC staff prepared the graphic similarly to the one prepared for Liberty’s amendment. The area is mostly undeveloped, but also includes existing commercial properties west of I-71, allowing for flexibility should those areas redevelop over time. Much of the undeveloped land to the east of I-71 is currently rezoned commercial and all of that property is identified on the Berkshire Township Comprehensive Plan as future commercial and office.

IV. Issues

1. **The General Design Standards** encourage a balance of open spaces, commercial areas and mixed uses.

Staff Comment: Staff concurs with this approach and notes that it will be critical that an overall development be provided rather than allowing small areas to be independently developed.

2. **Tract Coverage** – Language was added, going beyond the current Berkshire definition, ensuring that coverage is defined and calculated properly.

3. **Multi-Family Density** – the proposed code provides significant detail for the development of multi-family residential within the site. In addition to design standards related specifically to residential use, the language is also included which directs density to certain specific areas. Three hundred units could potentially be built in the Northwest Quadrant, 300 could be built in the Southwest Quadrant, and 700 units could be developed across both the Northeast and Southeast Quadrants combined. Units can be built at a minimum density of eight (8) units to the acre to prevent sprawling residential uses

along the corridor. Units may be constructed at a maximum density of twelve (12) dwelling units per net developable acre, with certain defined quality features allowing three additional units per acre.

Staff Comment: *Using a rough calculation where 15% is taken out for the net developable calculation, in the Northwest Quadrant where multi-family would be allowed on roughly 57 acres, if an applicant utilized the minimum density it would develop roughly 40 acres. If the maximum was used, only 23 acres would be developed. This suggests the range of densities provided would allow for plenty of open space or passive uses. As long as these residential uses are created in a mixed-use, walkable district with non-residential uses as the text encourages, this could be appropriate. Again, some conceptual plans and an overall schematic design during the development process will be key.*

4. **Location of Uses** – the text defines locations where certain uses are restricted. No multi-family residential is allowed within 400 feet of US 36/SR 37. In the northwest quadrant, no commercial or multifamily is allowed farther than 1700 feet from US 36/SR 37. This allows the development to transition to the existing densities north of the PMUD area and those lands west which are located in Berlin Township.

5. **Building Height** - The maximum building height is two (2) stories in height.

Staff Comment: *This is typically expressed in feet rather than number of stories, but stories is reasonable.*

6. **Roads and Circulation** – the text references input by the County with regard to roads, circulation, and emergency access. It also references platting being a requirement, which will allow another opportunity for the county agencies to review the proposed development for appropriate access.

Staff Comment: *Because the future Development Plan stage does not involve the County Engineer, Sanitary Engineer, or Regional Planning by other statute, it is important that the Zoning Commission seek input at that point. This could be via the RPC's Site Review process. Staff is particularly concerned with achieving the various road connections within the area ensuring that they are built to accommodate the proposed uses.*

V. Staff Recommendations

Staff recommends **Conditional Approval** of the text amendments to the Berkshire Township Zoning Resolution to the DCRPC, Berkshire Twp. Zoning Commission, and Berkshire Twp. Trustees, *subject to the issues discussed under Item IV above.*

Commission / Public Comments

Mr. George thanks Mr. Sanders for his assistance and review of this proposal in such a short time frame.

Mrs. Kuba made a motion for Conditional Approval of the text amendments to the Berkshire Twp. Zoning Resolution, subject to issues raised by staff in section IV: Issues of this report. Mr. Price seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Berkshire Twp.). Motion carried.

IV. SUBDIVISION PROJECTS

Preliminary (none)

Preliminary/Final (none)

CONSENT AGENDA

Final

13-14.1 Brookview Manor, Section 1 – Berlin Twp. - 31 lots / 26.607 acres

I. Conditions

- Applicant:** Pulte Group
- Subdivision Type:** Single Family Residential
- Location:** East side of Africa Road, north of Sherman Road
- Current Land Use:** Vacant
- Zoned:** R-2 with PRD overlay
- Preliminary Approval:** 6/23/2014
- Utilities:** Del-Co Water, central sanitary sewer
- School District:** Olentangy
- Engineer:** Civil & Environmental Consultants

II. Staff Comments

Brookview Manor is a single-family subdivision with its main access from Africa Road. A series of internal streets provide frontage for the 88 lots. Section 1 includes the entry road, Brookview Manor Drive, providing frontage for 15 lots. A second road, Brookside Court, travels south providing frontage for 14 lots. A road connection is provided to existing Acadia Court to the west. Two lots of open space will be dedicated with this plat, both along Africa Road. One is 2.291 acres and the second is 5.783 acres. Additional right-of-way is also being platted with this section.

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 **Brookview Manor, Section 1** to the DCRPC.

Commission / Public Comments

Mr. Irvine made a motion for Final Approval of Brookview Manor, Section 1. Mr. George seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

28-04.3 Derby Glen Farms, Section 3 – Liberty Twp. - 26 lots / 20.12 acres

I. Conditions

- Applicant:** Jewett Road Associates LLC
- Subdivision Type:** Single Family Residential

Location: South side of Jewett Road, east of Derby Drive
Current Land Use: vacant
Zoned: PR (Planned Residential)
Preliminary Approval: 12/15/2004
Utilities: Del-Co Water, central sanitary sewer
School District: Olentangy
Engineer: EMH & T

II. Staff Comments

Derby Glen Farms is an overall 53-lot subdivision on the south side of Jewett Road approximately 700' east of Liberty Road. This is the last section of Derby Glen Farms. It includes the extension of Derby Drive from its current terminus all the way through to Calumet Farms to the east. Twenty-four new building lots will be created with this section. Two open space areas will be platted. One, a 1.024-acre parcel will include a drainage area and green space. A second 0.168-acre parcel is a buffer between this development and an existing lot in Calumet Farms.

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 **Derby Glen Farms, Section 3** to the DCRPC.

Commission / Public Comments

Mr. Irvine made a motion for Final Approval of Derby Glen Farms, Section 3. Mr. George seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

08-12.5.1 Sanctuary at the Lakes, Section 5, Part 1 – Orange Twp. - 22 lots / 13.417 acres

I. Conditions

Applicant: M/I Homes
Subdivision Type: Single Family Residential
Location: East side of Africa Road
Current Land Use: Vacant
Zoned: SFPRD (Single Family Planned Residential)
Preliminary Approval: 11/29/12
Utilities: Del-Co Water, central sanitary sewer
School District: Olentangy
Engineer: Watcon Engineering

II. Staff Comments

Sanctuary at the Lakes is a 165-lot subdivision that spans property in both Orange and Genoa Townships. Section 5, Parts 1 and 2 are the final portions of the development fully in Orange Township. Section 5, Part 1 includes extensions of both Tralee Lane and Royal County Down, both from existing stubs created when Highland Hills at the Lakes Section 3 was created in 2001. Twenty new lots are created, each with generally 100 feet of frontage. Two open space lots are created. One is 1.83 acres and the other is 1.74 acres. These areas connect to adjacent existing and future open space areas intended to protect streams and slopes on the site.

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 **Sanctuary at the Lakes, Section 5, Part 1** to the DCRPC.

Commission / Public Comments

Mr. Irvine made a motion for Final Approval of Sanctuary at the Lakes, Section 5, Part 1. Mr. George seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

08-12.5.2 **Sanctuary at the Lakes, Section 5, Part 2 - Orange Twp. - 11 lots / 7.677 acres**

I. Conditions

- Applicant:** M/I Homes
- Subdivision Type:** Single Family Residential
- Location:** East side of Africa Road
- Current Land Use:** Vacant
- Zoned:** SFPRD (Single Family Planned Residential)
- Utilities:** Del-Co Water, central sanitary sewer
- School District:** Olentangy
- Engineer:** Watcon Engineering

II. Staff Comments

Sanctuary at the Lakes is a 165-lot subdivision that spans property in both Orange and Genoa Townships. Section 5, Parts 1 and 2 are the final portions of the development fully in Orange Township. Section 5, Part 2 is an extension of Royal County Down Court from its intersection created with Part 1, ending in a cul-de-sac. It provides frontage for 10 new building sites. A 3.06-acre open space area will be created, preserving slopes, a stream, and a portion of floodplain.

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 **Sanctuary at the Lakes, Section 5, Part 2** to the DCRPC.

Commission / Public Comments

Mr. Irvine made a motion for Final Approval of Sanctuary at the Lakes, Section 5, Part 2. Mr. George seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

V. EXTENSIONS *(none)*

VI. OTHER BUSINESS

- Mr. Stites reminded the Commission that the first review of the 2016 budget would be presented next month. Voting will take place at the November 19th meeting. The Executive Committee has been

reviewing compensation, expenses and membership dues adjustments.

VII. POLICY / EDUCATION DISCUSSION

- Mr. George thanked Mr. Sanders for the Zoning Officer Roundtable training September 10th. Mr. Sanders explained that he would be holding another roundtable for those that were unable to attend.

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

Having no further business, Mr. Price made a motion to adjourn the meeting at 7:15 p.m. Mr. Boysel seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

The next meeting of the Delaware County Regional Planning Commission will be Thursday, October 22, 2015, 7:00 PM at the Commissioners meeting room, 101 N. Sandusky St., Delaware, Ohio 43015.

Dave Stites, Chairman

Stephanie Matlack, Executive Administrative Assistant