



**DELAWARE COUNTY
REGIONAL PLANNING COMMISSION**

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

Philip C. Laurien, AICP, Executive Director

MINUTES

Thursday, September 30, 2004 at 7:00 PM

Delaware Hayes Services Building,

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

I. ADMINISTRATIVE BUSINESS

- Call to order
- Roll Call
- Approval of August 26, 2004 RPC Minutes
- Executive Committee Minutes of September 22, 2004
- Statement of Policy

II. VARIANCES *(none)*

III. PUBLIC CONSTRUCTION PROJECTS *(none)*

IV. ZONING MAP/TEXT AMENDMENTS

- 45-04 ZON Liberty Twp. Zoning Commission – text amendments – Art. XIV, Sections 14.01-14.08
- 46-04 ZON Donna Travis – Troy Twp. – 2 acres from FR-1 to HS
- 47-04 ZON Dave Messina & Dave Bisbey–Genoa Twp 1.641 acres from RR to SR
- 48-04 ZON Pizzuti Companies – Genoa Twp. development plan amendment – Maxtown Subd.
- 49-04 ZON **WD** Silvestri Homes – Orange Twp. – 30 acres from FR-1 to SFPRD

V. SUBDIVISION PROJECTS

		Township Lots/Acres	
<u>Preliminary</u>		<i>(none)</i>	
<u>Preliminary/Final</u>			
25-04	Hill Family Ent.	Berlin	01 lot / 10.60 acres
<u>Final</u>			
01-98.4.B T	Sage Creek, Section 4, Phase B	Berkshire	09 lots / 24.09 acres
22-03	Oldefield Estates	Berlin	80 lots / 51.05 acres
44-00.4	The Oaks, at Highland Lakes, Ph.4	Genoa	49 lots / 35.73 acres
19-99.2	Olde State Farms, Section 2	Orange	32 lots / 27.34 acres
17-04	T Edgewater Estates	Scioto	05 lots / 21.10 acres

T=TABLED, W=WITHDRAWN

VI. EXTENSIONS

18-03	Keller Pines	Harlem	31 lots / 22.40 acres
09-02.4	Glen Oak, Section 4	Orange	30 lots / 20.14 acres
81-93.3	Cross Creek, Section 3	Orange	34 lots / 19.03 acres

VII. OTHER BUSINESS

- 2005 Budget overview
- Consideration of Approval: Loveland & Brosius \$8468.20, Da-Wei Liou \$1,682.76
- Transfer of Appropriations

VIII. POLICY / EDUCATION DISCUSSION

IX. RPC STAFF AND MEMBER NEWS

I. ADMINISTRATIVE BUSINESS

▪ **Call to Order**

Chairwoman Foust called the meeting to order at 7:03 p.m.

▪ **Roll Call**

Representatives present: Paul Snajd, John Schmidt, Robert Hedrick, Fred Fowler, Steve Burke, Gary Gunderman, Tom Hopper, Leslie Warthman, Holly Foust, Charles Heimlich, Dick Gladman, Bill Thurston, Marvin Miller, Shawn Leininger, Lloyd Shoaf, George Mason, and Robert Jones. *Arrived after roll call:* Gary Spanner (R). *Staff present:* Phil Laurien, Paul Deel, Scott Sanders, Joe Clase, Da-Wei Liou and Stephanie Matlack.

▪ **Approval of the August 26, 2004 RPC Minutes**

Mr. Schmidt made a motion to approve the minutes of the previous meeting, seconded by Mr. Burke. VOTE: Unanimously For, 0 Opposed. Motion carried.

▪ **September 22, 2004 Executive Committee Minutes**

1. Call to order

Chairwoman Foust called the meeting to order at 8:30 a.m. Present: Holly Foust, Leslie Warthman and Dick Gladman. Absent: Jim Ward and Steve Burke. Staff present: Phil Laurien and Stephanie Matlack.

2. Approval of Executive Committee Minutes

a. August 18, 2004 – Mrs. Warthman made a motion to approve the

minutes of the last meeting. Mr. Gladman seconded the motion.
 VOTE: Unanimously For, 0 Opposed. Motion carried.

3. Old Business

a. Contract updates –

- 1.) **Ashley** – Comprehensive plan, working on final chapter
- 2.) **Berlin Twp.** – updated zoning resolution, 80 % completed, pending approval
- 3.) **Berlin Twp.** – comprehensive plan, 75% completed
- 4.) **Brown Twp.** – update zoning resolution, new contract signed, work begun
- 5.) **Concord Twp.** – update zoning resolution, new contract sent
- 6.) **Delaware Twp.** – zoning code update done by Twp., reviewed under no fee assistance, completed. Revisions needed. Will probably evolve into a contract.
- 7.) **DCRPC** – subdivision regulations, draft complete, 3rd meeting scheduled with Advisory committee
- 8.) **Genoa Twp.** – comprehensive plan, version 6 of comp. plan completed 9/3/04
- 9.) **Genoa Twp.** – zoning code update, 60% completed
- 10.) **Harlem Twp.** – comprehensive plan, new contract sent
- 11.) **Kingston Twp.** – comprehensive plan, full draft delivered 1-9-03, awaiting comments to print final copies
- 12.) **Liberty Twp.** – zoning code update, 20% completed
- 13.) **Liberty Twp.** – comprehensive plan, update begun
- 14.) **Olentangy Schools** – GIS mapping, ongoing
- 15.) **Scioto Twp.** – comprehensive plan, final chapter, 95% complete
- 16.) **Shawnee Hills** – as needed consultation, ongoing
- 17.) **Sunbury** – comprehensive plan, completed, sent to Planning Commission 2/04, awaiting comments
- 18.) **Trenton Twp.** – conservation subdivision resolution, no fee assistance, 40% completed
- 19.) **Troy Twp.** – zoning code update, 20% complete – PRD and PCD articles completed and being reviewed by Zon. Comm.
- 20.) **Troy Twp.** - comprehensive plan, map suggestions for PC and residential along US 23 to dovetail Sewer Master plan, 99% completed, Trustees to hold hearing 10/14.

4. New Business

a. Financial / Activity Reports for August 2004

REGIONAL PLANNING RECEIPTS		AUGUST	YTD TOTAL
General Fees (Lot Split)	(4201)	\$555.00	\$8,345.00
Fees A (Site Review)	(4202)	\$200.00	\$2,600.00
Insp. Fees (Lot Line Transfer)	(4203)	\$60.00	\$700.00
Membership Fees	(4204)		\$152,781.97
Planning Surcharge (Twp. Plan. Assist.)	(4205)	\$2.96	\$42,855.36
Associate Membership Fees	(4206)		\$1,500.00
Charges for Serv. A (Prel. Appl.)	(4230)	\$2,650.00	\$89,981.03
Charges for Serv. B (Final. Appl.)	(4231)	\$6,330.00	\$68,760.21
Charges for Serv. C (Ext. Fee)	(4232)		\$1,100.00
Charges for Serv. D (Table Fee)	(4233)	\$200.00	\$2,400.00
Charges for Serv. E (Appeal/Var.)	(4234)		\$600.00
General Sales	(4220)	\$154.45	\$3,697.74
OTHER DEPT. RECEIPTS			
Health Dept. Fees	(4242)	\$1,010.00	\$16,180.00
Soil & Water Fees	(4243)	\$375.00	\$4,425.00
MISCELLANEOUS REVENUE			
Other Reimbursements	(4720)		\$40.00
Other Reimbursements A	(4721)		\$33.41
Other Misc. Revenue (GIS maps)	(4730)	\$229.00	\$2,446.15
Misc. Non Revenue Receipts	(4733)		\$800.00
Sale of Fixed Asset	(4804)		\$700.00
TOTAL RECEIPTS		\$11,766.41	\$399,945.87

Balance after receipts	\$243,334.83
Expenditures	- \$ 42,617.71
End of August balance	\$200,717.12

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

b. Consideration for approval – Da-Wei Liou reimbursement – ESRI GIS Conference \$1682.76 (includes continuing education of \$295.00) – Mr. Gladman made a motion to recommend approval of the reimbursement of \$1682.76 to Mr. Liou. Mrs. Warthman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

c. Consideration of approval – Loveland & Brosius - \$8468.20 – Mrs. Warthman made a motion to recommend approval of the

expenditure for legal services for \$8,468.20. Mr. Gladman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

d. Proposed 2005 Budget – The Committee was presented with a draft Budget for 2005. Projected carry forward to 2005: \$115,079. Projected revenue for 2005: \$571,230. Projected expenses: \$623,676. Projected carry forward to 2006: \$62,633 (without a dues increase). Further discussion to take place at the next Executive Committee meeting.

e. September RPC Preliminary Agenda – The preliminary agenda includes 5 rezoning/text amendment applications, 1 preliminary/final combined, 5 final and 3 extension applications.

5. Other Business

a. The State has concluded its audit of the RPC. No citations were issued.

6. Personnel (none)

7. Adjourn – *Mr. Gladman made a motion to adjourn the meeting, seconded by Mrs. Warthman. VOTE: Unanimously For, 0 Opposed. Motion carried.*

Meeting adjourned at 10:30 a.m.

The next regular Executive Committee meeting will be Wednesday, October 20, 2004 at 8:30 a.m. at 109 North Sandusky Street, Delaware, Ohio, 43015

Executive Committee Meeting held 9/30/04 6:45pm:

1. Call to order

Chairwoman Foust called the meeting to order at 6:45 p.m. Present: Holly Foust, Dick Gladman and Steve Burke. Absent: Jim Ward and Leslie Warthman. Staff present: Phil Laurien and Stephanie Matlack.

2. Recommendation of approval

b. Transfer of Appropriation –

Transfer \$600.00 from Workers Comp. (5102) to Salaries (#5001)
Transfer \$1478 from Workers Comp. (5102) to acct. #5201
Transfer \$900 from Hosp. Insurance to acct. 5201
\$4341 from Hosp. Insurance to acct. 5301

\$150.00 from Hosp. Insurance to acct. 5222
\$93 from Hosp. Insurance to acct. 5294
\$80 from Hosp. Insurance to acct. 5338
Transfer \$2000 from Dental Insurance (5103) to acct.5380
\$1200 from Hosp. Insurance to acct. 5380

Mr. Burke made a motion to recommend approval of the transfer of appropriations. Mr. Gladman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

3. Adjourn

Mr. Burke made a motion to adjourn the special meeting, seconded by Mr. Gladman. VOTE: Unanimously For, 0 Opposed. Motion carried.

Meeting adjourned at 6:55 p.m.

The next regular Executive Committee meeting will be Wednesday, October 20, 2004 at 8:30 a.m. at 109 North Sandusky Street, Delaware, Ohio, 43015

P 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

45-04 ZON Liberty Twp. Zoning Commission – text amendments –
Art. XIV, Sections 14.01-14.08

Applicant: Liberty Township Zoning Commission
Request: Review and Comment on new Article XIV, Planned Commercial

I. General

The Liberty Township Zoning commission has initiated text revisions to their zoning resolution that deletes the current Article XIV and replaces it with new Article XIV. Written by DCRPC staff and reviewed by Attorneys William Loveland and Donald Brosius, new Article XIV also adds new definitions, but makes no zoning map changes.

II. Contents of proposed text amendments

- 1.) **Article IV Definitions:** Adds new definitions relating to adult entertainment (which would become regulated for the first time in the township) and for the North American Industrialized Classification system (NAICS).
- 2.) **Article XIV-** deletes the current article and replaces it with a new article for Planned Commercial District. The highlights of the changes are:
 - Modernizes the list of permitted uses by converting it to the NAICS code numbers for very specific uses, and adopts the NAICS system by reference.
 - Increases the detail of the rezoning and development plan review process by adding more specific evaluation and application criteria. The article expands from 8 pages to 17 pages.
 - Changes the process from a one step to a two step process in accordance with Ohio’s 1997 HB 280.
 1. The rezoning application is accompanied by a preliminary development plan. The Township makes its decision to rezone or not to rezone based upon the preliminary development plan. This is the legislative event, and is referendable. If the applicant modifies the preliminary development plan, he must return to the Trustees, who determine if the modification is a major or minor modification. If major, he must submit a new preliminary development plan, which is referendable. If minor, the change is submitted to the Zoning Commission for their review. Requires both Zoning Commission approval and the Trustees upholding to be rezoned.

2. The final development plan requires very specific detail on a variety of criteria. The final development plan is an administrative review by the Zoning Commission only and is not referendable.
 - If, however, the applicant wants a one-step Preliminary and final development plan approval at the time of zoning that option is available.
- Prohibits adults-only entertainment in the Planned Commercial district.
- Sets a maximum of 70 % of impervious surface coverage, and requires 30% green space.
- Requires driveways and parking lots to meet a 20 year design life paving standard in accordance with the anticipated weight and traffic. Currently there is no standard.
- Requires a 15 foot landscaped green belt around parking areas, increased to 35 feet abutting a residential neighborhood.
- Makes centralized water and sewer required.
- Prohibits commercial structures in the 100 year floodplain.
- Sets a standard for walkways with street trees within parking lots to make them cooler, more attractive parking “courtyards” rather than “seas of asphalt”.
- Requires utilities serving the site to be located underground.
- Sets a standard for side and rear yards that is 1/3 the sum of the height plus the width of the structure, but in no case less than 100 feet from a residential abutter.
- Sets a size limit of 65,000 square feet for the first floor footprint for a commercial building unless it has direct access to US 23. This prohibits the new zoning for construction of “Big Box” retail along such roads as Home Road and Sawmill Parkway. Update 11/24/04: staff suggests changing the language in Section 14.04, 23

and 24 from “65,000 square feet of bulk (i.e. first floor footprint)” to “65,000 s.f. for any individual use under one roof.”

- Adds three new findings required for approval in addition to three existing. They are:
 1. The proposed plan meets all of the design features required in this Resolution.
 2. That the proposed development will be compatible in appearance with surrounding existing or proposed land uses.
 3. 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.
- Provides a system for expiration or modification of a final development plan.

There are also several minor scrivener’s errors in the text that were discovered, and which have been corrected and sent to the township as version 6 of the Planned Commercial district, dated 9/29/04.

III. Staff Findings and Recommendation

Staff finds that the revised Article XIV Planned Commercial District is a modern, fully evolved Planned Unit Development Commercial district that takes advantage of all the latest statutes and case law of the state of Ohio, and provides the township with a better, more fair and functional process to obtain quality commercial results. Staff recommends **conditional Approval**, with the modification suggested to Section 14.04 paragraphs 23 and 24.

Commission / Public Comment

Attorney Bill Loveland was present on behalf of Liberty Township. He stated that 6-7 small group meetings were held to come up with something that meets a lot of different needs.

Ms. Peggy Guzzo (4800 Aberdeen Ave., Liberty Twp.) stated that the Zoning Commission should have administrative review authority if “the final development is *consistent* with the preliminary plan”. Mr. Laurien explained that that language was added to version 6.

Mr. Gunderman asked if there were any projects caught in the middle of this change in code. Chairwoman Foust said no.

Mr. Miller made a motion to recommend conditional approval of Version 6 of the Liberty Twp. Zoning Resolution amendment to article XIV, subject to staff comments. Mrs. Warthman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

46-04 ZON Donna Travis – Troy Twp. – 2 acres from FR-1 to HS

I. Request

The applicant, Donna Travis, is requesting a 2.0-acre rezoning from Farm Residential (FR-1) to Highway Service (HS). The property currently contains a 10,000 square foot warehouse facility that is being used for a crane rental business. The current land use does not conform to the permitted uses in the FR-1 district.

II. Conditions

- Location:** East side of the intersection of U.S. 23 and Coover Road, Troy Twp
- Present Zoning:** Farm Residential (FR-1)
- Proposed Zoning:** Highway Service (HS)
- Present Use(s):** Crane Rental
- Proposed Use(s):** Real Estate Offices, Warehousing, and Crane Rental
- School District:** Delaware City School District
- Utilities Available:** Well and private on-site septic system
- Critical Resources:** None
- Surrounding land uses:** Scattered single-family residences and agricultural land
- Soils:** GwB: Glynwood Silt Loam (2 to 6% slopes)

III. Comments

The applicant is planning to locate a satellite office for HER Realtors in the front of this building while sustaining the warehousing and crane rental uses in the rear. The real estate office (NAICS# 541) and crane rental business (NAICS# 5322) are permitted in the HS District. The applicant should be aware that a conditional use permit may be required for the use of this parcel for warehousing (NAICS# 53113). Please check with Troy Township Zoning Officer.

The 2002 Troy Township Comprehensive Plan labels this site in its Estate Conservation District and recommends planned commercial/offices at a depth of 350 feet from U.S. 23, as the northern edge of a commercial corridor along U.S. 23. The remaining 50 feet of this parcel is recommended for single-family residential dwellings at 1 unit per 2 acres. The proposed rezoning will comply with the intent of the Comprehensive Plan.

Surrounding land uses include scattered single-family homes along U.S. 23 and Coover Road surrounded by woods and agricultural fields. This parcel is adjacent to a large proposed mixed-use development and is in character with the planned land uses in this area of Troy Township.

IV. Issues

The Highway Service District (HS) is not a planned district, which will allow the applicant to use the site for any use that conforms to the HS district. Staff supports the rezoning of this tract from FR-1 to HS, however, the following issues regarding the use of this property should be resolved by Troy Township, prior to any change in its land use.

1. The landowner should consult with Mike Sapp (614-728-3848) of the Ohio Department of Environmental Protection (OEPA) to ensure that any additional sewage from a change of use can be appropriately treated by the existing on-site septic system. Mr. Sapp has stated that he “would recommend that any change in usage be made conditionally upon the availability of centralized sewers which may be available to this site within the next several years.” If the change in use results in additional sewage loads the OEPA will want to confirm the existing on-site system can adequately treat the loads.
2. The landowner should consult with Greg Channel (740-363-1251 ext. 345) of the Ohio Department of Transportation (ODOT) to ensure that any proposed use does not encroach on U.S. 23 road right-of-way and that appropriate access management policies are observed. Mr. Channel has stated that “the maximum driveway width (measured at the right-of-way line is 35 feet” and that the existing 200 foot driveway opening was never approved by ODOT. It appears that a smaller driveway opening along U.S. 23 will be required by ODOT as part of the change of zoning and use.
3. The existing land use, while vested, does not conform to various HS standards. The applicant should address the following issues with the Township Zoning Officer.
 - a. Section 16.023: “At least twenty percent (20%) of the lot must be landscaped open space.”

- b. Section 16.026: “A landscaped area of at least fifteen (15) feet in width shall be provided between the existing street right-of-way line... and any structure or paved area.”
- c. Section 16.03: Conditional uses “shall be allowed in the Highway Service District provided a site plan showing building layout, parking and access is approved in accordance with the development standards.”
- d. Section 16.034(1): “Exterior storage may be permitted adjacent to a residential or planned residential district when screened by a 100% opaque, 8 foot wall or vegetative buffer.
- e. Section 16.034(2): “A thirty (30) foot landscaped green belt and 80% opaque perimeter evergreen screening, 6 feet high shall be provided when adjacent to residential uses and/or zones.”
- f. Section 16.034(3): “A 30 foot wide front ‘greenbelt’ or landscaped area is provided between the existing (or proposed) street right-of-way line and any structure or paved area.”
- g. Section 16.034(5): “When abutting residential zones, there shall be no exterior storage other than two (2) axle vehicles weighing less than 6,000 pounds unless such storage is completely enclosed by a solid 8 foot fence or 100% opaque evergreens.
- h. Section 21.01(d): No parking lot or parking areas shall be located nearer than 6 feet to the side or rear line of the tract on which more than 40% of the front setback area outside of the right-of-way is occupied by parking.
- i. Section 21.12: “No structures shall be permitted to be placed in the right-of-way except traffic directional signs or mailboxes.” The existing pole-mounted sign for the crane rental facility is within the U.S. 23 road right-of-way.

V. Staff Recommendations

Staff recommends **Approval** of this rezoning case from FR-1 to HS for Donna M. Travis to the DCRPC, the Troy Township Zoning Commission and the Troy Township Trustees.

Commission / Public Comment

Mrs. Donna Travis was present. She stated that she and her husband purchased the property in 1984. Since this past March, she has been working on cleaning up the site. There will be a total of 5 employees working from the Real Estate office. There will be one crane left on the site and the rest will be storage area.

Mr. Miller made a motion to recommend approval of the rezoning request by Donna Travis. Mr. Gladman seconded the motion. VOTE: Unanimously For,

0 Opposed. Motion carried.

47-04 ZON Dave Messina & Dave Bisbey – Genoa Twp. 1.641 acres from RR to SR

I. Request

The applicant is requesting to rezone 1.641 acres from RR to SR in order to potentially subdivide 3 lots at 5360 Big Walnut Road in Genoa Township.

II. Conditions

- Location:** 5360 Big Walnut Road, Genoa Township
- Present Zoning:** (RR) Rural Residential
- Proposed Zoning:** (SR) Suburban Residential
- Present Use:** Single-family residence (to be razed)
- Proposed Use:** Residential (3 single family lots)
- Existing Density:** 1 du/2 acres
- Proposed Density:** 1 du/0.55 acre (1.83 du/acre)
- School District:** Olentangy
- Utilities Available:** Del-Co water and public sewer
- Soils:** CaB - Cardington Silt Loam, 2 – 6 percent slope
AmE – Amanda Silt Loam, 18 – 25 percent slope

III. General comments

The site is located on the south side of Big Walnut Road approximately 200' west of Willow Bend Lane. Surrounding land use is residential including the Willow Bend subdivision to the east and south, Highland Hills at the Lakes to the west, and Grand Oak to the north. Open space in the Willow Bend and Highland Hills subdivision border the site to the east, south and west. The Walnut Creek elementary school is located to the north. A ravine runs along the south side of the site. Most of the area is zoned Planned Residential (PD-1) with some scattered Rural Residential (RR) of 1+ acre lots along Big Walnut Road. The property will utilize Del-Co Water and public sewer.

The 1999 Genoa Township Comprehensive Plan places the proposed site in Planning Area 1, which recommends single family residential up to 1.8 du/acre or the sanitary sewer capacity. The proposal conforms to the plan. However, there are no other SR zones on Big Walnut Road, and the three side by side frontage lots proposed by the applicant would create 2 additional driveways on an arterial street, which is not advisable.

The SR district is not a planned residential development district so a development plan is not required. Approval of the rezoning is not an approval of the plan submitted with the application. Any future subdivision would have to comply with the standards of the SR district. Staff notes that the future lots should be accessed by a common access drive or shared access point depending on the number of lots subdivided.

IV. Staff Recommendation

Staff recommends **Approval** of the 1.641 acre rezoning from RR to SR, to the RPC, Genoa Township Zoning Commission, and the Genoa Township Trustees.

Commission / Public Comment

No one was present to represent the applicant.

Mr. Miller stated that if the applicants rezoning request is approved and follows the No plat approval process to split it into three lots, how can a Common Access Drive be required? Mr. Laurien stated that the RPC couldn't, but the County Engineer might if they use their access management standards.

Mr. Miller made a motion to recommend approval of the rezoning request by Dave Messina and Dave Bisbey. Mr. Spanner seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

48-04 ZON Pizzuti Companies – Genoa Twp. – PD-2 development plan amendment

I. Location: 6017 Maxtown Road, between Kroger and Wendy's in the Genoa Square shopping center.

II. Conditions

- Present Zoning:** Planned Commercial-Office District (PD-2)
- Proposed Zoning:** development plan amendment
- Present Use:** Vacant land
- Proposed Use:** Commercial, Bob Sumerel Tire Store
- School District:** Westerville
- Utilities Available:** Del Co Water, Public Sewer

III. Surrounding Land Use

Directly north is the Kroger Shopping Center; to the east is Home Depot; to the south is Wendy's at 5771 Maxtown Road; to the west are other outparcels within the Genoa Square shopping center.

IV. General Comments

Applicant is requesting a change in development plan to allow for a tire store. The total square footage is 5,985 s.f., of which 1,292 s.f. is a retail center. The remainder of the space includes six service bays, tire storage, and employee areas. The development plan shows that the tire store will be built on a 1.216-acre lot that will be split from the 15-acre Home Depot site. The lot will include a 40' access strip from Maxtown Road, just west of Wendy's.

V. Conformance with Development Standards

The following are issues within the listed development standards of the Planned Commercial and Office District:

- 1) **Use:** The Genoa Township code lists "other small businesses" under permitted principal uses and further describes that "all businesses shall be of a retail or service character." Auto service stations are not specifically mentioned in this district.

Staff Comment: The use is appropriate for this zoning district.

- 2) **Parking:** Based on the floor space of the retail building, the zoning text (Article VI) requires one space for every 150 s.f. of retail space, plus one for every two employees. This results in 12 spaces when counting the retail portion or 43 spaces based on the overall square footage including service bays. **The applicant is therefore requesting a divergence** for 27 spaces, stating that most customers either wait inside while their car is in a service bay, or drop their car off and leave the site. The applicant has included information on parking provided at their other tire stores to validate the divergence and staff concurs.

Staff Comment: The parking divergence should be granted.

- 3) **Signs:** The applicant is requesting ground or monument signs measuring 5' tall by 9'8" long with a message size of approximately 25 s.f. The site plan shows two sign locations; one at the northeast corner and one at the northwest corner and one wall sign approximately 100 s.f. Ground signs at these locations will block safe sight distance.

Staff Comment: Section 706 of the Genoa Zoning Code limits identification signs to 25 s.f. per side or 50 s.f. total and wall signs to a maximum of 100 square feet. Section 707 states that in Planned Development and Community Business Districts, "each principal commercial business, office, warehouse, or industrial structure shall be

entitled to one (1) identification sign, freestanding, wall or window." The ground signs use a brick base that causes them to seem oversized for internal placement within the shopping center. Due to the sight distance issue, staff suggests one ground sign and one wall sign as approved per development plan. The ground sign should be located in the landscape area west of the retail store and set back at least 15' from the east edge of the 40' access road. Alternatively, staff would support two wall signs rather than one wall and one ground sign. The township will need to confirm whether the maximum sign size refers to the message portion of the sign, or if it also includes the size of the base. Additionally, the cabinet ground sign may be required to use a non-white background if internally lit to reduce visual clutter and night time glare.

- 4) **Landscaping:** Article 518.07 of the Township zoning code requires a 6' setback for parking with the PD-2 district. Section 602.09 states "All parts of open off-street parking areas which are unusable, either for parking or for traffic, shall be landscaped with plantings of grass, flowers, shrubs, and/or trees, which shall be continuously maintained."

Staff Recommendation: Other parcels within this center include a 6' planting strip between parking areas. The development plan shows parking directly adjacent to existing paved parking within the Home Depot development. This parking should be setback at least six feet, providing a landscaping island planted with grass or low shrubs. To do so means losing one or two spaces in the parking lot and shifting the island.

- 5) **Easements:** The proposed new building parcel includes a 40' access strip from Maxtown Road, with a 30' private road used to access the other businesses within the shopping center.

Staff Comment: These shared easements must be reflected on the new plat.

- 6) **Platting requirement:** Because the development of this site will result in the subdivision of a parcel within a recorded, platted subdivision, it will require the filing of a new plat, not a lot split as described in the application.

VI. Other issues

The development plan lists the Wendy's building as an existing "dwelling". This may be a typo and the word "dwelling" should be removed.

VII. DCRPC Staff Recommendation

Staff recommends the request for change in development plan in the PD-2 zone to

the DCRPC, the Genoa Township Zoning Commission and the Genoa Township Trustees be **Approved**, subject to the following staff recommendations:

- 1) That a 6' landscaping strip be planted between the parking strip along the eastern edge of the site and the property line;
- 2) That the signs be amended as mentioned in item IV.3 above;
- 3) That the developer file a plat including access easements for other commercial uses within the shopping center before the development plan is approved by the township;
- 4) That the word "dwelling" be removed from the existing commercial building (Wendy's);
- 5) Also, the parking divergence is reasonable and should be granted.

Commission / Public Comment

Mr. Jim Russell with the Pizzuti Company was present. He stated that he concurred with staff. He feels the parking is adequate. The intension for sign placement was one on Maxtown Rd. and one wall sign. The drawings may not reflect that correctly.

Mrs. Warthman made a motion to recommend conditional approval of the rezoning request by the Pizutti Company, subject to staff comments. Mr. Gladman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

49-04 ZON Silvestri Homes – Orange Twp. – 30 acres from FR-1 to SFPRD

**** Withdrawn****

V. SUBDIVISION PROJECTS

Preliminary (none)

Preliminary/Final
25-04 Hill Family Ent. – Berlin Twp. - 01 lot / 10.60 acres

Applicant: Peter Hill, Hill Family Enterprises
Subdivision Type: Planned Commercial & Offices

Location: 160 South 3 B's & K Road, Berlin Township
Current Land Use: Commercial: 5 storage unit buildings and outdoor storage
Current Zoning: Planned Commercial and Office District (PCD)
Utilities: Del-Co Water and County Sewer
Critical Resources: Swale across the northwestern edge of the site
School District: Olentangy Local School District
Engineer: Chris Lanka, ME Companies

I. Staff Comments

The plat validates the approved zoning development plan and the plan is memorialized by the recording of the plat. Five (5) storage unit buildings are currently located on this site with a fenced outdoor storage area along the south property line. This storage area is located within a 200-foot wide electric line easement. The applicant is prohibited from locating buildings within this easement.

The applicant is planning two (2) additional storage unit buildings, a car wash, and an expansion of the outdoor storage lot. The front storage unit building will include a small office to handle business operations. The existing buildings were constructed after this property was originally zoned Planned Commercial and Office (PCD) in 1998. The proposed modifications to the PCD development plan were recently approved by Berlin Township in June 2004. They plan to have the car wash and additional outdoor storage lot completed within 3 years. The additional storage unit buildings are planned to open within 5 years.

The Berlin Township Comprehensive Plan recommends a new parallel-access "backage" road "H" to connect 3 B's & K Road with Africa Road. The applicant has agreed to delineate this road on the plat for future dedication. Language on the plat notes that the road easement is reserved for future dedication, subject to the owner being compensated for the easement at the time the road is constructed by others. This will allow the County and Township to continue working with adjacent owners on preserving an alignment that will avoid a 30 foot deep ravine that divides the land between the Hill and Greer properties.

Surrounding land uses include Hill's Blacktop office and yard to the north, the ODOT maintenance facility to the east, and Hill's Stone Company and a single-family residence to the south. Open land and woods stretch to the west toward Alum Creek State Park.

A technical review was held on September 21, 2004, after which the applicant

has addressed all of the required changes.

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

II. Staff Recommendation

Staff recommends *Preliminary plan and Final plat Approval* of Hill Family Enterprises Subdivision, to the RPC.

Commission / Public Comment

Mr. Peter Hill was present.

Mr. Gladman made a motion for Preliminary and Final approval of the Hill Family Enterprise Subdivision, seconded by Mr. Miller. VOTE: Unanimously For, 0 Opposed. Motion carried.

CONSENT AGENDA

Final

01-98.4.B Sage Creek, Section 4, Phase B - Berkshire Twp.'s - 09 lots / 24.09 acres

Applicant: Bill Schlanger, SJDJ Ltd.

Consultant: Mark Cameron, CPS Consulting

I. Staff Comments

This application received Preliminary approval (Phases A and B) October 30, 2003. Phase A received final plat approval in August 2004. The applicant continues to work with the OEPA to obtain approval for Phase B. This application has already been tabled for 180 days and is due to expire. However, Staff believes that additional time is appropriate since a policy change by the OEPA caused the delay.

II. Staff Recommendation

Staff recommends *approval* of an additional 90 day tabling of Sage Creek, Section 4, Phase B to the RPC.

Commission / Public Comment

Mr. Miller made a motion to approve the 90 day table request for Sage Creek, Section 4, Phase B, Mrs. Warthman seconded the motion. VOTE: Unanimously

For, 0 Opposed. Motion carried.

22-03 Oldefield Estates (f.k.a. McNamara Tract) – Berlin Twp. - 80 lots / 51.05 acres

Applicant: M/I Homes of Central Ohio, Inc.

Subdivision Type: Single-Family Residential

Location: East of Piatt Rd., south of Peachblow Rd., Berlin Twp.

Current Land Use: Vacant land

Current Zoning: R-2 w/ PRD overlay

Utilities: Del-Co Water and County Sewer

School District: Olentangy

Engineer: EMH&T

I. Staff Comments

Oldefield Estates includes 80 lots on 51.05 acres, with a gross density of 1.57 units/acre. This subdivision will provide connections between one access point on Piatt Road, one to Piatt Meadows Subdivision and three to adjacent undeveloped tracts.

The site contains 13.7 acres of open space in four open space reserves. Two reserves line Piatt Road and provide a landscaping buffer for the adjacent homes. Other reserves include an 8' asphalt walking path, linking this development to Arrowhead Elementary School to the south.

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 Oldefield Estates to the RPC.

Commission / Public Comment

Mr. Gladman made a motion for Final approval of Oldefield Estates. Mr. Miller seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

44-00.4 The Oaks, at Highland Lakes, Phase 4 – Genoa Twp. - 49 lots / 35.73 acres

Applicant: M/I Homes
Subdivision Type: Single-family residential
Location: On the south side of Big Walnut Rd., approximately 1,500' east of Worthington Rd., Genoa Township
Current Land Use: Wooded/former agriculture
Zoned: Planned Residential District (PD-1)
Utilities: Del-Co water and public sewer
School District: Olentangy
Engineer: R.D. Zande and Associates

Subdivision Type: Single-family Residential
Location: Between Olde State Farms Section 1 and Estates at Woodstone, Orange Twp.
Current Land Use: Vacant land
Zoned: Single-family Planned Residential District, (SFPRD)
Utilities: Del-Co water and public sewer
School District: Olentangy
Engineer: EMH&T, Inc.

I. Staff Comments

The Oaks at Highland Lakes, Phase 4 contains 49 lots on 35.73 acres (1.37 du/acre). It is the last section of the subdivision (Phase 5 and 6 were approved in October 2003) and provides access to the development from Big Walnut Road via Kettering Lane. Alston Grove Drive is extended easterly from Phase 1 then turns north ending in a cul-de-sac. Tacoma Lane extends from Kettering Lane to Alston Grove Drive. Two large reserve lots provide open space (17.98 acres) for the entire development. Reserve "C" (16.04 acres) is a woodland preserve that will be owned by the Genoa Township Land Conservation Association. It will include a mulch walking path. Reserve "E" (1.94 acres) is a passive open space area that includes a stormwater retention pond. It will be owned and maintained by the Oaks Homeowners Association. The overall preliminary plan was approved in November 2000.

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 **The Oaks at Highland Lakes, Phase 4**, to the RPC.

Commission / Public Comment

Mr. Gladman made a motion for Final approval of The Oaks at Highland Lakes, Phase 4. Mr. Miller seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

19-99.2 **Olde State Farms, Section 2 – Orange Twp. - 32 lots / 27.34 acres**

Applicant: Olde State Farms, Ltd.

I. Staff Comments

This is the second and last section of the 85-lot Olde State Farms. The 32 lots in Section 2 provide a connection from Olde State Farms Section 1 to the west and Abbey Knoll to the south. Lot sizes range between a quarter-acre to a half-acre with an overall density of 1.35 du/acre. The section includes two open space reserves of 1.753 acres (for storm water management) and 4.322 acres.

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 **Olde State Farms, Section 2** to the RPC.

Commission / Public Comment

Mr. Gladman made a motion for Final approval of Olde State Farms, Section 2. Mr. Miller seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

17-04 **Edgewater Estates – Scioto Twp. - 05 lots / 21.10 acres**

Applicant: Dennis Erwin and John Kilbury
Engineer: Patridge Surveying

I. Staff Comments

The applicant is requesting a 60-day tabling of Edgewater Estates to complete construction of the CAD.

II. Staff Recommendation

Staff recommends *approval of the 60-day tabling request* for **Edgewater Estates**, to the RPC.

Commission / Public Comment

Mr. Miller made a motion to approve the 60 day table request for Edgewater Estates. Mrs. Warthman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

VI. EXTENSIONS

18-03 Keller Pines – Harlem Twp. - 31 lots / 22.42 acres

Applicant: Brad Keller
Engineer: EMH&T

I. Staff Comments

Preliminary approval for Keller Pines was given October 30, 2003. The applicant is currently requesting a 6-month extension because of Sanitary Engineering delays, due to unforeseen bedrock conditions and the acquisition process for off-site easements.

II. Staff Recommendation

Staff recommends approval of the 6-month extension for Keller Pines to the RPC.

Commission / Public Comment

Mr. Gladman made a motion for approval of the 6-month extension of Keller Pines, seconded by Mr. Miller. VOTE: Unanimously For, 0 Opposed. Motion carried.

09-02.4 Glen Oak, Section 4 – Orange Twp. - 30 lots / 20.14 acres

Applicant: Dominion Homes
Engineer: Kevin Kershner, RD Zande & Associates

I. Staff Comments

Preliminary approval for Glen Oak, Section 4 was given September 25, 2003. The applicant is currently requesting a 6-month extension due to the County’s request that road connections be platted in other sections of Glen Oak prior to Section 4.

II. Staff Recommendation

Staff recommends approval of the 6-month extension for Glen Oak, Section 4 to the RPC.

Commission / Public Comment

Mr. Gladman made a motion for approval of the 6-month extension of Glen Oak, Section 4, seconded by Mr. Miller. VOTE: Unanimously For, 0 Opposed. Motion carried.

81-93.3 Cross Creek, Section 3 – Orange Twp. - 34 lots / 19.03 acres

Applicant: Homewood Corp.
Engineer: Lenell Sniechowski, RD Zande & Associates

I. Staff Comments

Preliminary approval for Cross Creek, Section 3 was given September 26, 2002, followed by two 6-month extensions on September 25, 2003 and March 25, 2004. The applicant is currently requesting another 6-month extension due to delayed construction due to marketing factors. Staff will not support further extension requests for this application.

II. Staff Recommendation

Staff recommends approval of the 6-month extension for Cross Creek, Section 3 to the RPC.

Commission / Public Comment

Mr. Gladman made a motion for approval of the 6-month extension of Cross Creek, Section 3, seconded by Mr. Miller. VOTE: Unanimously For, 0 Opposed. Motion carried.

VII. OTHER BUSINESS

- 2005 Budget overview

Mr. Laurien presented the 2005 budget summary:

I. 2005 anticipated revenues: \$571,000; expenditures \$624,000

2004 year- end projections; 2005 proposed expenditures

We had some unanticipated costs in 2004:

- Printers and fax- we had to replace 4 machines, some 8-10 years old. Unanticipated Cost: \$2,000
- Materials- unforeseen items “ Cost: \$2,000
- The 7 year old plotter died. Replaced. “ Cost: \$5,500
- Legal expenses for subdivision regulations “ Cost: \$11,000
- Biannual Audit (unbudgeted, we forgot!) “ Cost: \$2,000
- Utilities- first year, new office, costs uncertain “ Cost: \$1,600
- Liability Insurance increase (no fault of ours) “ Cost: \$5,000

There were also some savings. Bottom line, 2004 budget was \$561,113; projected 2004 year end expenditures are \$593,594.

The proposed 2005 budget is \$623,676, a 5% increase over the \$593,594.

Income

We have lived on platting revenues for many years. Though they are still 55% of total income, actual dollars are down since 1999 even after two fee increases.

As the supply of land served by county sewer dwindles, platting revenues decrease. Builders are now buying lots from the pool of previously platted lots so we are not getting as many fees.

When the Perry Taggart sewer line opens in 2006 we should see platting pick up, however, if a proposed 2500-unit development in Berlin Township (partly Perry-Taggart service area) annexes to the City of Delaware we lose \$200,000.

Moral? Platting revenues are hard to predict, yet we (overly) rely on them.

On the positive income side, contract revenues are up. With nine contracts running, and more anticipated, we predict over \$100,000 in revenue next year. Potential new customers include townships from Fairfield, Licking, Morrow, Hancock and Pickaway Counties. Despite increasing contract fees, contracts alone will not balance the budget.

Budget Balancing Choice for 2005

We could:

1. Cut costs by reducing staff, or

2. Increase dues.

Reducing staff would mean reducing contracts, and that would reduce income. It would also delay contracts, and mean rehiring and training new staff later when platting picks up. It makes little sense to me to cut planning staff in the 10th fastest growing county in the USA when our staff is engaged in useful planning contract work that keeps us busy.

II. Dues

Dues are a stable revenue source. Without growth in platting fees, we must at least consider a dues increase. The last increase was 1991, when four staff reviewed 731 subdivision lots and 36 zoning cases.

Fast forward to 2003. Seven staff reviewed 3,575 total subdivision lots, 55 zoning cases, made 29 field visits to new subdivisions, and did eleven paid comprehensive plan and zoning overhaul contracts for members, clocking over 400 hours of overtime.

As we have demonstrated, good planning is a real money saver. We have completed 13 successful contracts and billed out \$175,000. Another \$57,000 has been billed for work in progress. This work represents \$500,000 member savings over private consultants.

If we increase dues, how much should they be increased? I suggested \$1.00 per capita. Holly Foust asked me to do a calculation for what our dues would be if we had increased them 2% each year from 1991-2005. They would be 92 cents.

Our projected budget shortfall is \$53,000 (without drawing on our surplus, which is now expected to be \$115,000 by end of 2004). An increase from 70 cents to 92 cents would bring in \$52,000 (from \$166,150 to \$218,369). An increase from \$.70 to \$1.00 per capita would bring in \$71,000 dollars (\$166,150 to \$237,358). Either one, with adequate contracts and platting fees would work.

I think a dues increase is necessary. What does the Commission think? For preliminary budget purposes, we have put the \$1.00 dues figure in the budget in one column and the .70 in another column so you can see the difference.

How much do you value good planning?

III. Contract Overtime

We charge customers for night contract planning meetings, but staff is unpaid for these meetings unless they are given discretionary bonuses. The last two years we have given no bonuses despite significant contract overtime. This is unfair; we should annually pay our exempt staff for their required night time contract hours. I suggest:

1. Establish two types of overtime: compensated (contract) and non-compensated.
2. Adopt the County policy that employees can accumulate up to 240 hours compensatory time off (straight time) for DCRPC overtime.
3. Contract overtime should be paid hour for hour in January for time earned the previous year (or the employee can take comp time off). There is approximately \$15,000 in the 2005 budget for 2004 contract overtime and overhead.

IV. Raises

The County Commissioners are offering a 2005 2% merit raise with all evaluations in January. I suggest we do the same for all employees with more than one year of employment, which at this time is everyone on staff. I still feel that new hires should not be eligible for their annual raise until they have completed one year.

V. Capital Equipment

We need several pieces of equipment for 2005.

1. Copier- parts are no longer available for the 1997 analog copier. Our copy/maintenance costs for this machine are about \$400. I suggest we lease a new digital color copier/printer for \$430 per month. In a test run, we saved three hours of staff time in the copying, collating and binding of just 10 comprehensive plans!
2. Laptop computer- The Director's 2000 computer still works but new software has eaten its processing speed. It crashes or runs very slow. No upgrade is possible; the Data Center says buy new. We budgeted \$3,000.
3. Software upgrade- \$800 for new software: FrontPage and Photoshop. FrontPage 2000 is what we use to build our website. After 5 years there are many upgrades and we would like to get the 2005 version so our web page will be more powerful and user

friendly. We need to buy a license of Photoshop to create and edit our graphics for RPC meetings and other presentations.

We continue to be productive with our prolific creation of new plans and model codes which benefit all of you, and which have been the underpinning of the Thoroughfare Plan and County Sewer Master Plan. I think our planning program is the envy of central Ohio, proven by the inquiries we have from townships and counties that want to join us as Hancock County has. What can we do for your community next year?

Chairwoman Foust invited any Commission member to call her or any of the Executive Committee members with questions or comments. She also stated that she has asked Phil to look at "what if" the dues had been increased 2% each year since 1991. She believes that 1991 was the first dues increase since the RPC began. She said personally she isn't opposed to the increase to \$1.00/capita for dues. She has discussed it with one of the Trustees and he is supportive also. She is concerned that if we do the half-step increases as in the past by raising subdivision fees \$10.00/ lot two years in a row, we might find ourselves in the same boat next year if we don't take that extra step now.

- **On-Site septic update** – Mr. Laurien stated that some developers have had projects held up due to requirements from the OEPA.

Mr. Burke stated that the ODH and OEPA agreed that the local Health Dept. will make the final decision for on-lot sewage systems. OEPA will still provide recommendations and advice. Delaware County's Health District leans to the Sanitary Engineer for assistance in this determination.

Mr. Laurien stated that there was a meeting this week between the attorneys for developer Bill Westbrook and Bill Schlanger (Estates of Cheshire and Sage Creek) and the OEPA. The attorneys filed an appeal to a denial by the OEPA. The attorney general representing the OEPA agreed with the attorneys for the developer that the OEPA has no jurisdiction. It is completely up to the Board of Health on single family houses.

Mr. Burke states that the Board of Health would move forward with its decision to give OEPA a deadline to give its recommendation and then go forward with Health Dept. review.

- **Consideration of Approval: Loveland & Brosius \$8468.20** – *Mr. Miller made a motion to approve the legal fee expenditure, seconded by Mrs. Warthman.*

VOTE: Unanimously For, 0 Opposed. Motion carried.

- ***Da-Wei Liou \$1,682.76 – Mr. Miller made a motion to approve the reimbursement for Mr. Liou for ESRI travel expenses, Mr. Gladman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.***

- ***Transfer of Appropriations*** - Chairwoman Foust explained that the Exec. Comm. recommended approval of the transfer of appropriations.
 - Transfer \$600.00 from Workers Comp. (5102) to Salaries (#5001)
 - Transfer \$1478 from Workers Comp. (5102) to acct.#5201
 - Transfer \$900 from Hosp. Insurance to acct. 5201
 - \$4341 from Hosp. Insurance to acct. 5301
 - \$150.00 from Hosp. Insurance to acct. 5222
 - \$93 from Hosp. Insurance to acct. 5294
 - \$80 from Hosp. Insurance to acct. 5338
 - Transfer \$2000 from Dental Insurance (5103) to acct.5380
 - \$1200 from Hosp. Insurance to acct. 5380

Mr. Miller made a motion to approve the transfer of appropriations as listed. Mrs. Warthman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

VIII. POLICY / EDUCATION DISCUSSION *(none)*

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

The next meeting of the Delaware County Regional Planning Commission will be Thursday, October 28, 2004 7:00PM at the Delaware Hayes Services Building, 140 N. Sandusky Street, Conference Room G-35, Delaware, Ohio 43015.