



# Delaware County Regional Planning Commission

109 North Sandusky Street  
P.O. Box 8006, Delaware, Ohio 43015  
740-833-2260 fax 740-833-2259  
www.dcrpc.org

Scott B. Sanders, AICP  
Executive Director

## *\*MINUTES\**

Thursday, September 30, 2010 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 26, 2010 RPC Minutes
- Executive Committee Minutes of September 22, 2010
- Statement of Policy

### II. VARIANCES *(none)*

### III. ZONING MAP/TEXT AMENDMENTS

12-10 ZON North Orange Dvlpt./Franklin Foundation – Ora. Twp. – 1.91 acres from PC to MFPRD

### IV. SUBDIVISION PROJECTS

Township

Lots/Acres

Preliminary *(none)*

Preliminary/Final *(none)*

Final *(none)*

T=TABLED, W=WITHDRAWN

### V. EXTENSIONS *(none)*

### VI. OTHER BUSINESS

### VII. POLICY / EDUCATION DISCUSSION

### VIII. RPC STAFF AND MEMBER NEWS

- Ric Irvine, Concord Township Zoning Officer and RPC Representative

**I. ADMINISTRATIVE BUSINESS**

▪ **Call to Order**

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

▪ **Roll Call**

Representatives: Jeff George, Rick Sedlacek, Ric Irvine, Fred Fowler, Todd Hanks, Ken O'Brien, Steve Burke, Tiffany Jenkins, Joe Clase, Dave Stites, Holly Foust, Dick Gladman, Bill Thurston, Lloyd Shoaf, Bill Metzler, Bonnie Newland, Mike Datillo, and Doug Price. Alternates: Bruce Wells and Doug Riedel. Arrived after roll call: David Andrian and Tom Brown. Staff: Scott Sanders, Da-Wei Liou and Stephanie Matlack.

▪ **Approval of the August 26, 2010 RPC Minutes**

*Mr. Shoaf made a motion to approve the minutes from August 26<sup>th</sup>. Mr. Sedlacek seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

▪ **September 22, 2010 Executive Committee Minutes**

1. **Call to order**

Chairwoman Foust called the meeting to order at 8:35 a.m. Present: Holly Foust, Dick Gladman, Lloyd Shoaf and Ken O'Brien. Staff: Scott Sanders and Stephanie Matlack.

2. **Approval of Executive Committee Minutes from August 18, 2010**

*Mr. O'Brien made a motion to approve the minutes from the last meeting. Mr. Gladman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

3. **New Business**

a. Financial / Activity Reports for August 2010

REGIONAL PLANNING RECEIPTS		AUGUST	YTD TOTAL
General Fees (Lot Split)	(4201)		\$1,025.00
Fees A (Site Review)	(4202)	\$300.00	\$900.00
Insp. Fees (Lot Line Transfer)	(4203)		\$1,600.00
Membership Fees	(4204)		\$273,204.84
Planning Surcharge (Twp. Plan. Assist.)	(4205)	\$1,368.26	\$7,434.20
Assoc. Membership	(4206)		
General Sales	(4220)	\$1.00	\$132.50
Charges for Serv. A (Prel. Appl.)	(4230)		\$1,200.00
Charges for Serv. B (Final. Appl.)	(4231)		\$12,561.20
Charges for Serv. C (Ext. Fee)	(4232)		\$1,200.00
Charges for Serv. D (Table Fee)	(4233)		
Charges for Serv. E (Appeal/Var.)	(4234)		\$1,621.25
Charges for Serv. F (Planned District Zoning)	(4235)		\$900.00
<b>OTHER DEPT. RECEIPTS</b>			
Health Dept. Fees	(4242)	\$100.00	\$200.00
Soil & Water Fees	(4243)	\$125.00	\$575.00
<b>MISCELLANEOUS REVENUE</b>			
Other Reimbursements	(4720)		\$170.00

Other Reimbursements A			
Other Misc. Revenue (GIS maps)	(4730)	\$44.00	\$527.79
Misc. Non Revenue Receipts	(4733)		
Sale of Fixed Assets	(4804)		
<b>TOTAL RECEIPTS</b>		\$1,938.26	\$303,251.78

<b>Balance after receipts</b>		<b>\$194,555.86</b>
<b>Expenditures</b>	<b>-</b>	<b>\$ 21,381.37</b>
<b>End of August balance</b>		<b>\$173,174.49</b>

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

- b. September RPC Reviews
  - 1.) Sketch Plans
    - a.) T.M. Sheedy – Porter Twp. – 2 lots / 10.002 acres
    - b.) Woodland Reserve - Liberty Twp. – 8 lots / 14.4 acres
  - 2.) Preliminary Agenda – includes 1 rezoning

- c. Director's Report
  - 1.) Contract billing to date:

Twp.	Contract amount	Free hours remaining	Billed to date (09/16/10)	Remaining on contract
Berlin	(2010) \$5,000	12.87	\$2,512.83	\$2,487.17
Kingston	\$8,000.00	18	\$6,183.39	\$1,816.61
Orange	\$18,000.00	55.3775	\$9,071.75	\$8,928.25

- 2.) Berlin Township Comprehensive Plan – presented final draft. Steering Committee is assembling final changes to the map and the text, after which they will proceed with adoption.
- 3.) Kingston Township Zoning Resolution – final working meeting was last week. Once I make those changes and send the draft they will set a meeting to initiate the draft.
- 4.) Participated in a discussion about the state's new Ohio One economic development website.
- 5.) Attended the initial meeting to update the county's 208 Water Quality plan. Background information is being updated by MORPC with a grant from the EPA.
- 6.) Attended the Health District's quarterly Wellness Collaborative at Havener Park and updated the group about the Bikeways and trails "plan" that I am assembling.
- 7.) Participated in a focus group of other planning directors related to the Regional Planning Framework that MORPC is working on.
- d. 2011 Draft Budget – Staff presented the first draft 2011 budget.
  - 1.) no salary increases were proposed;
  - 2.) health insurance rates estimated at a 10% increase, may be high but a good figure to use for budgeting;
  - 3.) dental rates will not be available until March 2011, estimate 7.5% increase;

Suggestions for changes to the proposal included;

- 4.) Materials & Supplies: checking on possible equipment and software upgrades (GIS/ArcView), increased proposed food supply for 2011 Planning and Zoning Workshop refreshments;
  - 5.) Service and Charges: check on ESRI conference expense estimate. Da-Wei has not attended this training since 2007.
- e. 2011 Meeting Schedule – Mrs. Matlack presented the proposed schedule for 2011. It was determined that the September Executive Committee meeting would be moved up one week in order to accommodate the Commissioners’ County Fair commitments.

4. **Old Business** (none)

5. **Other Business** (none)

6. **Personnel** (none)

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

*The next regular Executive Committee meeting will be Wednesday, October 20, 2010 at 8:30 a.m. at 109 North Sandusky Street, Delaware, Ohio, 43015.*

• **Statement of Policy**

As is the adopted policy of the Regional Planning Commission, all applicants will be granted an opportunity to make their formal presentation. The audience will then be granted an opportunity to speak, at which time the chair will allow questions from the members of the Commission. This policy was adopted by the Regional Planning Commission to provide for the orderly discussion of business scheduled for consideration. The Chairperson may limit repetitive debate.

II. **VARIANCES** (none)

III. **ZONING MAP/TEXT AMENDMENTS**

**12-10 ZON North Orange Development/Franklin Foundation – Ora. Twp. – 1.91 acres from PC to MFPRD**

**I. Request**

The applicant, North Orange Development LLC/Franklin Foundation, is requesting a 1.91-acre rezoning on land currently zoned Planned Commercial to Multi-Family Planned Residential District for a development of a 17,777-square-foot, single-story, 20-unit building for the purposes of senior housing (independent living). The building plan indicates 19 one-bedroom units and 1 two-bedroom unit, as well as an office area, craft room, community room, library and entry lounge. Franklin Foundation was created in 1986 for the purpose of developing this type of housing and currently has 14 such developments, one of which is in Sunbury.

**II. Conditions**

**Location:** south of 7206 Gooding Blvd., Orange Twp.

**Present Zoning:** Planned Commercial District (PC)

**Proposed Zoning:** Multi-family Planned Residential District (MFPRD)

**Present Density:** N/A

**Proposed Density:** 10 d.u./acre

**Present Use(s):** vacant

**Proposed Use(s):** A single building with 20 units of age-restricted housing

**School District:** Olentangy Local School District

**Utilities Available:** Del-Co Water and County Sanitary Sewer

**Critical Resources:** no natural resources, but half of a 150' powerline easement crosses the corner of the site.

**Surrounding land uses:** Commercial office to the north, new library and assisted living facility, both under construction, to the northeast and east, undeveloped commercial parcels to the south, condominiums to the west.

**Soil:** GwB: Glynwood Silt Loam (2 to 6% slopes)

### **III. Issues**

1. The 2001 Orange Township Comprehensive Plan and recently adopted 2010 Plan recommends this site for Planned Commercial uses as currently zoned, which includes a number of possible uses. It also recognizes the existing multi-family to the west of this site.

**Staff Comment:** Township Comprehensive Plans do not typically anticipate redevelopment of areas with an active development plan. However, it can be assumed that any residential development in this Sub-Area would generally be recommended at 2-units per acre.

2. Density/use: The proposal requests a 20-unit age-restricted use on 1.91 acres at a density of approximately 10 units per acre.

**Staff Comment:** The proposed use helps to fill a general need for housing as the population ages. The location is a logical one for this use with the adjacent assisted living facility and library, as well as the North Orange Park to the south. Age-restricted uses clearly have a positive impact to the school district and traffic generation is typically calculated at four trips per day per unit where multi-family is usually calculated at around eight trips per day.

Additionally, the zoning resolution limits the number of units on any one acre to 8 units. The proposed development exceeds that limitation.

3. Access: The development plan shows an access to Gooding Boulevard. The development plan leaves a 60' strip to the remainder of this parcel, creating a 4.38-acre parcel to the west.

**Staff Comment:** The applicant/developer should consider allowing a cross easement or otherwise designing a drive to be shared with the parcel(s) to the south. Gooding Boulevard does not currently have much traffic, but with the addition of the library, assisted living facility and future extension of Gooding Boulevard through the MTB piece to the north, access management must be considered wherever possible to avoid problems as the area builds out.

4. Parking: The site plan shows 20 parking spaces, of which two are handicapped.

**Staff Comment:** This amount of parking seems to be low, considering the number of units and the assumption that there will be at least one managerial employee. This is senior housing and the assumption is that the residents are mobile. The applicant notes that the company's experience with

other similar developments indicate that 50% of the residents have cars. Without specific experience in this area, this may be sufficient. However, the use may change in the future, so ample space should allow future parking for at least a space for each unit plus a number of spaces for visitors, in addition to employee spaces.

5. Powerline easement: The southwestern corner of the proposed development is located within half of the 150-foot powerline easement.

**Staff Comment:** Residential structures adjacent to active high-tension powerlines have long been a concern of the RPC staff. However, as of our last research, such impacts are unknown. Still, it appears that placing the building on the edge of the easement is not the ideal location.

6. Leisure Trail: An existing leisure trail is located along the right-of-way but not shown.

**Staff Comment:** Construction of walkways should include connection to the trail system.

7. Divergences: The applicant is requesting divergences for Parking and Density (discussed above) as well as a reduction in the unit size. (The applicant should note that Exhibit D states that there are no divergences even though the text addresses each one.)

**Staff Comment:** The reduction in the size of each unit is proposed at 586 square feet for a one-bedroom unit where the minimum in the code is 750 square feet. The two-bedroom unit is proposed at 800 square feet where the code requires 850. The addition of the community room and other common features and the intended target age may justify a reduction in the unit size. However, the reduction for one-bedroom units is significant and because the use of the building may change over time, such a divergence is a concern.

8. The proposed lot will need to go through the no plat process before development can begin.

#### **IV. Criteria for Approval**

The MFPRD requires that all the following criteria be met:

1. If the proposed development is consistent in all respects with the purpose, intent and general standards of the Orange Township Zoning Resolution.

**Staff Comment:** Generally yes, except for the unit size, the density and the number of units on an individual acre. The code allows a density at a maximum of 4 units per acre where the application requests 10 units per acre and the code limits the number of units on an individual acre at 8 units where the proposal requests 10 units on an acre. Both of these issues could be mitigated by developing a larger footprint or a larger lot, as there is ample acreage to the south and west of this rezoning case.

2. If the proposed development is in conformity with the Orange Township Comprehensive Plan.

**Staff Comment:** The use generally conforms to the plan, but the density is too high.

3. If the proposed development advances the general welfare of the township and the immediate vicinity.

**Staff Comment:** Perhaps, since the proposal targets a demographic that is a growing population that wishes to remain in (or locate to) the general area.

**V. Staff Recommendations**

Staff recommends **Conditional Approval** of this rezoning case from PC to MFPRD for Franklin Foundation to the DCRPC, the Orange Township Zoning Commission and the Orange Township Trustees, *subject to a reduction in the density to no greater than that of the zoning resolution (4 per acre) and limiting the development to no more than 8 units on an individual acre. Also, the individual unit size, access and parking issues reviewed in this report should be addressed.*

**Commission / Public Comments**

Ms. Lynn Dalton with the Franklin Foundation was present along with Mr. Jack Brickner of Planned Communities. Ms. Dalton explained that the Franklin Foundation has developed 14 other similar communities since 1986. The average age of the residents would be 79 years old with an average annual income of \$10,000.00. Regarding the staff comment on home size, The Department of Housing and Urban Development sets standards for home size, so the Franklin Foundation is “locked” into the size they require. She believes there is ample space in the community areas to make up for the small home size. She also explained that the Franklin Foundation looked into site in Genoa, Orange and Berlin before deciding on Orange. In their application with the Dept. of Housing, they need to prove 10 times the need to get the funding from the department. She invited the Commission to look at the Sunbury development, which is now 12 years old. She noted that there are age and financial restrictions in place in order to live in the facility. Ms. Dalton stated that Franklin Foundation has a 40-year commitment to keep the project as affordable senior housing.

Mr. Jack Brickner explained that he has been working with Franklin Foundation for over 3 years on this project. He believes with the good access, minimal off site improvements that would be needed, near by medical facility and grocery store this is a perfect location.

Mr. George asked who maintains the property. Ms. Dalton explained that they have a manager on duty and hire a part time maintenance technician.

Mr. Shoaf made a motion to recommend denial. Mr. Metzler seconded the motion. Vote: Few For, Majority Against the motion. Motion denied.

***Mr. Andrian made a motion to recommend Conditional Approval of the rezoning for Franklin Foundation, subject to staff comments. Mr. Stites seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Mr. Gladman). Motion carried.***

-----  
**IV. SUBDIVISION PROJECTS**

**Preliminary** (none)

**Preliminary/Final** (none)

**CONSENT AGENDA**

**Final** (none)

**V. EXTENSIONS** (none)

**VI. OTHER BUSINESS** (none)

**VII. POLICY / EDUCATION DISCUSSION** (none)

**VIII. RPC STAFF AND MEMBER NEWS**

- Ric Irvine, Concord Township Zoning Officer and RPC Representative

*Having no further business, Mr. Gladman made a motion to adjourn the meeting at 7:25 p.m. Mr. Shoaf seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

*The next meeting of the Delaware County Regional Planning Commission will be Thursday, October 28, 2010, 7:00 PM at the Willis Building, 2079 US 23 North, Conference Room, Delaware, Ohio 43015.*

---

Holly Foust, Chairperson

---

Stephanie Matlack, Executive Administrative Assistant