



Delaware County Regional Planning Commission

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Scott B. Sanders, AICP
Executive Director

MINUTES

Thursday, October 24, 2013 at 7:00 PM
Delaware County Commissioners office, Conference Room,
101 N. Sandusky St., Delaware, Ohio 43015

I. ADMINISTRATIVE BUSINESS

- Call to order
- Roll Call
- Approval of September 26, 2013 RPC Minutes
- Executive Committee Minutes of October 16, 2013
- Statement of Policy

II. VARIANCES

02-12.V W River Rock Farms – Liberty Twp. – variance from Sec. 205.03 for Conditional Final approval for Floodplain requirements

III. ZONING MAP/TEXT AMENDMENTS

26-13 ZON Epcon Communities – Genoa Twp. – 14.72 acres from RR to PRD (Courtyards on Maxtown)
 27-13 ZON Meadow Tree Holdings Ltd. – Harlem Twp. – 2.4 acres from AR-1 to FR-1

IV. SUBDIVISION PROJECTS

Preliminary

		Township	Lots/Acres
15-13	T The Woods at Hoover	Genoa	05 lots / 14.83 acres
16-13	Trenton Park	Trenton	08 lots / 30.58 acres

Preliminary/Final (none)

Final

21-04.2	Estates at Cheshire, Section 2	Berkshire	21 lots / 53.82 acres
03-12.1	Trail's End, Section 1	Liberty	48 lots / 46.84 acres
02-12	River Rock Farms	Liberty	08 lots / 31.12 acres

T=TABLED, W=WITHDRAWN

V. EXTENSIONS (none)

VI. OTHER BUSINESS

- OEPA Grant
- 2014 Budget – first review

VII. POLICY / EDUCATION DISCUSSION

- MORPC planning study – “Sustaining Scioto”

VIII. RPC STAFF AND MEMBER NEWS

I. ADMINISTRATIVE BUSINESS

▪ **Call to Order**

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

▪ **Roll Call**

Representatives: Jeff George, Susan Kuba, Ric Irvine, Fred Fowler, Gary Merrell, Ken O'Brien, Steve Burke, Tiffany Jenkins, Joe Clase, Jon Trainer, Dave Stites, Holly Foust, Hal Clase, Tom Farahay, Bill Thurston, Teresa Watkins, Charlie Callender, Mike Dattilo, and Doug Price. *Alternates:* John Piccin. *Staff:* Scott Sanders, Da-Wei Liou and Stephanie Matlack.

▪ **Approval of the September 26, 2013 RPC Minutes**

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

▪ **October 16, 2013 Executive Committee Minutes**

1. **Call to order**

2. **Approval of Executive Committee Minutes from September 18, 2013**

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

3. **Presentation on “Sustaining Scioto”** - by David Rutter and Bernice Cage with MORPC, Lisa Jeffrey and Kristin Knight with Brown & Caldwell.

4. **New Business**

- Financial / Activity Reports for September 2013

REGIONAL PLANNING RECEIPTS		September	YTD TOTAL
General Fees (Lot Split)	(4201)	\$615.00	\$5,220.00
Fees A (Site Review)	(4202)		\$3,600.00
Insp. Fees (Lot Line Transfer)	(4203)		\$1,500.00
Membership Fees	(4204)		\$264,753.00
Planning Surcharge (Twp. Plan. Assist.)	(4205)	\$3,485.82	\$4,050.25
Assoc. Membership	(4206)		
General Sales	(4220)		\$68.49
Charges for Serv. A (Prel. Appl.)	(4230)	\$100.00	\$75,726.40
Charges for Serv. B (Final. Appl.)	(4231)	\$6,400.00	\$37,493.20
Charges for Serv. C (Ext. Fee)	(4232)	\$150.00	\$600.00
Charges for Serv. D (Table Fee)	(4233)	\$200.00	\$800.00
Charges for Serv. E (Appeal/Var.)	(4234)	\$300.00	\$1,200.00
Charges for Serv. F (Planned District Zoning)	(4235)	\$900.00	\$5,700.00
OTHER DEPT. RECEIPTS			
Health Dept. Fees	(4242)		\$200.00
Soil & Water Fees	(4243)		\$4,800.00

MISCELLANEOUS REVENUE			
Other Reimbursements	(4720)		\$206.40
Other Reimbursements A			
Other Misc. Revenue (GIS maps)	(4730)	\$12.00	\$304.50
Misc. Non-Revenue Receipts	(4733)		
Sale of Fixed Assets	(4804)		
TOTAL RECEIPTS		\$12,162.82	\$406,222.24

Balance after receipts	\$509,216.68
Expenditures	- \$ 21,255.13
End of September balance (carry forward)	\$ 487,961.55

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.) Humphreys CAD – Harlem Twp. – 4 lots / 28.29 acres

- September RPC Preliminary Agenda
 - 1.) Rezoning:
 - Epcon Communities – Genoa Twp. – 14.72 acres from RR to PRD
 - Meadow Tree Holdings Ltd. – Harlem Twp. – 2.4 acres from AR-1 to FR-1
 - 2.) Variance:
 - River Rock Farms – Liberty Twp. – requesting conditional Final Approval
 - 3.) Preliminary:
 - The Woods at Hoover – Genoa Twp. - 05 lots / 14.83 acres
 - Trenton Park – Trenton Twp. - 08 lots / 30.58 acres
 - 4.) Preliminary/Final: none
 - 5.) Final:
 - Estates at Cheshire, Section 2-Berkshire Twp. - 21 lots / 53.82 acres
 - Trails End, Section 1- Liberty Twp. - 48 lots / 46.84 acres
 - River Rock Farms- Liberty Twp. - 08 lots / 31.12 acres
 - 6.) Extension: none

- Director’s Report
 - 1.) Sunbury – finishing up the Comprehensive Plan
 - 2.) Concord – first meeting has been scheduled to talk about the Comprehensive Plan update process
 - 3.) Berlin – reformatting the code under non contract work
 - 4.) Liberty – waiting on Prosecutor’s comments on the Zoning Code. Interested in possible contract for Comprehensive Plan updating.

- Consideration for Recommendation:
 - 1.) OEPA grant – Final 10% of grant has been received

In order to close out the OEPA grant, Mr. George made a motion to revise the

appropriations as follows:

Salary + \$913.13

Health Insurance - \$850.00

Dental Insurance - \$88.92

Materials & Supplies + \$200

Services & Charges - \$876.17

Mrs. Kuba seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

- 2014 Budget Discussion

Open discussion included keeping the reduction of membership dues, continued education costs for Da-Wei and Scott, Audit services, possible interns, two variables for staff increases. More discussion to follow.

5. **Old Business** *(none)*

6. **Other Business** *(none)*

7. **Personnel** *(none)*

8. **Adjourn**

Having no further business, Mrs. Jenkins made a motion to adjourn the meeting at 11:30 a.m. Mrs. Kuba seconded the motion. VOTE: Majority For, 0 Opposed. Motion carried.

The next regular Executive Committee meeting will be Wednesday, November 13, 2013 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

02-12.V River Rock Farms – Liberty Twp. – variance from Sec. 205.03 for Conditional Final approval for Floodplain requirements

I. Request

River Rock Farms is an 8-lot residential subdivision in Liberty Township. It received Preliminary Subdivision Approval on June 28, 2012. The Final Plat has been signed by all the appropriate county agencies and delivered to the Regional Planning Commission offices.

Before staff presentation, Mr. O'Brien identified the applicant (Mr. Brickner), who requested that the request for Variance be withdrawn. Without objection, the Chair allowed the request to be withdrawn.

Commission / Public Comments

Mr. Sanders stated that the variance request was withdrawn 10/24/13 by the applicant.

III. ZONING MAP/TEXT AMENDMENTS

26-13 ZON Epcon Communities – Genoa Twp. – 14.72 acres from RR to PRD (Courtyards on Maxtown)

I. Request

The applicant, EPCON Communities, is requesting a 14.72-acre rezoning from RR to PRD to allow a 50 unit detached age restricted condominium project named Courtyards on Maxtown.

II. Conditions

Location: 7339, 7374 and 7377 Maxtown Rd., Westerville

Present Zoning: Rural Residential (RR)

Proposed Zoning: Planned Residential (PRD)

Present Use(s): Single-family residences

Proposed Use(s): Age Restricted Condominiums

Existing Density: 1 du / 2 acres

Proposed Density: 3.4 du / acre

School District: Westerville School District

Utilities Available: Del-Co Water and central sanitary sewer

Critical Resources: none

Soils: CaB Cardington Silt Loam 2-6% slope

BeB Bennington Silt Loam 2-4% slope

PwA Pewamo Silty Clay Loam 0-1% slope

III. Request

The applicant, Epcon Communities, is requesting a 14.72-acre rezoning on land currently zoned Rural Residential to Planned Residential for the development of 50 single-family-style age-restricted condominiums. The proposal includes an access to Maxtown Road with a private road which circulates through the property. The entrance also allows access to the church property to the east.

Two detention basins are located on the site – one along Maxtown and one in the northeastern corner of the site. Three potential amenities are located through the site. Mounding is located along the western property line.

IV. Issues

1. The application refers to the PD-1 District and responds to each paragraph from the code. The current Genoa code is different and is titled “PRD.” Standards are similar, but the application needs to be updated to reflect the current language. Also please note that page 1 lists the CURRENT zoning as PD-1.
2. The 2009 Genoa Township Comprehensive Plan recommends this site for residential use at a maximum density up to 2.2 units per net developable acre.

Staff Comment: The proposal represents a substantial departure from the density recommended in the Comprehensive Plan. If gross acreage is used, the 2.2 units per acre calculation would result in a total of 32 units. As has been discussed in past zoning cases, age-restricted units generate lower impacts in some areas such as education costs and traffic, but the sewage use is the same.

For example, the average single-family unit generates approximately 10 trip ends per day while “detached senior housing” generates approx. 3.71 trip ends per day (*source: Institute of Transportation Engineers*). Other sources have found that similar multi-family use (townhouses) generate anywhere from 5-8 trips per day. Where sewage use is concerned, Delaware County calculates one-bedroom facilities at 60% per unit versus that of a single-family home. The code and Comp. Plan could allow, for example, 20% more units than the 2.2 units recommended on the map, but only if other standards are met, such as having an appropriate location.

The Township needs to determine a policy to assist in making density determinations for age-restricted uses. This determination or calculation should be shared with and used by other townships with sewer service.

3. Open space: The code requires at least 40% open space throughout the development where the development plan indicates that 45% (6.63 acres) is provided.

Staff Comment: The calculation includes Common Open Space. In a condominium development, all open space is common, so the actual number is higher than the one listed. The site is significantly wooded, but the layout does not take any of the natural features into consideration. Much of the northeastern open space area will be cleared to create the detention pond. If the density is reduced as recommended elsewhere in this report, more of the natural features could be maintained on the site.

4. Utilities: The utility of greatest concern at this location is Sanitary Sewer. A letter is included, dated August 16, 2013, which notes that although there is capacity in the sewer system for 50 units, there are more sewer capacity requests than there is capacity available in the Maxtown Pump Station. The county is working with the township and consultants to determine if improvements can be made to expand the capacity of the pump station. Improvements may include upgrades to the pump station as well as downstream gravity sewers (pipes).
5. Building spacing: As a condominium-type development, there are no parcel lines and therefore no side yard setbacks. The design indicates a minimum 15-foot building separation between most buildings, with 15-foot separation also between the rears of buildings down the center of the development. The Code requires

an 11-foot separation.

Staff comment: These are designed as courtyard units, with windows and openings primarily on the front and one side, minimal openings on the opposing side and no features or openings on the rear of each unit. This would create a blank wall of buildings facing the existing homes to the west. The density is driving the closeness of the buildings. A reduction of the density and more creative arrangement of structures, would improve the including utilizing some of the open space to the east, would reduce the need for this divergence.

6. Site amenities are shown on the plan with a potential list of possibilities (cabana, pavilion, pool, exercise facility, or other similar amenities...as shown on the Development Plan. No specific details are included. Eight guest parking spaces are provided.

Staff comment: Specific plans should be included in the application. Appropriate parking should be provided.

7. Divergences: The applicant is requesting several divergences for this project:

- a.) PRD zoning requires a minimum area of 25 acres for the creation of a cohesive planned area.

Staff Comment: The site is adjacent to other PRD (technically PD-1) development to the north, Suburban Residential (half-acre lots without open space), and Planned Community Facilities (church) to the east. This standard is in place to ensure that the appropriate density and open space can be designed in a way that can allow for proper relationship with surrounding uses. It may appropriate to allow this divergence from the required acreage, but not at the higher density as proposed.

- b.) Maximum density in the zoning resolution is 2.2 units per net developable acreage. The proposal is for 3.4 units per gross acre. The code no longer references a maximum density above the 2.2 noted here.

Staff Comment: As noted earlier, the Comprehensive Plan is consistent with the PRD zoning designation in its definition of maximum number of units per acre. This request is more than the allowable density in the Plan and the Zoning Resolution. The density is too high and not consistent with surrounding densities.

- c.) Sidewalks: The code requires walkways on both sides of the street. The application is providing a walkway on one side of the street.

Staff Comment: This is a reasonable request in a private condominium community. A multi-use path may also be needed along Maxtown to eventually connect to Tussic.

- d.) Divergence requested (if deemed necessary) for Permitted Principal Uses since the single-family detached condominium product is not specifically permitted.

Staff Comment: There is an allowance for condominiums and cluster housing. Staff believes this product is permitted.

- e.) Divergence requested from the requirement to file a traffic study.

Staff Comment: Applicant should be required to at least file a traffic analysis. Wake Drive to the south was built with a small deceleration lane but no turn lane. County Engineer indicates a turn lane is required.

8. Stormwater is handled with a detention area in the northeast corner of the site. On one plan, an additional pond is located along Maxtown while the landscaping plan indicates mounding/landscaping at that location.

V. Criteria for Approval

Planned district zoning designations require the following Criteria for Approval:

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

Staff Comment: As noted in the report, there are numerous divergences requested, signaling the areas where the proposal is not consistent with the standards of the resolution, as well as some of the “unique natural features and balanced residential environment” statements in the Intent and Purpose section of the PRD zoning designation.

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

Staff Comment: The residential 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 the use does, since the proposal targets a demographic that is a growing population that wishes to remain in (or locate to) the general area. However, there are significant questions about the density.

VI. Staff Recommendations

Staff recommends **Conditional Approval** of the zoning case for 14.72 acres from RR to PRD for Epcon Communities to the RPC, the Genoa Township Zoning Commission and the Genoa Township Trustees, subject to:

1. *Development of a policy by the Township for allowing higher densities than those recommended in the Comprehensive Plan for multi-family uses based on their reduced impacts on traffic and schools.*
2. *Preservation of existing foliage in the landscaping plan, amend layout to preserve more natural features.*
3. *Resolution of the pump station Sanitary Capacity issue.*
4. *Detailed site amenity plans.*
5. *Approval of the divergences for the reduction of land required for PRD application, sidewalks on one side of the street and allowance of single-family detached units.*
6. *Clarify the mounding along Maxtown Road.*
7. *Completion of a Traffic Access Study, showing the length of the required turn lanes.*

Commission / Public Comments

Mr. Joel Rhoades with EPCON was present to represent the applicant. He stated that they feel there is a need for this type of development in Genoa Township and that this is an appropriate location given the proximity to the amenities along Maxtown Road. Mr. Rhoades agreed with staff comments regarding detailing the amenities, resolution of the sanitary sewer capacity and clarification of the other items. He explained they are working with Genoa Twp. and the area neighbors on the density issue. He stated that these types of units have

approximately half the impact that single family homes do.

Mr. Kevin Gainer (7117 Hemstead Rd., Westerville, Ohio 43082) expressed his opposition to this development as presented due to the density. He presented a petition with approximately 30 signatures of neighbors who do not feel this development is appropriate for this area. He explained that with more time he could provide additional signatures if needed. He described the natural features of the area and his frustration with ongoing growth of the county.

Mr. Gunderman asked what density the plan allows. Mr. Sanders stated 2.2 units per net developable acreage. The applicant is requesting 3.2 (3.4 gross). Mr. Gunderman said this doesn't follow a cluster style development. If the applicant were to come down to the density that the plan allows then it could possibly be characterized as that.

Mr. Sanders explained that many codes have a planned residential district that allows for a certain percentage to be cluster and so then you are gaining open space somewhere else because you are putting more here. There isn't an easy fit with this in the Genoa code because there isn't a standalone cluster type development.

Mrs. Foust asked what the unit sizes would be. Mr. Rhoades stated 1500-2600 sq. ft. There are three basic floor plans. Units would be built to buyer selection.

Mr. O'Brien asked how and who would enforce the age restriction. Mr. Rhoades stated there would be multiple ways the age restriction would be enforced including zoning application, deed restrictions as part of the declarations of condominium, and pursuant to the Housing for Older Persons Act of 1995. It is enforced by verification of age at the time of purchase and any subsequent sale and typically through an annual census. Mr. O'Brien questioned what would be done if they did not conform. Mr. Rhoades said if the point of sale verification is enforced there should not be an issue. Mr. Clase said they require an annual census but has not had an issue with similar cases not meeting their requirements. He was not clear on what would be done if it did not meet the requirements.

Mrs. Foust questioned the appropriateness of Staff recommendation #1. She feels it may be a good suggestion but not specific to this project. Mr. Gunderman agrees recommendation #1 should be removed.

Mrs. Foust questioned the sewer tap availability. Mrs. Jenkins stated the Maxtown pump station has approximately 50 units available. They have been working with Genoa Twp. on their overall build out in the Maxtown tributary area to try and determine what would be needed for that pump station. She said based on the other projects that were approved already there is not enough. Taps are handled on a first-come, first-served basis. Mr. Clase mentioned that the Romanelli & Hughes project already approved through zoning has committed to the infrastructure improvements. Mr. O'Brien stated that capacity isn't there until the improvements are made but the improvements that would be required are feasible. Mrs. Jenkins agreed that the pump station is what needs upgraded but isn't sure to what level yet.

Mrs. Foust made a motion to recommend Conditional Approval of the EPCON rezoning of 14.72 acres, subject to Staff Recommendations, with amendments as follows:

- 1. Density at a maximum of 26 units per net developable acre, contingent on final calculations.***
- 2. Preservation of existing foliage in the landscaping plan, amend layout to preserve more natural features.***
- 3. Resolution of the pump station Sanitary Capacity issue.***
- 4. Detailed site amenity plans.***

5. *Approval of the divergences for the reduction of land required for PRD application, sidewalks on one side of the street and allowance of single-family detached units.*
6. *Clarify the mounding along Maxtown Road.*
7. *Completion of a Traffic Access Study, showing the length of the required turn lanes.*

Mr. Irvine seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Genoa Twp.). Motion carried.

27-13 ZON Meadow Tree Holdings Ltd. – Harlem Twp. – 2.4 acres from AR-1 to FR-1

I. Request

The applicant Meadow Tree Holdings, Ltd. is requesting a 2.4-acre rezoning from AR-1 to FR-1 to allow the lot to be split into two residential lots.

II. Conditions

Location: 10271 Gorsuch Rd., Galena

Present Zoning: Agricultural (A-1)

Proposed Zoning: Farm Residential (FR-1)

Present Use(s): Single-family home, agriculture

Proposed Use(s): Single-family home on smaller parcel

Existing Density: 1 du / 5 acres

Proposed Density: 1 du / 2 net acres

School District: Big Walnut Local School District

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

Critical Resources: none

Soils: Ceb Centerburg Silt Loam 2-6% slope

SsA Smothers Silt Loam 0-2% slope

SsB Smothers Silt Loam 2-4% slope

III. Issues

This is a straight district rezoning, so no development plan is required. It is assumed, therefore, that the applicants will create a new 2.4-acre site and leave a 7.04 remainder with the existing structures. This lot has approximately 607 feet of frontage on Gorsuch Road. The township's frontage requirement for FR-1 is 175' for lots at least 2 acres in size but smaller than 3.

The 2006 Harlem Township Comprehensive Plan shows the proposed site as Residential at either the FR-1 size (2 acres) or AR-1 (5 acres). The plan supports FR-1 development where sewer is not available.

The applicant should consult with the Health District to assure that there is adequate area for on-lot waste treatment systems. Surrounding land uses include scattered single-family homes along Gorsuch Road. FR-1 zoning would be in character with the area.

IV. Staff Recommendations

Staff recommends **Conditional Approval** of the zoning case for 2.4 acres from AR-1 to FR-1 for Meadow Tree Holdings, Ltd. to the RPC, the Harlem Township Zoning Commission and the Harlem Township Trustees, *subject to preliminary consultation with the Health District to assure there is adequate area for on-lot waste treatment systems.*

Commission / Public Comments

No one was present to represent the applicant.

Mr. Irvine made a motion to recommend Conditional Approval of the rezoning request by Meadow Tree Holdings, Ltd., subject to preliminary consultation with the Health District to assure there is adequate area for on-lot waste treatment systems. Mr. Stites seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Harlem Twp.). Motion carried.

IV. SUBDIVISION PROJECTS

Preliminary

15-13 T The Woods at Hoover – Genoa Twp. - 05 lots / 14.83 acres

I. Conditions

Applicant: Venus Roby
Subdivision Type: Single Family Residential
Location: west side of Red Bank Rd, north of Duncan Glen Drive
Current Land Use: single family residence
Zoned: Rural Residential (RR)
Utilities: Del-Co water and on-site sanitary treatment
School District: Big Walnut School District
Engineer: Sands Decker CPS

II. Staff Comments

The applicant has requested a 90-day tabling in order to resolve issues with the neighboring road.

III. Staff Recommendation

Staff recommends *Approval of the 90-day table request for The Woods at Hoover* to the DCRPC.

Commission / Public Comments

Mr. Price made a motion to Approve a 90-day table request for The Woods at Hoover. Mrs. Kuba seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

16-13 **Trenton Park – Trenton Twp. - 08 lots / 30.58 acres**

I. Conditions

Applicant: Mike Jones Builders
Subdivision Type: Single Family Residential
Location: north side of Trenton Rd., about 4,200 feet west of Miller Paul Rd.
Current Land Use: Vacant, agricultural
Zoned: Rural Residential (RR)
Utilities: Del-Co water and on-site sanitary treatment
School District: Big Walnut School District
Engineer: Pomeroy & Assoc.

II. Staff Comments

Trenton Park is an eight-lot subdivision with access from Trenton Road. It includes a public street, “Trenton Park Drive”, traveling north to an intersection with a second road to the west. This road stubs into adjacent property for future development. A CAD takes access from the intersection and travels north, providing frontage for two additional lots. Lots are at least 3 acres, the minimum size within the RR district in Trenton Township. The site carries a substantial amount of drainage through it, an issue that is being addressed with large detention areas on the site.

A technical review was held on October 15, 2013, after which the applicant has addressed all of the required changes.

III. Staff Recommendation

Staff recommends *Preliminary Approval* of **Trenton Park** to the DCRPC.

Commission / Public Comments

Mr. Dave McCoy with Pomeroy & Associates was present to represent the applicant.

Mr. Joe Clase made a motion for Preliminary Approval of Trenton Park. Mr. Hal Clase seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

Preliminary/Final (*none*)

CONSENT AGENDA

Mr. O'Brien stated that, without objection, River Rock would be removed from the Consent agenda for further discussion.

Final

21-04.2 Estates at Cheshire, Section 2 – Berkshire Twp. - 21 lots / 53.82 acres

I. Conditions

- Applicant:** South Galena Development Co.
- Subdivision Type:** Single Family Residential
- Location:** west side of S. Galena Rd., about 5,700 feet south of US 36
- Current Land Use:** vacant, agricultural
- Zoned:** FR-1 (Farm Residential)
- Utilities:** Del-Co Water, on-site treatment
- School District:** Big Walnut School District
- Engineer:** Civil & Environmental Consultants

II. Staff Comments

Estates at Cheshire originally received Preliminary approval in August 26, 2004. The first Section was recorded on August 25, 2006. The remaining portion of the subdivision was not recorded because of market conditions and because of the uncertainty of improvements at Interstate 71 and US 36/SR 37. The subdivision expired because of this uncertainty. A new arterial road needs to be planned, connecting 36/37 to Cheshire Road. This road could potentially bisect the site, although the existing road stub is not designed to carry the traffic that an arterial road would be able to manage. Therefore, a new right-of-way is provided in this Preliminary Plan for a future roadway. Nothing else has changed from the originally-approved plan, including the 20 remaining lots and road layout.

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 Estates at Cheshire, Section 2 to the DCRPC.

Commission / Public Comments

Mr. Joe Clase made a motion for Final Approval of Estates at Cheshire, Section 2. Mr. Gunderman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

03-12.1 Trail's End, Section 1 - Liberty Twp. - 48 lots / 46.84 acres

I. Conditions

- Applicant:** Edwards Land Development Co.
- Subdivision Type:** Single Family Residential
- Location:** South side of Home Rd., west of Olentangy River Rd.
- Current Land Use:** Single Family Residence with out-buildings
- Zoned:** Planned Residential (PR)
- Utilities:** Del-Co Water, public sanitary sewer
- School District:** Olentangy School District
- Engineer:** EMH & T

II. Staff Comments

Trail's End is a 92-lot subdivision on the former Emerald Farms land at the corner of Home Road and State Route 315. The first section includes 48 lots taking access from SR 315 (Olentangy River Road). The layout includes a portion of the internal circulation road which will continue throughout the site. Roads include Cellar Lane, Guilford Road, Rissler Lane, and Kearney Way. No interconnectivity is planned with this section, but roads will eventually connect to road stubs in the existing Woodland Hall subdivision to the south of future sections.

Lots are generally 1/3 acre in size. Three large areas of open space along Home Road and S.R. 315 are being platted with this section. One is 3.644 acres, one is 4.574 acres and the largest is 8.578 acres. Additional right-of-way for Home Road and 315 has been dedicated and improvements to S.R. 315 at the Cellar Lane entrance have been completed.

This is generally an area where the soluble bedrock known as karst has been indicated. Several existing and potential sinkholes are located on and to the west of this site. Investigation and determination of the existence and/or size of the karst topography was determined as a part of Final Engineering and this determination will continue as future sections develop. A note was added to the Plat as requested by the county regarding the karst issue.

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 **Trail's End, Section 1** to the DCRPC.

Commission / Public Comments

Mr. Joe Clase made a motion for Final Approval of Estates at Cheshire, Section 2. Mr. Gunderman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

02-12 **River Rock Farms – Liberty Twp. - 08 lots / 31.12 acres**

I. Conditions

Applicant: Paul & Phyllis Craver

Subdivision Type: Single Family Residential

Location: South side of Orange Rd., about 300 feet east of SR 315

Current Land Use: Single family residential

Zoned: FR-1 (Farm Residential)

Utilities: Del-Co Water, public sewer

School District: Olentangy School District

Engineer: EMH & T

II. Staff Comments

1. River Rock Farms is an 8-lot subdivision taking access off Orange Road immediately across from Perry Road. It will utilize a private, gated street which will serve the first 5 lots. A Common Access Driveway will extend from the end of the private drive and will serve three additional lots, one of which has an existing home and other structures. All lots have legal frontage on the private street.
2. During the Sketch Plan and Preliminary Subdivision phases, it was acknowledged that the proposed development of this site required the filling of the floodplain for the creation of four of the lots and the construction of the Private Street (River Rock Lane). The floodplain does not impact the Common Access Driveway. There was significant discussion regarding the floodplain during the Preliminary Approval process. It was acknowledged during the RPC meeting that the applicant would be submitting a Letter of Map Revision to FEMA to change the map.
3. The required permits for filling the floodplain fringe were requested through the county and granted for the development of the site. The development has been completed based upon those approvals.
4. When the Final Plat was reviewed, it was noted that the floodplain information did not reflect either the existing information or the Letter of Map Revision. For clarification, a Letter of Map Revision (LOMR-F) does not amend the official FEMA map, but is added as a note on the existing map until an overall FEMA amendment project is undertaken.
5. To date, a LOMR-F has been requested and a case number has been assigned by FEMA. Comments from FEMA have been received by the applicant and those comments have been reflected on the Final Plat. In the time since the Plat was received by the Commission, changes have been made to show both the existing floodplain graphically and the floodplain revision area. However, the approval of the LOMR-F has not been confirmed by FEMA.
6. Without approval of the LOMR-F, these lots are not buildable without additional steps being taken by the ultimate owners of the newly-created parcels.
7. 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 *Denial* of **River Rock Farms** to the DCRPC, *because the Final Plat does not reflect the area on the Preliminary Plan which was labeled “proposed 100-year flood plain.”*

Commission / Public Comments

Mr. Jack Brickner of Planned Communities was present to represent Mr. Paul Craver the applicant who was also in attendance. He explained that there were two conditions for preliminary plan approval; obtain the hazard area permit from the Code Compliance department which was completed, after which the engineer has to submit topo and compaction information which has also been done. Once these items are done the application to FEMA can be made. They are currently pursuing getting the FEMA maps revised and hope to get their approval within the next 45-55 days. They have received the first minor comments from FEMA. Mr. Brickner doesn't feel the map revision is a requirement of the Code Compliance office associated with approval of the plat.

Mr. Sanders explained that the Preliminary plan document shall include (Sec. 204.02):

“h) Other information, studies, items or provisions deemed necessary or prudent to create buildable sites or promote the public health, safety and welfare.” The final plat has to comply with the preliminary plan.

Mr. Fowler stated that through the Community Acknowledgement form the County acknowledges that fill was placed. An engineer provided documentation that fill was placed per the appropriate density as required by the regulations and that was submitted to FEMA.

Mr. Brickner requested that this application be tabled for up to 60 days.

Mrs. Foust made a motion to Approve the table request for River Rock Farms for up to 60 days, seconded by Mr. Gunderman. VOTE: Unanimously For, 0 Opposed. Motion carried.

V. EXTENSIONS *(none)*

VI. OTHER BUSINESS

- **OEPA Grant**

In order to close out the OEPA grant, Mr. Joe Clase made a motion to Approve the following changes to revise the appropriations as follows:

Salary + \$913.13

Health Insurance - \$850.00

Dental Insurance - \$88.92

Materials & Supplies + \$200

Services & Charges - \$876.17

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

- 2014 Budget – first review

2014 Proposed Budget		
Carry Forward into 2014		\$418,828
Administration		
Salaries <i>(w/ 2.25% increase and Intern)</i>		\$201,389
PERS		\$28,195
Workers Comp.		\$2,014
Medicare		\$2,920
Hospitalization		\$18,240
Opt out Health Ins.		\$4,800
Life Insurance	(5104)	\$1,008
Dental	(5103)	\$4,860
		\$263,426
Materials & Supplies		
Office Supplies	(5201)	\$2,300
Seminar/Conf supplies	(5208)	\$100
Food Supplies	(5294)	\$500
		\$2,900
Services & Charges		
Contracted Professional Services	(5301)	\$2,500
Training & Staff Development	(5305)	\$1,200
Membership/Subscriptions/Dues	(5308)	\$1,000
Travel Mileage Reimbursement	(5309)	\$200
Travel Non Taxable	(5310)	\$2,000
Advertising & Promotion	(5312)	\$750
Printed Stationary	(5313)	\$250
Public Relations /Promotions	(5317)	\$100
Software Licenses & Computer Services	(5320)	\$4,000
Maintenance Contracts & Agreements	(5325)	\$1,600
Maintenance & Repairs services	(5328)	\$500
Telephone Services	(5330)	\$450
Postal Services	(5331)	\$200
Rental Services	(5335)	\$3,500
Utilities	(5338)	\$6,000
Legal Fees	(5361)	\$2,000
Insurance Premiums & Claims	(5370)	\$8,000
Other services	(5380)	\$15,000
		\$49,250
		\$315,576

Revenues

Platting Fees	4230	\$25,000	
Membership Fees	4204	\$266,596	*
Twp. Planning Assistance	4205	\$5,000	
General Sales	4220	\$100	
Other Reimbursements	4720		
GIS Map Sales	4730	\$300	
Health Dept. Fees	4242	\$5,000	
SWCD fees	4243	\$10,000	
			\$311,996

**excludes City of Delaware fees AND \$0.12 credit of 2013 dues paid*

Carry forward into 2015

\$415,248

Mr. Sanders reviewed the above draft budget including the projected 2014 membership dues which were passed out.

Mrs. Foust stated that with the amount of activity happening within the last couple of weeks in Liberty Twp. and the amount of time it takes to hire and train an employee, we should look into a full time employee. Mr. O'Brien stated that the Executive Committee was in support of increased staff if needed.

VII. POLICY / EDUCATION DISCUSSION

- MORPC – Presented to the Executive Committee on 10/16/13 information on a planning study titled “Sustaining Scioto”. (See attached presentation.)

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

Having no further business, Mr. Joe Clase made a motion to adjourn the meeting at 8:40 p.m. Mrs. Foust seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

The next meeting of the Delaware County Regional Planning Commission will be Thursday, November 21, 2013, 7:00 PM at the Willis Building, 2079 US 23 North, Conference Room, Delaware, Ohio 43015.