



Delaware County Regional Planning Commission

109 N. Sandusky Street, Delaware, Ohio, 43015
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www.dcrpc.org

Scott B. Sanders, AICP, *Interim Executive Director*

MINUTES

Thursday, November 30, 2006 at 7:00 PM
Delaware Hayes Services Building,
140 N. Sandusky Street, Room G 35, Delaware, Ohio 43015

I. ADMINISTRATIVE BUSINESS

- Call to order
- Roll Call
- Approval of October 26, 2006 RPC Minutes
- Executive Committee Minutes of November 30, 2006
- Statement of Policy

II. VARIANCES *(none)*

III. PUBLIC CONSTRUCTION PROJECTS *(none)*

IV. ZONING MAP/TEXT AMENDMENTS

- 55-06 ZON Berkshire Township Zoning Commission—text amendments (add NAICS code #53113 to PCD and PID text)
- 56-06 ZON Trenton Township Zoning Commission – text amendments
- 57-06 ZON Elford Development Ltd. – Liberty Twp. – 26.887 acres – development plan approval
- 58-06 ZON Berlin Twp. Zoning Commission – Zoning text amendments
- 59-06 ZON Genoa Twp. Zoning Commission – Zoning text amendments

V. SUBDIVISION PROJECTS

Preliminary *(none)*

Preliminary/Final

		Township	Lots/Acres
24-06	Wayne Homes Subdivision	Berlin	01 lot / 02.09 acres

Final

28-04.1	T Derby Glen Farms, Section 1	Liberty	20 lots / 20.47 acres
18-04.1	Olentangy Falls, Section 1	Liberty	49 lots / 97.03 acres
07-04.7	Olentangy Crossings, Section 7	Orange	04 lots / 41.05 acres
24-05.1.B	Little Bear Village, Sec. 1, Ph. B	Orange	54 lots / 52.40 acres

T=TABLED, W=WITHDRAWN

VI. EXTENSIONS

16-04	Eagle's Ridge, Sections 1-3	Berlin	63 lots / 87.82 acres
27-03.2	Northstar, Section 2	Kingston	01 lot / 93.18 acres
14-05	Olentangy Crossings South	Orange	43 lots / 41.34 acres

VII. OTHER BUSINESS

- Consideration for approval: 2007 Budget
- Consideration for approval: Transfer of fees for Health Dept. and SWCD

VIII. POLICY / EDUCATION DISCUSSION *(none)*

IX. RPC STAFF AND MEMBER NEWS

I. ADMINISTRATIVE BUSINESS

▪ **Call to Order**

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

▪ **Roll Call**

Representatives: Paul Snajd, Rick Sedlacek, Fred Fowler, Jim Ward, Glen Evans, Kris Jordan, Gary Gunderman, Leslie Warthman, Holly Foust, Dick Gladman, Larry Crile, Bill Thurston, Lloyd Shoaf, Scott Love, Bonnie Newland and Mike Dattilo. *Alternates:* Doug Reidel, Sandra Stults and Eric Fischer. *Staff:* Scott Sanders, Paul Deel, Da-Wei Liou and Stephanie Matlack.

▪ **Approval of the October 26, 2006 RPC Minutes**

Mrs. Warthman made a motion to approve the minutes from the last meeting. Mr. Sedlacek seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

▪ **November 22, 2006 Executive Committee Minutes**

1. Call to order

Chairwoman Foust called the meeting to order at 9:15 a.m. Present: Holly Foust, Dick Gladman, Steve Burke and Lloyd Shoaf. Staff present: Scott Sanders and Stephanie Matlack. Jim Ward was absent.

2. Approval of Executive Committee Minutes

October 26, 2006 – Mr. Gladman made a motion to approve the minutes from the October Executive Committee meeting. Mr. Shoaf seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

3. Old Business

a. Contract updates –

- 1.) **Harlem Twp.** – continuing work on the Comprehensive Plan
- 2.) **Berlin Twp.** – working with the Zoning Commission to make zoning text consistent

b. Subdivision Regulations –

- 1.) Mr. Sanders explained that the Commission approved Subdivision Regulations have been forwarded to the County Commissioners for approval. There have been discussions between Mr. Sanders and the prosecutor’s office to work out the procedure for approval by the County Commissioners. The hearing should take place by the end of this year.
- 2.) The Advisory Committee has met twice to discuss the CAD regulations. Mr. Sanders will present the compiled draft text to the Committee December 4th. The large lot regulations will be next on their agenda.

4. New Business

a. Financial / Activity Reports for October 2006

REGIONAL PLANNING RECEIPTS		OCTOBER	YTD TOTAL
General Fees (Lot Split)	(4201)	\$1,230.00	\$17,365.00
Fees A (Site Review)	(4202)	\$100.00	\$1,300.00
Insp. Fees (Lot Line Transfer)	(4203)	\$60.00	\$820.00
Membership Fees	(4204)		\$231,245.96
Planning Surcharge (Twp. Plan. Assist.)	(4205)	\$269.66	\$16,339.02
Assoc. Membership	(4206)		\$3,000.00

General Sales	(4220)	\$84.85	\$1,464.92
Charges for Serv. A (Prel. Appl.)	(4230)	\$360.00	\$91,142.14
Charges for Serv. B (Final. Appl.)	(4231)	\$11,643.92	\$140,366.79
Charges for Serv. C (Ext. Fee)	(4232)	\$300.00	\$3,600.00
Charges for Serv. D (Table Fee)	(4233)	\$400.00	\$5,600.00
Charges for Serv. E (Appeal/Var.)	(4234)	\$300.00	\$2,400.00
OTHER DEPT. RECEIPTS			
Health Dept. Fees	(4242)	\$50.00	\$32,350.00
Soil & Water Fees	(4243)	\$75.00	\$2,993.00
MISCELLANEOUS REVENUE			
Other Reimbursements	(4720)		\$15.00
Other Reimbursements A	(4721)		\$3,854.19
Other Misc. Revenue (GIS maps)	(4730)	\$13.00	\$2,386.76
Misc. Non Revenue Receipts	(4733)		
TOTAL RECEIPTS		\$14,886.43	\$556,242.78

Balance after receipts **\$202,889.60**
Expenditures **\$ 34,483.99**
End of October balance **\$168,405.61**

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

- b. **November RPC Preliminary Agenda** – 5 rezoning/text amendments, 1 combined preliminary/final, 4 final, and 3 extensions.
- c. **Budget review/recommendation** – Mrs. Matlack stated that comments made at the last Executive Committee meeting have been incorporated into the proposed budget. She also noted that health insurance rates have been confirmed (6.3% increase from 2006) and reflected in the proposed budget. Initial estimates were at a 10% increase.

Mr. Gladman made a motion to recommend approval of the 2007 Proposed Budget, the proposed 2007 membership fees and the 2007 RPC meeting schedule. Mr. Burke seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

d. Recommendation for approval: Health Department and SWCD fees

Mr. Gladman made a motion to recommend approval for a transfer of appropriation of \$16,821.35 from Salaries (5001) to Services and Charges (#5380) in order to pay the Health Dept. and SWCD. Mr. Burke seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

Mr. Gladman made a motion to recommend approval to transfer fees collected on behalf of the Delaware General Health District (\$32,350.00) and SWCD (\$2,993.00) which has been collected to date and any additional amount collected through 11/27/06. Mr. Burke seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

Chairwoman Foust stated that the total amount listed on the RPC agenda will include all monies collected on their behalf through 11/27/06, which is the last submittal date for 2006. Any

monies collected after 11/27/06 will be paid with the 2007 transfers.

5. Other Business

6. **Personnel** – Mr. Sanders explained that Mr. Jason Kaplan decided to go back to school and gave a two week notice. His last day was November 17, 2006. The Planner I position advertisement has been posted on the DCRPC website, Ohio Planning Conference website and several University job listing sites.
7. **Adjourn** – Having no further business, *Mr. Gladman made a motion to adjourn the meeting at 10:15 a.m. Mr. Shoaf seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

The next regular Executive Committee meeting will be Wednesday, December 13, 2006 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. PUBLIC CONSTRUCTION PROJECTS (none)

IV. ZONING MAP/TEXT AMENDMENTS

55-06 ZON **Berkshire Township Zoning Commission–text amendments (add NAICS code #53113 to PCD and PID text)**

Applicant: Berkshire Township Zoning Commission

Summary

1. The township zoning commission initiated zoning code changes on November 2, 2006 to add NAICS code #53113 (Self-Storage Units) to its Planned Commercial and Office district (PCD) and Planned Industrial district (PID) codes. This change allows existing self-storage unit developments to be consistent with the current code.
2. The Township Zoning Commission also seeks to add the words “Excluding Warehouse Clubs and Superstores” next to the NAICS code #452 in its existing Planned Commercial and Office district (PCD).

I. DCRPC Staff Recommendation

Staff recommends ***Conditional Approval*** of the Berkshire Township Zoning Amendments to the DCRPC, the Berkshire Township Zoning Commission and the Berkshire Township Trustees, *based on the following:*

1. The township asks the County Prosecutor for review of the additional wording proposed under #2 above;

2. That the township considers limitations on square footage for buildings as a way to limit warehouse clubs and superstores rather than adding text to the NAICS codes.

Commission / Public Comments

Mr. Ward made a motion to recommend approval of the Berkshire Twp. Zoning Amendments. Mrs. Warthman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

56-06 ZON Trenton Township Zoning Commission – text amendments

Applicant: Trenton Township Zoning Commission

Summary

The township zoning commission seeks to make some minor changes to its Conservation Subdivision code. Changes include the following:

1. Article V, Section 505.03 – Accessory Structures

The Zoning Code includes a 600 square foot size limitation on accessory buildings. The zoning commission proposes to reduce the accessory building size to 400 square feet in Conservation Subdivisions.

Staff comment: *This is reasonable.*

2. Article V, Section 537.02 – Private Organization Recreational Facilities Setbacks

The Code includes reference to a 200 ft. setback for structures and playing fields for outdoor recreation but some text is missing. New text will include 200-ft. setback “from any adjacent parcels where residences are a permitted use.”

Staff comment: *Concur.*

3. Article IV, Section 403.06 – PRCD Development Plan Standards

Additional language under the “Density and Yield” is proposed:

“When an applicant proposes a PRCD that includes land on more than one side of or is intersected by an existing township, county or state roadway, the formula for legally permitted density must be met or satisfied by each portion of the intersected land.”

Staff comment: *This prevents “transferring density” from one side of the road to the other, which could potentially be of benefit in some situations. However, the intent is to assure that open space is equally distributed throughout the entire development. This could be accomplished during the Development Plan Approval process, but clarifying the language in the code doesn’t hurt.*

4. Article IV, Section 403.06 – PRCD Development Plan Standards

Additional language is proposed:

“Street and Driveway Requirement – All PRCD streets shall be of asphalt pavement that satisfy the requirements and standards of the Delaware County Ohio Engineering Department. All driveways shall include driveway curb cuts.”

Staff comment: *This seems redundant: as a major subdivision, all streets would be regulated by the County Engineer. If the intention is to require curb and gutter streets, staff notes that curbs can generate faster stormwater runoff and create the need for larger stormwater management facilities. One of the intents of the Conservation Subdivision is to reduce environmental impacts. Open ditches, if properly maintained, can*

reduce overall runoff within the project. Staff recommends the township work with the County Engineer and RPC staff during the subdivision process to address problems they may be experiencing.

I. DCRPC Staff Recommendation

Staff recommends **Conditional Approval** of the Trenton Township Zoning Amendments to the DCRPC, the Trenton Township Zoning Commission and the Trenton Township Trustees *based on staff comments above.*

Commission / Public Comments

Mrs. Warthman made a motion to recommend approval of the Trenton Twp. Zoning Amendments. Mr. Sedlacek seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

57-06 ZON Elford Development Ltd. – Liberty Twp. – 26.887 acres – development plan approval

I. Conditions

Applicant: Elford Development Ltd. (developer) c/o Three Rocks and a Boulder, LLC. (Owner)

Location: South side of Powell Rd between Sawmill Parkway and Old Sawmill Rd

Current Land Use: Vacant

Zoned: Planned Commercial & Office District (PC)

Utilities: Del Co. water and public sewer

School District: Olentangy

Engineer: Bird and Bull

Surrounding Land Use:

To the north: First Citizens National Bank (Big Bear Farms, Section 4)

To the east: Village Communities Condominiums (City of Powell)

To the south: Drug Mart, vacant commercial site (Wedgewood Commerce Center, Section 3)

To the west Donato's, BP Service Station (Big Bear Farms, Section 6A)

II. Request

This is a request to amend a portion of a PCD development plan approved in 1995 for the Big Bear Farms development. The proposed "Shoppes at Liberty Crossing" would provide a retail and office mix with outlots for individual tenants. The amendment reconfigures sub-area 3 and 5 on the original plan and reduce the total floor area from 290,000 s.f. to 160,401 s.f. (120,201 s.f. retail and 40,190 s.f. office).

The applicant is requesting a preliminary development plan approval for the entire 26.877 acre site and a simultaneous final development plan approval for 22.17 acres. Liberty Township provides for either a 1 or 2 step PCD review process. A final development plan will be submitted for the remaining land as tenants are determined.

III. Required PC Design Standards (Section 14.04)

RPC staff reviewed the applicant's proposed Planned Commercial development plan. The following comments are provided with regard to Liberty Township's Zoning Resolution's *Section 14.04 – Required PC Design Standards, which is applicable to both the preliminary and final development plan:*

#1 Access – Requires frontage on or direct access to one or more dedicated and improved public arterial roads as shown on the Delaware County Thoroughfare Plan, or to an access road that runs parallel to an arterial

road.

RPC Staff Comment: This site will gain access at four key locations along with 2 additional secondary points. Access from Powell Road will be opposite Galloway Drive to the north. When this 26.887 acre lot was platted (Big Bear Farms Section 10) in 2003, ODOT stated that the Powell Road access would be limited to right in/right out only. A single access point is provided for Sawmill Parkway approximately 700' south of Powell Road (aligning with the existing Donato's/BP access drive). There are 2 additional cuts on Sawmill that are restricted access, north and south of the signal. Access to Sawmill Road and Attucks Drive is not restricted but must meet intersection spacing requirements.

The internal street network is proposed to be private. The Township may prefer that the main spine roads from Powell Road and Sawmill Parkway be dedicated. If the streets are to remain privately owned and maintained, then they should be required to be built to public street standards.

#2 - #3 - Maximum commercial ground coverage, Minimum open space.

RPC Staff Comment: The proposed development meets maximum commercial ground coverage and minimum open space standards. The plan shows 61 percent lot coverage (70 % maximum) and 39 percent open space/green area (30 % minimum).

#4 - Centralized water and sewer service shall be provided.

RPC Staff Comment: Letters are included for water and sanitary sewer feasibility. Water service is to be provided by Del-Co Water Co. Public sanitary sewer service is to be provided by Delaware County. Laterals will be extended into the site from existing water and sewer mains adjacent to the development.

#5 – Floodplain.

RPC Staff Comment: This site is not located in the 100 year floodplain.

#6 Walkways and street trees

RPC Staff Comment: Sidewalks are proposed along Sawmill Parkway, Powell Road, and internal streets. Street trees are proposed along public streets and are shown on the landscaping plan.

#7 Setbacks

RPC Staff Comment: A divergence is requested to reduce the pavement setback on Powell Road from 100' to 75' to be consistent with the setback approved for the Big Bear development on the north side of Powell Road. Staff has no objection to the divergence. However, the proposed 50 pavement setback along Sawmill Parkway should be increased to 75'.

#8 - Pavement width and street cross section

Staff Comments. The developer should commit to constructing the internal streets to public street standards if the Township does not require them to be dedicated.

#9 - Underground utilities

Staff Comments. Service is available.

#10 - #12 - Minimum lot width at the building line, Minimum side yards, Minimum rear yard

Staff Comments. The proposed setback and lot widths are ok.

#13 - Parking Setback

RPC Staff Comment: The parking setback is fine except the pavement setback along Sawmill Parkway should be increased to 75'.

#14 - Buffering

RPC Staff Comment: A divergence is requested from the Big Bear development standards to eliminate the 4' mound requirement along Old Sawmill Road. RPC staff has no objection if extensive landscaping is provided.

#15 - Environmentally sensitive areas

RPC Staff Comment: There are no environmentally sensitive areas on or bordering the subject parcel.

#16 - Water supply and sewage disposal - For sewage disposal, the state or county agencies with jurisdiction shall indicate feasibility of wastewater disposal systems at the time of the preliminary development plan review. For water supply, the appropriate public or private utility shall indicate feasibility of water supply at the time of the preliminary development plan review.

RPC Staff Comment: Letters are included for water and sanitary sewer feasibility. Water service is to be provided by Del-Co Water Co. Public sanitary sewer service is to be provided by Delaware County.

#17 - Building design - Building orientation, massing, roof shape, pitch and exterior materials shall be detailed and approved as part of the final development plan.

RPC Staff Comment: The proposed building design includes facades and details appropriate to the surrounding land uses and character of the area.

#18 - Building height limits - 40 feet unless otherwise approved.

Staff Comment. 35' proposed.

#19 - Landscaping - All yards, front, side and rear, shall be landscaped, and all open spaces or non-residential use areas shall be landscaped and shall meet the landscaping requirements of this resolution, unless a variation from these standards is specifically approved as part of the final development plan. A landscape plan prepared by a licensed landscape architect shall show the caliper, height, numbers, name and placement of all material, and be subject to approval as part of the final development plan.

RPC Staff Comment: Ok

#20 - Parking – Off-street parking shall be provided at the time of construction of the main structure or building, with adequate provisions for ingress and egress according to the final development plan. In preparing and approving the parking plan, the parking provisions Article XXI of this Resolution shall be incorporated, or a divergence requested and be subject to approval as part of the final development plan.

RPC Staff Comment: *Divergence requested.* Parking requirements in the original plan was 1 space for 200 s.f. commercial and 1 space for 250 s.f. office. According to the application, this would yield 638 spaces. The Township Zoning Resolution uses a different formula based on use and number of employees. This would yield an estimated 707 spaces, which could vary depending on the number of employees. For that reason the applicant requests 75 additional spaces. Staff suggests approving the 707 with an area reserved for future parking if needed.

#21 - Signs –

RPC Staff Comment: The applicant request a divergence for wall mounted signs so that the size would be based on a ratio of the building façade. Staff would support this request if it is allowed in other portions of the Big Bear development in order to maintain consistency.

#22 - Lighting - All lighting shall conform to the provisions of Article XXI of this Resolution and be subject to approval as part of the final development plan.

RPC Staff Comment: RPC staff finds this in conformance with the Township's Zoning Resolution. Excessive lighting at night should be curtailed near residential areas (to the east).

#23 - Building size limits - Retail or mixed use buildings, containing retail uses, shall contain no more than 65,000 gross square feet of floor area under one roof.

RPC Staff Comment: None of the buildings exceed 65,000 s.f.

#24 - Exception to retail building size limits - Retail uses permitted in Section 14.02, and NAICS code 441 (Motor Vehicle and parts dealers) with an individual commercial use that exceeds 65,000 square feet under one roof may be approved at the discretion of the township provided they have direct access to U.S. Route 23, or access to a commercial frontage road located parallel to and within 500 feet of U.S. 23.

RPC Staff Comment: Not applicable.

#25 - Supplemental conditions and safeguards - The Zoning Commission and/or Board of Trustees may impose additional conditions relating to the development with regard to the type and extent of the public improvements to be installed; landscaping; improvements and maintenance of open space areas; and other development characteristics.

RPC Staff Comment: As noted in #1 above, the Township may require that the main spine roads extending from Sawmill Parkway and Powell Road be dedicated, or at least built to public street standards.

IV. Conformance with the Liberty Township Comprehensive Plan

The Liberty Township Comprehensive Plan, adopted March 2006, designates the subject parcel as Planned Commercial and Office. The proposed development is in line with the character of the area and surrounding parcels.

V. Required Findings from PC Approval (Section 14.05)

The Zoning Commission and Trustees may approve an application requesting that property be included in the PC zoning district, provided they find that the proposed use complies with all of the following requirements:

1. That the proposed development is consistent in all aspects with the purpose, criteria, intent, and standards of this Zoning Resolution.

Staff Finding: Yes, if divergences are approved.

2. That the proposed development is in conformity with the comprehensive plan as adopted or concurrently amended or portion thereof as it may apply.

Staff Finding: Yes.

3. That the proposed development promotes the health, safety, and general public welfare of the township and the immediate vicinity.

Staff Finding: Yes.

4. That the proposed plan meets all of the design features required in this Resolution.

Staff Finding: Yes.

5. That the proposed development will be compatible in appearance with surrounding existing or proposed land uses.

Staff Finding: Yes, if divergences are compatible with standards in other parts of Big Bear Farms.

6. 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.

Staff Finding: Yes.

VI. RPC Staff Recommendation

Staff recommends **Conditional Approval** of the amended Development Plan for sub-area 3 and 5 of the Big Bear Farms development to the RPC, Liberty Township Zoning Commission, and the Liberty Township Trustees, *subject to the Township approving the requested divergences with consideration of the staff comments regarding pavement setback, parking, and signs (item #7, 20 and 21). In addition, if the Township does not require a right-of-way dedication of internal streets, then we recommend that the streets be built to public street standards.*

Commission / Public Comments

Mr. Jack Reynolds, attorney with Smith & Hale law offices was present to represent the applicant. He stated that he would work with the Township on the divergences and work with the County Engineer's office regarding the street standards.

Mrs. Warthman made a motion to recommend conditional approval of the development plan amendment by Elford Development, subject to staff comments. Mr. Ward seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

58-06 ZON Berlin Twp. Zoning Commission – Zoning text amendments

Applicant: Berlin Township Zoning Commission

Summary

The township zoning commission began working in June, 2006 to clean up language in its code and address inconsistencies in the language. Staff has been working with the township on this draft. The township currently proposes to update the code through Section VI (Title, Purpose, Definitions, Districts, and Application), with all changes being generally typographical.

This is the first of several packages. Future drafts will include more substantial changes.

I. DCRPC Staff Recommendation

Staff recommends *Approval* of the Berlin Township Zoning Amendments to the DCRPC, the Berlin Township Zoning Commission and the Berlin Township Trustees.

Commission / Public Comments

Mr. Shoaf made a motion to recommend approval of the Berlin Twp. Zoning Amendments. Mr. Snajd seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

59-06 ZON Genoa Twp. Zoning Commission – Zoning text amendments

Applicant: Genoa Township Zoning Commission

Summary

The township zoning commission initiated a number of changes on November 13, 2006. The following is a summary of the major amendments.

1. Removes “Critical Resource Area” definition from the text as it is no longer a part of the map or code.
Staff Concurs.
2. Excludes private land from the calculation of Open Space, make consistent throughout code.
Staff Concurs – resolves a previous issue identified by the township.
3. Clarifies the definitions of “Freestanding Sign Height” and “Structure”.
Staff Concurs.
4. Clarifies language regarding Accessory Buildings.
Staff Concurs.
5. Clarifies language regarding the keeping of large animals in the Rural Residential District.
Staff Concurs – the proposed text includes language from the ORC regarding lot size (only applied to lots

smaller than five acres). May wish to research language regarding lots in a plat.

6. Clarifies lot sizes for lots on a Common Access Driveway.

Staff Concurs – *language clarifies that acreage within the Common Access Driveway easement does not count toward the minimum lot size. This is a matter of local choice.*

7. Clarifies Dimensional Requirements including contiguous frontage and impervious surfaces.

Staff Concurs – *impervious surface regulations are applied to Planned districts.*

8. Adds a requirement for a secondary access to Planned Community Facilities on a site larger than 20 acres in size.

Staff Concurs – *supports multiple accesses to larger sites.*

9. References the process for requesting a Divergence in the Planned Community Facilities district.

Staff Comment – *see staff comment under #13 below.*

10. References the process for requesting a Divergence in the Planned Rural Residential Conservation Subdivision section.

Staff Comment – *see staff comment under #13 below.*

11. Clarifies the relationship between the Development Plan and all Planned districts (PUDs), as well as referencing the Divergence request process.

Staff Comment – *see staff comment under #13 below.*

12. New section referencing the Divergence process when there is conflict between Sections.

Staff Comment – *see staff comment under #13 below.*

13. Adds a new section defining the Divergence Review process.

Staff Comment: *Because this section establishes a process as part of a rezoning review, it is important that this text in particular be reviewed by legal counsel and/or the County Prosecutor's office. The divergence process has not been previously defined to staff's knowledge. Research finds that it is not defined in the Ohio Revised Code. It is only proposed to be used in the township's Planned (PUD) districts, which is appropriate. The township worked with legal counsel to create the language.*

14. Adds definitions for Divergence, Common Access Driveway, Final Development Plan, Existing Features Plan, Primary Conservation Area, Secondary Conservation Area, and Active Recreational Open Space.

Staff Concurs.

15. Replaces the word “adjacent” with “contiguous” in the section regarding parking areas for model homes.

Staff Concurs – *resolves a previous issue identified by the township.*

16. Corrects several inter-textual reference numbers.

Staff Concurs.

17. Corrects reference to on-site “disposal systems” rather than “septic systems”.

Staff Concurs – *updates language to current usage.*

18. Adds a 200' setback from existing roads in the Conservation Subdivision section.

Staff Concurs – *supports the conservation of open space along existing roads and reduces the visual impact of developments.*

19. Adds language requiring a zoning permit for fences and accessory wall construction within the township.

Staff Comment: *No new standards are being proposed, but the requirement of a zoning permit for a fence or accessory wall should be reviewed by legal counsel. There is no doubt that fence regulations are appropriate, but existing agricultural areas may need to be exempt from this requirement.*

20. Adds language addressing safety issues where Entrance Gates are proposed.

Staff Concurs.

21. Adds language to limit Water Impoundments outside the area between the principal structure and the road frontage.

Staff Concurs.

22. Defines minor details regarding amending the Zoning Map and Final Development Plans.

Staff Concurs.

II. DCRPC Staff Recommendation

Staff recommends **Conditional Approval** of the Genoa Township Zoning Amendments to the DCRPC, the Genoa Township Zoning Commission and the Genoa Township Trustees, *with recommended review by legal counsel, particularly items #5, #13, and #19.*

Commission / Public Comments

Mr. Gladman made a motion to recommend conditional approval of the Genoa Twp. Zoning Amendments. Mr. Snajd seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

V. SUBDIVISION PROJECTS

Preliminary (none)

Preliminary/Final

24-06 Wayne Homes Subdivision – Berlin Twp. - 01 lot / 02.09 acres

I. Conditions

Applicant: Wayne Homes, LLC.

Subdivision Type: Commercial

Location: Northwest corner of U.S. 36/S.R. 37 and 3 B's & K Rd., Berlin Twp.
Current Land Use: An office building and 2 model homes
Zoned: Planned Commercial & Office District (PCD)
Utilities: Del-Co Water and County Sanitary Sewer
School District: Olentangy Local School District
Engineer: Benchmark

II. Staff comments

The Wayne Homes subdivision contains a single 2.09 acre lot. This plat combines Lot 301 of the Hey Estates Subdivision with the 1.099 acre parcel to the west. The site currently contains two model homes fronting on U.S. 36/S.R. 37 and an office building off 3 B's & K Road. Access is provided by two driveways off 3 B's & K Road. The existing split-level model home in the southeast corner is planned to be demolished and replaced by a new one-story model with a four car garage. A twelve foot addition is planned on the east side of the two-story model home to create a three car garage. The applicant intends to construct a new split-level model home behind the two-story model with a walk out partial basement along the ravine.

Surrounding land uses include single-family residences to the north and west. A retail center and tow truck company are located on the east side of 3 B's & K Road. There are two separate model home sites located to the south of this site, across U.S. 36/S.R. 37.

A technical review was held on November 21, 2006, after which the applicant has addressed all of the required changes. Also, 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 *Preliminary and Final Approval* of **Wayne Homes subdivision** to the RPC.

Commission / Public Comments

Mr. Keith Anstine was present to represent Wayne Homes.

Mr. Ward made a motion for Preliminary and Final approval of Wayne Homes Subdivision. Mr. Snajd seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

CONSENT AGENDA

Final

28-04.1 T Derby Glen Farms, Section 1 – Liberty Twp. - 20 lots / 20.47 acres

Applicant: Jewett Road Associates, LLC.
Consultant: EMH&T

I. Staff Comments

The applicant has requested a 90-day tabling to resolve engineering issues.

II. Staff Recommendation

Staff recommends *Approval of the 90-day tabling for Derby Glen Farms, Section 1* to the RPC.

Commission / Public Comments

Mr. Snajd made a motion to approve the 90-day table request for Derby Glen Farms, Section 1. Mr. Gladman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

18-04.1 Olentangy Falls, Section 1 – Liberty Twp. - 49 lots / 97.03 acres

Applicant: Lewis Center Investments, LLC
Subdivision Type: Single-family Residential
Location: South of Hyatts Road, East and West of Taggart Road, Liberty Township
Current Land Use: Vacant/Agricultural
Zoned: Planned Residential District (PRD)
Utilities: Del-Co water and public sanitary sewer
School District: Olentangy
Engineer: Floyd Browne Group

I. Staff Comments

Olentangy Falls Section 1 is a 49 lot plat (44 buildable) on 97.030 acres (0.45 units/acre) with a single-family residential use. A single access point is provided from Hyatts Road with emergency access provided to Taggart Road between lots 4911 and 4910. There are five open space reserve lots totaling 46.982 acres, or 48.4%, of the site.

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

II. Staff Recommendation

Staff recommends *Final approval of Olentangy Falls Section 1*, to the RPC.

Commission / Public Comments

Mr. Gladman made a motion for Final approval of Olentangy Falls, Section 1. Mrs. Warthman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

07-04.7 Olentangy Crossings, Section 7 – Orange Twp. - 04 lots / 41.05 acres

Applicant: Planned Communities, Inc.
Subdivision Type: Multi-family parcels and one commercial lot
Location: 1100' East of U.S. 23, east of Orangewick Subdivision, Orange Twp.
Current Land Use: Vacant

Zoned: Multi-Family Planned Residential District (PRD) Planned Commercial, (PC)
Utilities: Del-Co water and public sanitary sewer
School District: Olentangy
Engineer: Floyd Browne Group, Tiffany Jenkins

I. Staff Comments

The proposed development is a northern extension of Rail Timber Way in the Olentangy Crossings Subdivision. The street will be extended from its intersection with Olentangy Crossings East, the new access to Olentangy High School. It will curve slightly toward the west, providing access for a 1-acre commercial lot and three separate condominium building lots totaling 35.45 acres. The road stubs to the north allowing for future extension as development continues. The preliminary plan was approved in January 2006.

This area was rezoned by the township in August, 2005 for the commercial lot and 170 condo units. A road connection is provided to Orangewick Drive North. The plan preserves a wooded swale and tree buffers in no-build zones and preservation easements.

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 **Olentangy Crossings, Section 7** to the RPC.

Commission / Public Comments

Mr. Gladman made a motion for Final approval of Olentangy Crossings, Section 7. Mrs. Warthman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

24-05.1.B Little Bear Village, Sec. 1, Ph. B – Orange Twp. - 54 lots / 52.40 acres

I. Conditions

Applicant: Little Bear Development, LLC.

Subdivision Type: Residential golf course community.

Location: West side of S. Old State Rd approximately 1,200' north of Powell Rd, Orange Township.

Current Land Use: Open Field

Zoned: Single Family Planned Residential District (SFPRD)

Utilities: Del-Co water and public sewer

School District: Olentangy

Engineer: EMH&T

II. Staff Comments

The Little Bear Village development is a proposed 84.4 acre golf course community on the west side of South Old State Road between Oak Creek subdivision and the Villages of Oak Creek. Section 1, Phase B contains 54 lots on 52.4 acres. It includes the proposed golf course on a 23 acre reserve lot and a future condominium site of 7 acres. Little Bear Loop extends to the north and west around the golf course with most lots backing up to or facing the golf course. This project received preliminary plan approval in September 2005.

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 **Little Bear Village, Section 1, Phase B**, to the RPC.

Commission / Public Comments

Mr. Gladman made a motion for Final approval of Little Bear Village, Section 1, Phase B. Mrs. Warthman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

VI. EXTENSIONS

16-04 Eagle’s Ridge, Sections 1-3 – Berlin Twp. - 63 lots / 87.82 acres

Applicant: Grover Johnson

Consultant: Tony Eyerma, Eyerma Planning Associates, LLC.

I. Staff Comments

Preliminary approval for Eagle’s Ridge Sections 1-3 was given November 18, 2004. The applicant stated that final engineering plans were recently approved and that construction should begin this winter or early spring. This would be the third extension request. Staff would recommend this be the last extension request granted.

II. Staff Recommendation

Staff recommends *Approval* of the 6 month extension for **Eagle’s Ridge Sections 1-3** to the RPC.

Commission / Public Comments

Mr. Sedlacek stated that Berlin Twp. agrees that this should be the last extension granted.

Mr. Ward made a motion to approve the 6 month extension for Eagle’s Ridge, Sections 1-3 with the understanding that this would be the last extension granted. Mr. Gunderman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

27-03.2 Northstar, Section 2 – Kingston Twp. - 01 lot / 93.18 acres

Applicant: Robert Weiler

Consultant: Jeffrey Strung, EMH & T

I. Staff Comments

Preliminary approval for Northstar Section 2 was given December 29, 2005. The applicant stated they are currently in the process of finalizing final engineering and construction. They foresee submitting the final

plat for RPC approval in January or February 2007.

II. Staff Recommendation

Staff recommends *Approval* of the 6 month extension for **Northstar, Section 2** to the RPC.

Commission / Public Comments

Mr. Ward made a motion to approve the 6 month extension for Northstar, Section 2. Mr. Gunderman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

14-05 Olentangy Crossings South – Orange Twp. - 43 lots / 41.34 acres

Applicant: Planned Communities

Consultant: Floyd Browne

I. Staff Comments

The applicant is requesting a 6-month extension of the Preliminary approval of Olentangy Crossings South. The project is currently under construction. This subdivision received Preliminary approval May 26, 2005. This would be the second extension request for this project.

II. Staff Recommendation

Staff recommends approval of the 6-month extension of **Olentangy Crossings South** to the RPC.

Commission / Public Comments

Mr. Ward made a motion to approve the 6 month extension for Olentangy Crossings South. Mr. Gunderman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

VII. OTHER BUSINESS

- Consideration for approval: 2007 Budget
Chairwoman Foust asked if the Commission had any questions regarding the budget that was mailed out with the Preliminary agenda.

Mrs. Warthman asked if the Planner position was included in the proposed budget. Mr. Sanders stated that he would like to fill the vacant planner position with a Planner I although the budget has been calculated with a Planner II level of salary. He explained that the GIS position would be an intern and not a full time position. The County Commissioners are offering a 3% max. merit raise. The proposed budget reflects that same maximum. Yearly evaluations are completed and effective January 1st.

Building permits are down this year with a 2006 year end total of approximately less than 1,000. Overall revenue is 9% lower than the 2006 actual. Proposed expenditures for 2007 are 16% less than in 2006.

2007 Budget at a Glance

2007 anticipated revenues:		\$542,797
2006 projected cash carry forward	+	<u>\$105,673</u>
2007 Total projected revenues		\$648,470
2007 Total projected expenditures	-	<u>\$509,582</u>
2007 projected cash carry forward to 2008		\$138,889

Mrs. Warthman made a motion to approve the 2007 budget including the membership fees at \$0.90 per capita. Mr. Sedlacek seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

Mr. Sanders asked that the representatives and alternates share the membership dues with their Township/Village officials. Invoices for 2007 dues will be mailed out the first of January.

- Consideration for approval: Transfer of appropriation of \$16,821.35 from Salaries to Services & Charges account 5380.
Mr. Gladman made a motion to approve the transfer of appropriation of \$16,821.35 from Salaries to Services and charges. Mr. Jordan seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.
- Consideration for approval: Transfer of fees to Health Dept. (\$33,000.00) and SWCD (\$3,218.00)
Mr. Snajd made a motion to approve the expenditure for the Health Department of \$33,000.00 and the SWCD of \$3,218.00 for fees collected on their behalf for sketch plan and preliminary applications for 2006. Mr. Gunderman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

VIII. POLICY / EDUCATION DISCUSSION (none)

- Items for discussion not on the agenda – Chairwoman Foust explained that she has been asked from a resident near the River Run subdivision to be able to speak to the Commission about issues not on the agenda but about issues that pertain to the subdivision and developer. She asked the Commission for their opinion. Mr. Gladman stated that it would not be right for someone to speak against a project without notice to the project representatives so they can attend to speak on their behalf. Mrs. Warthman questioned if the project is not on the agenda for consideration for approval, what could the Commission do in response to a public comment? It should be limited to the business at hand. The majority agreed. No motion was made.

IX. RPC STAFF AND MEMBER NEWS

- Jason Kaplan resignation – Mr. Kaplan has decided to pursue different career option. His last day was November 17, 2006.

Having no further business, ***Mrs. Warthman made a motion to adjourn the meeting at 7:45 p.m. Mrs. Stults seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.***

The next meeting of the Delaware County Regional Planning Commission will be Thursday, December 21, 2006, 7:00 PM at the Delaware Hayes Services Building, 140 N. Sandusky Street, Conference Room G-35, Delaware, Ohio 43015.