



Delaware County Regional Planning Commission

109 North Sandusky Street
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www.dcrpc.org

Scott B. Sanders, AICP
Executive Director

MINUTES

Thursday, March 31, 2011 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 February 24, 2011 RPC Minutes
- Executive Committee Minutes of March 23, 2011
- Statement of Policy

II. VARIANCES

08-07.V Sherwood Hills, Sections 1-4 - Scioto Twp. – requesting variance from Sec. 102.03 & 204.04 – additional extension of Preliminary plan approval

III. ZONING MAP/TEXT AMENDMENTS *(none)*

IV. SUBDIVISION PROJECTS

Preliminary

		Township	Lots/Acres
01-11	T Magnolia Place	Liberty	08 lots / 14.418 acres

Preliminary/Final

02-11	Olentangy Crossings, Sect. 2, Lot #7354, Div. #1	Orange	01 lot / 02.88 acres
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Final *(none)*

T=TABLED, W=WITHDRAWN

V. EXTENSIONS

08-07	Sherwood Hills, Sections 1-4	Scioto	75 lots / 269.49 acres
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VI. OTHER BUSINESS

- Consideration for approval: Liability Insurance, \$6,853.00
- Appointing the Nominating Committee for Executive Committee members

VII. POLICY / EDUCATION DISCUSSION

- Please note that Da-Wei Liou has completed the Development Trends Report for 2010 and it can be found at <http://www.dcrpc.org/files/dvtrend2011.pdf>.
- Based on room availability, the April RPC meeting has been moved to **Wednesday, April 27, 2011.**

VIII. RPC STAFF AND MEMBER NEWS

I. ADMINISTRATIVE BUSINESS

▪ **Call to Order**

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

▪ **Roll Call**

Representatives: Jeff George, Rick Sedlacek, Susan Kuba, Fred Fowler, Tommy Thompson, Ken O'Brien, Steve Burke, Gary Gunderman, Joe Clase, Dave Stites, Holly Foust, Dick Gladman, Eric Fischer, Lloyd Shoaf, Tom Brown, and Bill Metzler. Alternates: Jack Smelker, Doug Riedel, Larry Witt, James Hatten, and James Gauldin.

▪ **Approval of the February 24, 2011 RPC Minutes**

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

▪ **March 23, 2011 Executive Committee Minutes**

1. **Call to order**

Chairwoman Foust called the meeting to order at 8:30 a.m. Present: Holly Foust, Dick Gladman, Ken O'Brien, and Lloyd Shoaf. Staff: Scott Sanders and Stephanie Matlack.

2. **Approval of Executive Committee Minutes from February 16, 2011**

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

3. **New Business**

a. Financial / Activity Reports for February 2011

Mrs. Matlack stated that there were 7 Townships that have yet to pay their 2011 Membership Dues. A second invoice has been sent.

REGIONAL PLANNING RECEIPTS		February	YTD TOTAL
General Fees (Lot Split)	(4201)	\$615.00	\$820.00
Fees A (Site Review)	(4202)		\$0.00
Insp. Fees (Lot Line Transfer)	(4203)	\$200.00	\$300.00
Membership Fees	(4204)	\$173,588.32	\$207,079.32
Planning Surcharge (Twp. Plan. Assist.)	(4205)	\$105.50	\$678.70
Assoc. Membership	(4206)		
General Sales	(4220)		\$0.00
Charges for Serv. A (Prel. Appl.)	(4230)		\$0.00
Charges for Serv. B (Final. Appl.)	(4231)		\$0.00
Charges for Serv. C (Ext. Fee)	(4232)		\$0.00
Charges for Serv. D (Table Fee)	(4233)		\$0.00
Charges for Serv. E (Appeal/Var.)	(4234)		\$0.00
Charges for Serv. F (Planned District Zoning)	(4235)	\$1,200.00	\$1,200.00
OTHER DEPT. RECEIPTS			
Health Dept. Fees	(4242)		\$0.00
Soil & Water Fees	(4243)		\$0.00

MISCELLANEOUS REVENUE			
Other Reimbursements	(4720)	\$124.82	\$124.82
Other Reimbursements A			\$0.00
Other Misc. Revenue (GIS maps)	(4730)	\$20.00	\$243.00
Misc. Non-Revenue Receipts	(4733)		
Sale of Fixed Assets	(4804)		
TOTAL RECEIPTS		\$175,853.64	\$210,445.84
Balance after receipts		\$294,193.16	
Expenditures	-	\$ 19,141.86	
End of February balance (carry forward)		\$272,328.42	

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

- b. March RPC Preliminary Agenda
 - 1.) Site Review: none for March
 - 2.) Rezoning: none currently for March
 - 3.) Variance & Extension requests: Sherwood Hills, Sections 1-4
 - 4.) Preliminary: Magnolia Place – Liberty Twp. – 8 lots 14.418 acres
 - 5.) Preliminary & Final: Olentangy Crossings, Sec. 2, Lot# 7354, Div. #1
- c. Director's Report
 - 1.) Shawnee Hills comprehensive plan update has begun
 - 2.) New census figures have been distributed
 - 3.) RPC office have received several calls regarding adding lots to recorded CAD subdivisions, discussed adding language to plats that states the CAD provides access to specific lots within the subdivision
 - 4.) Discussed MORPC's draft Balance Growth maps
- 4. Old Business *(none)*
- 5. Other Business
 - 1) Consideration for approval: Liability Insurance, \$6,853.00

Mr. Gladman made a motion to recommend approval of the Liability insurance payment of \$6,853.00. Mr. Shoaf seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

- 6. Personnel *(none)*
- 7. Adjourn

Having no further business, Mr. Shoaf made a motion to adjourn the meeting at 9:50 a.m. Chairwoman Foust seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

The next regular Executive Committee meeting will be Wednesday, April 20, 2011 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

08-07.V Sherwood Hills, Sections 1-4 - Scioto Twp. – requesting variance from Sec. 102.03 & 204.04 – additional extension of Preliminary plan approval

I. Request

Amity Carter Ltd. is requesting a variance to allow a 12-month extension beyond the time limit allowed in the Subdivision Regulations for the Sherwood Hills, Sections 1-4 subdivision in Scioto Township.

The proposed subdivision is located on the northwest side of US 36 and SR 257 at the end of Robin Hood Lane. It is a residential subdivision for 75 single-family house lots on 269.49 acres. The current Preliminary Plan shows the use of individual on-site waste treatment systems. However, the developer is seeking sewer service from the Village of Ostrander, which would allow a rezoning request for smaller lots served by sanitary sewer. Staff notes that if a rezoning is applied for and approved, a new Preliminary Plan will be required.

II. Facts

1. The Subdivision Regulations require that a final plat application for the initial phase of a subdivision be submitted within 2 years of the approval of the Preliminary Plan;
2. The Regulations allow for an approved Preliminary Plan to request extensions up to a total of one year;
3. Sherwood Hills, Sections 1-4 received Preliminary approval on March 27, 2008, and received a one-year extension on March 25, 2010 to expire March 25, 2011;
4. The applicant seeks an additional one-year extension by variance.

III. Criteria For a Variance

The burden is on the applicant to demonstrate in writing, each of the following:

- 1) The granting of this variance request shall not be detrimental to the public health, safety and welfare and not injurious to other property.
- 2) The conditions upon which this variance request is based are unique to the property for which this variance is sought.
- 3) Due to the physical surroundings, shape, or characteristics of the property, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of the Delaware County Subdivision Regulations were carried out.
- 4) The granting of this variance will not vary the provisions of the applicable zoning regulations, comprehensive plans, or other existing development guidelines and regulations, nor shall it otherwise impair the intent and purpose of these regulations, or the desirable development of the neighborhood and community.

Applicant's Response: *"This variance is based on timing of construction of this project. All regulations will be maintained and complied with by the developer."*

Staff comments: *The developer has been seeking an agreement with Ostrander for sewer service and has shown some potential redesigns to county agencies. This shows some evidence of progress, at least in the planning phase. Additionally, the Commission has typically approved the first variance request for additional time.*

IV. Staff Recommendation

DCRPC staff recommends that based on market and economic conditions, the variance request from Sec. 102.03 & 204.04 for **Sherwood Hills, Sections 1-4** be *Approved*.

Commission / Public Comments

Mr. Ryan Badger from ADR was present to represent Amity Carter.

Mr. Shoaf made a motion to approve the variance as requested for Sherwood Hills, Sections 1-4. Mr. Sedlacek seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Scioto Twp.). Motion carried.

III. ZONING MAP/TEXT AMENDMENTS (*none*)

IV. SUBDIVISION PROJECTS

Preliminary

01-11 Magnolia Place – Liberty Twp. - 08 lots / 14.418 acres

Applicant: Gerity Real Estate Development Co. LLC

Engineer: Thom Reis, Terrain Evolution

Previous tablings: *none*

I. Staff Comments

The applicant has requested a 90-day tabling of Magnolia Place in order to resolve comments received during the Technical Review meeting.

II. Staff Recommendation

Staff recommends *Approval of the 90-day tabling* of **Magnolia Place** to the DCRPC.

Commission / Public Comments

No one was present to represent the applicant.

Mr. Sedlacek made a motion to approve the 90-day table request for Magnolia Place. Mr. Shoaf seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

Preliminary/Final

02-11 **Olentangy Crossings, Sect. 2, Lot #7354, Div. #1 – Orange Twp. - 01 lot / 02.88 acres**

Applicant: Lewis Center Investments
Subdivision Type: Division of a platted commercial lot
Location: east side of Rail Timber Way, south of Olentangy Crossings East
Current Land Use: vacant
Current Zoning: Multi-Family Planned Residential District (MFPRD)
Utilities: Del-Co Water and County Sewer
School District: Olentangy Local School District
Engineer: Mark Smith, Floyd Browne

I. Staff Comments

The applicant is requesting to split an existing 13.955 acre lot (Lot 7354) in the Olentangy Crossings, Section 2 subdivision. The first lot (2.880 acres) would contain a proposed senior housing project by the Franklin Foundation. The remaining 13.955 acre lot is currently undeveloped. Access is provided from Rail Timber Way in the southwestern corner of the site.

Surrounding land uses include Olentangy High School to the east, Kroger Market Place to the west, undeveloped multi-family to the north and south.

A technical review was held on March 22, 2011, after which the applicant has addressed all of the required changes.

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

II. Staff Recommendation

Staff recommends **Preliminary and Final Approval of Olentangy Crossings, Sect. 2, Lot #7354, Div. #1,** to the RPC.

Commission / Public Comments

Mr. Mark Smith with Floyd Browne was present.

Mr. Shoaf made a motion for Preliminary and Final Approval of Olentangy Crossings, Sect. 2, Lot #7354, Div. #1. Mr. Clase seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Orange Twp.). Motion carried.

CONSENT AGENDA

Final *(none)*

V. EXTENSIONS

08-07 Sherwood Hills, Sections 1-4 – Scioto Twp. - 75 lots / 269.49 acres

Applicant: Amity Carter Ltd.

Engineer: ADR & Associates – Ryan Badger

Preliminary approval: 03/27/08

Extensions granted: 03/25/10 to 03/25/11

I. Staff Comments

The applicant is requesting a 12-month extension of **Sherwood Hills, Sections 1-4** due to current economic conditions.

II. Staff Recommendation

Staff recommends *Approval* of a 12-month extension for **Sherwood Hills, Sections 1-4** to the RPC, *subject to a Variance being granted*.

Commission / Public Comments

Mr. Clase made a motion to approve the 12-month extension for Sherwood Hills, Sections 1-4. Mr. Gunderman seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Scioto Twp.). Motion carried.

VI. OTHER BUSINESS

- Consideration for approval: Liability Insurance, \$6,853.00

Mr. Shoaf made a motion to approve the insurance expenditure of \$6,853.00, seconded by Mr. Sedlacek. VOTE: Unanimously For, 0 Opposed. Motion carried.

- Appointing the Nominating Committee for Executive Committee members

Chairwoman Foust appointed Mr. Fischer and Mr. Clase to the Nominating Committee. If any RPC member is interested in serving on the Executive Committee, please contact one of them before next months meeting.

VII. POLICY / EDUCATION DISCUSSION

- Please note that Da-Wei Liou has completed the Development Trends Report for 2010 and it can be found at <http://www.dcrpc.org/files/dvtrend2011.pdf>.
- Based on room availability, the April RPC meeting has been moved to **Wednesday, April 27, 2011**.
- Kingston Twp. letter of appreciation – Chairwoman Foust read a letter from Kingston Twp. recognizing Mr. Sanders work on the Kingston Twp. Zoning Resolution (see attached).

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

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

The next meeting of the Delaware County Regional Planning Commission will be Wednesday, April 27, 2011, 7:00 PM at the Willis Building, 2079 US 23 North, Conference Room, Delaware, Ohio 43015.

Holly Foust, Chairperson

Stephanie Matlack, Executive Administrative Assistant