



Delaware County Regional Planning Commission

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www.dcrpc.org

Scott B. Sanders, AICP
Executive Director

****MINUTES****

Thursday, April 24, 2014 at 7:00 PM

***Delaware County Commissioners conference room,
101 N. Sandusky St., Delaware, Ohio 43015***

I. ADMINISTRATIVE BUSINESS

- Call to order
- Roll Call
- Approval of March 27, 2014 RPC Minutes
- Executive Committee Minutes of April 16, 2014
- Statement of Policy

II. VARIANCES *(none)*

III. ZONING MAP/TEXT AMENDMENTS

05-14 ZON Jeffrey & Jodie Monebrake – Berkshire Twp. – 5.01 acres from A-1 to FR-1

06-14 ZON Judith Hook Trustees – Orange Twp. – 10 acres from FR-1 to PCD

IV. SUBDIVISION PROJECTS

Preliminary

| | | Township | Lots/Acres |
|-------|---------------|-----------------|------------------------|
| 06-14 | Frog Hollow | Harlem | 03 lots / 28.29 acres |
| 05-14 | Liberty Trace | Liberty | 139 lots / 114.5 acres |

Preliminary/Final *(none)*

Final *(none)*

T=TABLED, W=WITHDRAWN

V. EXTENSIONS *(none)*

VI. OTHER BUSINESS *(none)*

VII. POLICY / EDUCATION DISCUSSION

- Brief discussion of the relationship between the Zoning Development Plan and the Preliminary Subdivision Plan.

VIII. RPC STAFF AND MEMBER NEWS

- Executive Committee officer update

I. ADMINISTRATIVE BUSINESS

▪ **Call to Order**

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

▪ **Roll Call**

Representatives: Jeff George, Rick Sedlack, Susan Kuba, Ric Irvine, Gary Merrell, Ken O'Brien, Steve Burke, Joe Clase, Dave Stites, Tracey Mullenhour, Tom Farahay, Robert Taylor, Bill Thurston, Charlie Callender, and Mike Dattilo. *Alternates:* Duane Matlack and Doug Riedel. *Staff:* Scott Sanders, Da-Wei Liou and Stephanie Matlack.

▪ **Approval of the March 27, 2014 RPC Minutes**

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

▪ **April 16, 2014 Executive Committee Minutes**

1. Call to order

Chairman O'Brien called the meeting to order at 8:45 a.m. Present: Ken O'Brien, Tiffany Jenkins, Susan Kuba, Dave Stites and Jeff George. Staff: Scott Sanders and Stephanie Matlack.

2. Officer Organization

Mrs. Jenkins made a motion to Approve Officers as follows: Mr. O'Brien Chairman, Mr. Stites, Vice Chair, Mr. George 2nd Vice Chair, Mrs. Jenkins and Mrs. Kuba Members-At-Large. Mr. Stites seconded the motion. ROLL CALL VOTE: Ken O'Brien, Aye, Tiffany Jenkins, Aye, Susan Kuba, Aye, Dave Stites, Aye and Jeff George, Aye. Motion carried.

3. Approval of Executive Committee Minutes from March 19, 2014

Mrs. Kuba made a motion to Approve the minutes as presented. Mr. Stites seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

4. New Business

- Financial / Activity Reports for March 2014

| REGIONAL PLANNING RECEIPTS | | MARCH | YTD TOTAL |
|---|--------|-------------|--------------|
| General Fees (Lot Split) | (4201) | \$820.00 | \$1,845.00 |
| Fees A (Site Review) | (4202) | \$1,500.00 | \$2,100.00 |
| Insp. Fees (Lot Line Transfer) | (4203) | | \$200.00 |
| Membership Fees | (4204) | \$24,262.00 | \$248,154.00 |
| Planning Surcharge (Twp. Plan. Assist.) | (4205) | \$56.08 | \$861.30 |
| Assoc. Membership | (4206) | | |
| General Sales | (4220) | | |
| Charges for Serv. A (Prel. Appl.) | (4230) | \$2,800.00 | \$31,375.00 |
| Charges for Serv. B (Final. Appl.) | (4231) | | \$4,400.00 |
| Charges for Serv. C (Ext. Fee) | (4232) | \$150.00 | \$300.00 |
| Charges for Serv. D (Table Fee) | (4233) | | |
| Charges for Serv. E (Appeal/Var.) | (4234) | \$300.00 | \$600.00 |

| | | | |
|---|--------|-------------|--------------|
| Charges for Serv. F (Planned District Zoning) | (4235) | \$600.00 | \$600.00 |
| OTHER DEPT. RECEIPTS | | | |
| Health Dept. Fees | (4242) | \$125.00 | \$125.00 |
| Soil & Water Fees | (4243) | \$1,100.00 | \$1,875.00 |
| MISCELLANEOUS REVENUE | | | |
| Other Reimbursements | (4720) | | \$207.64 |
| Other Reimbursements A | | | |
| Other Misc. Revenue (GIS maps) | (4730) | | \$44.40 |
| Misc. Non-Revenue Receipts | (4733) | | |
| Sale of Fixed Assets | (4804) | | |
| TOTAL RECEIPTS | | \$31,713.08 | \$292,687.34 |

| | |
|--------------------------------------|-----------------------|
| Balance after receipts | \$701,880.14 |
| Expenditures | <u>- \$ 29,845.18</u> |
| End of March balance (carry forward) | \$670,034.96 |

After discussion of the financial reports, Mrs. Jenkins made a motion to approve the financial reports as presented for audit. Mr. George seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

- Site Review
 - 1.) Liberty Trace – Liberty Twp. – 139 lots / 114.5 acres
 - 2.) Hawks Nest – Genoa Twp. – 13 lots / 32.6 acres
- April RPC Preliminary Agenda
 - 1.) Rezoning:
 - Jeffrey & Jodie Monebrake – Berkshire Twp. – 5.01 acres from A-1 to FR-1
 - Judith Hook Trustees – Orange Twp. – 10 acres from FR-1 to PCD
 - 2.) Variance: *none*
 - 4.) Preliminary:
 - Frog Hollow – Harlem Twp. – 3 lots / 28.29 acres
 - Liberty Trace – Liberty Twp. – 139 lots / 114.5 acres
 - 5.) Preliminary/Final: *none*
 - 6.) Final: *none*
 - 7.) Extension: *none*
- *At 10:25 a.m., Mrs. Jenkins made a motion to go into Executive Session for the consideration of appointment, employment, dismissal, discipline, promotion, demotion or compensation of a public employee or public official per Ohio Revised Code 121.22 (G). Mr. George seconded the motion. ROLL CALL VOTE: Ken O'Brien, Aye, Tiffany Jenkins, Aye, Susan Kuba, Aye, Dave Stites, Aye and Jeff George, Aye. Motion carried.*
- *At 10:55 a.m., Mrs. Jenkins made a motion to return to public session. Mr. George seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*
- Director's Report

- 1.) Audit was complete – everyone should have received the same e-mail. No exceptions were found and there were no comments or notes. I confirmed that we do not need a post-audit meeting.
- 2.) Berlin code (non-contract) – (heard at March RPC meeting) created clean copies to be provided to the Trustees.
- 3.) Berkshire code (non-contract) – met in March and made it through Sign Code. Continuing this month with full reformat and other minor changes.
- 4.) Liberty code (non-contract) – incorporated Prosecutor’s comments into a “final” version. Sent master copy to township.
- 5.) Facility study update – county continues to review options.
- 6.) New DALIS site is live. Includes a tab for zoning and active subdivision cases. We will be meeting with the GIS staff to enhance this information and add more features from data we already have.
- 7.) Future educational sessions at RPC meetings? Lot split, Tech Review, Site review, Preliminary Plan, CADs, DALIS website...

CONTRACTS

- 1.) Concord Comprehensive Plan – Began discussing land use recommendations, may be able to get through the full first draft at the May meeting.
- 2.) Liberty Comprehensive Plan – Da-Wei has created the background GIS maps. Will begin an update this year.
- 3.) Oxford Township code – introduction meeting scheduled for April 23 to discuss process. They want minor updates.

5. Old Business

- Contract work bonus discussion – Mr. George stated that the Executive Committee would like to recommend that Mr. Sanders be compensated for his contract work. They have reviewed the Bonus Policy and with the help of Mrs. Huston, Director of Administrative Services, would like to present the Commission with a revision to the policy in May.

6. Other Business (none)

7. Personnel (none)

8. Adjourn

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

The next regular Executive Committee meeting will be Wednesday, May 21, 2014 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 (none)

III. ZONING MAP/TEXT AMENDMENTS

05-14 ZON Jeffrey & Jodie Monebrake – Berkshire Twp. – 5.01 acres from A-1 to FR-1

I. Request

The applicants Jeffrey & Jodie Monebrake are requesting a 5.01-acre rezoning from A-1 to FR-1 to allow the lot to be split into two residential lots.

II. Conditions

Location: 2501 Rome Corners Road

Present Zoning: Agricultural (A-1)

Proposed Zoning: Farm Residential (FR-1)

Present Use(s): One single-family house

Proposed Use(s): Two single-family house lots

Existing Density: 1 du / 5 acres

Proposed Density: 1 du / 1.95 acres

School District: Big Walnut Local School District

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

Critical Resources: none

Soils: CaB Cardington Silt Loam 2-6% slope

AmD2 Amanda Silt Loam 12-18% slope

III. Issues

This is a request for a rezoning to a “straight” district, so no development plan is required. However, the intent is to allow this 5-acre tract to be split into two separate lots. The 5-acre site has an existing house and barn and includes 375.02 feet of road frontage. A proposed survey is included showing a 2.312-acre site on which the existing house will be located with 175.02 feet of frontage. The other lot is 2.689 acres with 200 feet of frontage. The layout indicates at least 28.7 feet of side-yard setback will be maintained between the barn and the new lot.

Division of the lot will require the typical ORC 711.131 (No Plat) process, where approvals will be required for both lots from the Health District, the Soil and Water Conservation District, the County Engineer, the Sanitary Engineer, the Berkshire Township Zoning Inspector, and finally the Regional Planning Commission.

IV. Staff Recommendations

Staff recommends **Approval** of the rezoning for Jeffrey & Jodie Monebrake to the DCRPC, Berkshire Twp. Zoning Commission and Berkshire Twp. Trustees.

Commission / Public Comments

Mr. Jeffrey Monebrake was present to answer questions from the Commission.

Mrs. Jenkins made a motion to recommend Approval of the 5.01 acre rezoning. Mr. Clase seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

06-14 ZON Judith Hook Trustees – Orange Twp. – 10 acres from FR-1 to PCD

I. Request

Judith Hook Trustees are requesting a 10-acre rezoning from FR-1 to PCD to allow office, institutional and health related activities within the existing structure.

II. Conditions

Location: 123 Hyatts Road

Present Zoning: Farm Residential (FR-1)

Proposed Zoning: Planned Commercial (PCD)

Present Use(s): One single-family house

Proposed Use(s): office

School District: Olentangy Local School District

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

Critical Resources: steep slopes and floodplain/floodway

Soils: Hef Heverlo Silt Loam 25-70% slope

GwB Glynwood Silt Loam 2-6% slope

GwC2 Glynwood Silt Loam 6-12% slope

III. Request

This proposal is for a rezoning on a 10-acre site with an existing home and related structures. The County Auditor's information indicates that the home was initially built in 1930 and remodeled in 1995 with potentially numerous additions that are not individually listed. Total square footage is listed at 7,040 square feet. The parcel has approximately 800 feet of frontage on Hyatts Road and includes significant topography. Steep ravines leading to Big Run separate the site from the other commercial area to the southeast.

The proposal is to rezone the site to Planned Commercial to allow the existing home to be used for medical treatment purposes. Although there is no narrative in the application, the list of proposed uses includes the following:

- Office/medical and health related activities as defined in the Neighborhood (C-1) Office District;
- Community facilities such as libraries, offices or educational facilities operated by a public agency, government or private entity;
- Hospitals, medical facilities, nursing homes, hospices, etc.;
- Medical, dental and optical laboratories;
- Kindergarten or child care facilities;
- Other commercial ventures not provided by this or other sections of this Resolution if approved as part of the plan.

The Development Plan indicates that no external changes will be made to the building. The design shows an expanded parking area for approximately 18 cars, adding to the existing seven spaces. The pool area will be converted into a Greenhouse and Meditation Garden with landscaping, mounding, and unpaved paths. The

existing entry will be enhanced with signage mounted to the existing columns. A bikepath easement will be granted for future extension of a path along Hyatts Road.

IV. Issues

Use: This use will be a positive for the township by taking an existing, large home and increasing the tax base by using it for the provision of medical services. Generally, staff does not have issues with the list of uses as defined in the Development Plan. However, the reference to the uses in the C-1 district may be too broad. That district includes insurance agents, real estate offices, law offices, accountants, and architects. Also, the reference to “other commercial ventures...if approved as part of the plat” should also be limited to specific uses.

Access: The existing driveway, which is approximately 950 feet from US 23, will be utilized. This distance should provide adequate stacking distance for traffic headed east on US 23. Additionally, the straight portion of Hyatts is 470 feet from the curve, allowing sight distance for traffic headed west, should a car be waiting to turn left into the site. The County Engineer’s office has provided a letter stating that the conceptual layout, including stormwater management, appears to be feasible. Future review will take place when improvements to the site are made. Alterations to the building may be necessary to make the building ADA compliant.

Sanitary Service: The applicant has provided a letter from the Sanitary Engineer’s office stating that the area is designated to be served either from a line to the rear of Paul’s Marine, or to a line that will come from Hyatts Road to the west of this site. Given the recent rezoning activity on the Episcopal property and the challenges in crossing Big Run to the south, service may come from Hyatts in the foreseeable future. In the meantime, if the site is to be developed before sewer becomes available, the existing system would continue to be used. This may have an impact on the intensity of the commercial use allowed. If the system remains under 1,000 gallons per day, the system will continue to be under the review of the Delaware General Health District. The township should require a current inspection letter from the Health District. The applicant may need to provide a phased plan as development may be limited until such time sewer becomes available.

V. Staff Recommendations

Staff recommends **Conditional Approval** of 10-acre rezoning from FR-1 to PCD to the DCRPC, the Orange Twp. Zoning Commission and Orange Twp. Trustees, *subject to:*

1. *Limiting the list of uses to only those intended to be developed;*
2. *Continuing to work with the County Engineer on access issues;*
3. *Seeking letters from the Health District for the existing on-site system and listing any phasing limitations on the development plan until such time as sewer becomes available;*
4. *Confirm if alterations are needed to ADA compliance.*

Commission / Public Comments

Mr. Jack Reynolds, attorney with Smith & Hale was present to represent the applicant. He explained that the home would be converted to a holistic health and wellness center providing yoga, Pilates, other wellness classes, and construction of a green house. The home is currently ADA accessible due to the previous owner’s needs.

When asked about the connection to sewer, Mr. Reynolds explained that they will be able to connect to sewer in the near future with development from the west. Mr. Burke explained that there was an inspection today which found that the system may need to be upgraded. He questioned investing a lot to upgrade the system if sewer is close enough to connect. Mr. O’Brien questioned what would happen if the west doesn’t move forward. Mr. Reynolds stated that they are also continuing to work with the property to the south. If neither is available they may need to limit the use (to under 1,000 gallons/day) or modify the current system.

Mr. Farahay explained that this owner owns property to the east and off Shanahan Road and has a vested interest in getting sewer extended.

Mrs. Kuba made a motion for Conditional Approval of the 10-acre rezoning from FR-1 to PCD, subject to:

- 1. Limiting the list of uses to only those intended to be developed;**
- 2. Continuing to work with the County Engineer on access issues;**
- 3. Seeking letters from the Health District for the existing on-site system and listing any phasing limitations on the development plan until such time as sewer becomes available;**
- 4. Confirm if alterations are needed to ADA compliance.**

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

IV. SUBDIVISION PROJECTS

Preliminary

06-14 Frog Hollow - Harlem Twp. - 03 lots / 28.29 acres

I. Conditions

Applicant: Ronald & Tina Humphreys

Subdivision Type: Single Family Residential, Common Access Driveway (CAD)

Location: east side of Green Cook Rd., south of Robins Rd.

Current Land Use: Single Family residence

Zoned: Agriculture Residential (AR-1)

Utilities: private well water and on site sanitary sewer

School District: Big Walnut

Engineer: Scioto Land Surveying Service

II. Staff Comments

Frog Hollow is a three-lot subdivision on Green-Cook Road in Harlem Township. As a flag lot with an existing house, it utilizes a Common Access Driveway to create frontage for two new home sites. The CAD travels approximately 2,090 feet east from Green-Cook Road before turning south and going another 864 feet to access the southern-most lot.

The homes sites will utilize on-site sanitary systems and private wells. The current site includes a pond situated with a dry hydrant for use by the local fire district. This hydrant has been inspected and tested by the district. Based on the lack of public water and the length of the CAD, there is some concern of the capacity of the home sites to be serviced by the fire district. The applicant has committed to the Fire Chief that additional turning areas will be provided when each of the two new driveways go in. The site is flat and wet, likely requiring that each new parcel owner will build their own pond for the purposes of acquiring dirt to prepare the building site. The Fire Chief has asked that the zoning office require a dry hydrant be built with each pond.

A technical review was held on April 15, 2014, after which the applicant has addressed all of the required changes.

III. Staff Recommendation

Staff recommends *Preliminary Approval* of **Frog Hollow** to the DCRPC.

Commission / Public Comments

Mr. Mike Williams, Terrain Evolution was present to represent the applicant.

Mr. Clase made a motion for Preliminary Approval of Frog Hollow. Mrs. Jenkins seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

05-14 Liberty Trace – Liberty Twp. - 139 lots / 114.5 acres

I. Conditions

Applicant: Dominion Homes

Subdivision Type: Single Family Residential

Location: east side of Old Liberty Road, north of Home Road

Current Land Use: several existing residences, former agricultural land, trees

Zoned: Farm Residential (FR-1)

Utilities: Del-Co water and public sanitary sewer

School District: Olentangy

Engineer: EMH & T

II. Staff Comments

Liberty Trace is a large subdivision zoned Planned Residential by Liberty Township in December of 2013. It is located on either side of the portion of Liberty Road that was relocated by the county. It includes the construction of a new intersection approximately 700 feet north of the Home Road intersection, providing access to both sides of the development. A second access is provided for each side. One is across from the existing entrance to the Liberty Township Park to the south while the other is located just south of the intersection of Liberty and Old Liberty. This was a preferred location rather than directly across from Old Liberty.

Fifty-five lots are located to the north and east while eighty-four are located to the south and west. Lots generally have between 90 and 100 feet of frontage for a lot size of 12,600 s.f. – 14,000 s.f. Approximately 40% of the site will be dedicated as open space. Some of this is located in buffers along existing roads. Nineteen acres, or roughly half of the open space provided, is located as a preservation area around the stream that travels through the northern portion of the site.

Sidewalks are provided throughout, with an 8-foot bike path located on the north side of Home Road and along the south side of Liberty Road. A Traffic Impact Study is continuing, which will determine the need for any improvements to Liberty Road. Preliminary indications suggest an additional north-bound lane will be needed from Home Road to the eastern entrance road.

Construction will begin with a Section that includes the Home Road access, continuing east to the access to Liberty Road. The site is in a sewer service area with plans to take sewer to a new pump station on the Liberty Township park property, details of which are being developed.

A technical review was held on April 15, 2014, after which the applicant has addressed all of the required changes.

III. Staff Recommendation

Staff recommends *Conditional Preliminary Approval* of **Liberty Trace** to the DCRPC, *subject to:*

1. *Update the zoning development plan to reflect road and lot changes that were made based on comments at Tech Review;*
2. *Coordinate with the Regional Sewer District during final engineering design to comply with their comments.*

Commission / Public Comments

Mr. Jeff Strung, EMH & T was present to represent the applicant. He stated that he agreed with staff comments.

Mrs. Kuba asked why Whitecap cul-de-sac didn't connect to Liberty Road. Mr. Sanders explained that it would seem more logical but would add an additional intersection on Liberty Road which adds more conflict. Mr. Strung added that the reason the off-sets were added the way they are, is because they are opposing lefts. It's a 450 foot off-set as required by the County Engineer's office.

Mr. O'Brien questioned the naming of the roads (where Whitecap ends and Schoen Lake begins). He is concerned with confusion for emergency events. Mr. Strung explained that road names are usually changed at the intersections. Mr. Strung agreed to work with Mr. Sanders and the Township Fire Department to come up with a solution. Mr. O'Brien stated that there should be a set policy for when this happens.

Mr. Stites made a motion for Conditional Preliminary Approval of Liberty Trace, subject to:

1. *Update the zoning development plan to reflect road and lot changes that were made based on comments at Tech Review;*
2. *Coordinate with the Regional Sewer District during final engineering design to comply with their comments.*

Mr. Irvin seconded the motion. VOTE: Majority For, 0 Opposed. Motion carried.

Preliminary/Final *(none)*

CONSENT AGENDA

Final *(none)*

V. EXTENSIONS *(none)*

VI. OTHER BUSINESS *(none)*

VII. POLICY / EDUCATION DISCUSSION

- Brief discussion of the relationship between the Zoning Development Plan and the Preliminary Subdivision Plan.

The Commission discussed changes that occur to plats after approval through zoning. The discussion included possible solutions and difference ways of distributing signed plats.

VIII. RPC STAFF AND MEMBER NEWS

- Executive Committee officer organization took place at the April 16th meeting. The following are positions for 2014-2015.

Chairman – Ken O’Brien

Vice Chairman – Dave Stites

2nd Vice-Chairman – Jeff George

Members at Large – Tiffany Jenkins and Susan Kuba

Having no further business, Mr. Irvine made a motion to adjourn the meeting at 8:15 p.m. Mr. Merrell seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

The next meeting of the Delaware County Regional Planning Commission will be Thursday, May 29, 2014, 7:00 PM at the Willis Building, 2079 US 23 North, Conference Room, Delaware, Ohio 43015.

Ken O’Brien, Chairman

Stephanie Matlack, Executive Administrative Assistant