



# Delaware County Regional Planning Commission

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

Scott B. Sanders, AICP  
Executive Director

## *\*MINUTES\**

Thursday, April 26, 2012 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 March 29, 2012 RPC Minutes
- Executive Committee Minutes of April 18, 2012
- Statement of Policy

### II. VARIANCES *(none)*

### III. ZONING MAP/TEXT AMENDMENTS

03-12 ZON Liberty F LLC. – Liberty Twp. – 1.182 acres – development plan approval (Tim Horton’s)

### IV. SUBDIVISION PROJECTS

#### Preliminary

		Township	Lots/Acres
18-04.3	Olentangy Falls, Section 3	Liberty	31 lots / 32.536 acres

#### Preliminary/Final *(none)*

#### Final

04-09	The Estates of River Run	Liberty	10 lots / 16.454 acres
-------	--------------------------	---------	------------------------

**T=TABLED, W=WITHDRAWN**

### V. EXTENSIONS *(none)*

### VI. OTHER BUSINESS

- Nominating Committee (remaining Executive Committee nomination)

### VII. POLICY / EDUCATION DISCUSSION

- “Achieving a Health Delaware County” seminar

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

**I. ADMINISTRATIVE BUSINESS**

▪ **Call to Order**

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

▪ **Roll Call**

Representatives: Jeff George, Rick Sedlack, Susan Kuba, Ric Irvine, Ken O’Brien, Steve Burke, Tiffany Jenkins, Sharon Hough, Gary Gunderman, Joe Clase, David Andrian, Dave Stites, Holly Foust, Bill Thurston, Lloyd Shoaf, Charlie Callender, Bill Metzler, and Mike Dattilo. Alternates: Doug Riedel and Duane Matlack. Staff: Scott Sanders, Da-Wei Liou and Stephanie Matlack.

▪ **Approval of the March 29, 2012 RPC Minutes**

*Mr. Shoaf made a motion to approve the minutes from the last meeting, seconded by Mr. Gunderman. VOTE: Unanimously For, 0 Opposed. Motion carried.*

▪ **April 18, 2012 Executive Committee Minutes**

**1. Call to order**

Vice-Chairman Burke called the meeting to order at 8:30 a.m. Present: Steve Burke, Lloyd Shoaf, Dave Stites and Ken O’Brien. Staff: Scott Sanders and Stephanie Matlack.

**2. Approval of Executive Committee Minutes from March 21, 2012**

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

**3. New Business**

a. Executive Committee position elections: Chair, Vice-Chair, 2<sup>nd</sup> Vice-Chair, Member-At-Large

*Mr. Shoaf made a motion to elect the following:*

*Steve Burke, Chairman*

*Ken O’Brien, Vice Chairman*

*Dave Stites, 2<sup>nd</sup> Vice-Chairman*

*Lloyd Shoaf, Member-At-Large*

*Mr. O’Brien seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

*The Nominating Committee will nominate a 4<sup>th</sup> member to the Executive Committee at the April 26<sup>th</sup> RPC meeting.*

b. Financial / Activity Reports for March 2012

REGIONAL PLANNING RECEIPTS		March	YTD TOTAL
General Fees (Lot Split)	(4201)	\$1,230.00	\$2,870.00
Fees A (Site Review)	(4202)	\$300.00	\$300.00
Insp. Fees (Lot Line Transfer)	(4203)	\$200.00	\$400.00
Membership Fees	(4204)		\$245,212.00
Planning Surcharge (Twp. Plan. Assist.)	(4205)		\$657.25
Assoc. Membership	(4206)		
General Sales	(4220)		

Charges for Serv. A (Prel. Appl.)	(4230)	\$2,307.00	\$5,357.00
Charges for Serv. B (Final. Appl.)	(4231)	\$1,400.00	\$1,400.00
Charges for Serv. C (Ext. Fee)	(4232)		\$150.00
Charges for Serv. D (Table Fee)	(4233)		\$600.00
Charges for Serv. E (Appeal/Var.)	(4234)		\$600.00
Charges for Serv. F (Planned District Zoning)	(4235)		\$600.00
OTHER DEPT. RECEIPTS			
Health Dept. Fees	(4242)		
Soil & Water Fees	(4243)	\$250.00	\$450.00
MISCELLANEOUS REVENUE			
Other Reimbursements	(4720)		
Other Reimbursements A			
Other Misc. Revenue (GIS maps)	(4730)	\$33.00	\$201.00
Misc. Non-Revenue Receipts	(4733)		
Sale of Fixed Assets	(4804)		
<b>TOTAL RECEIPTS</b>		<b>\$5,720.00</b>	<b>\$258,797.25</b>

<b>Balance after receipts</b>	<b>\$375,995.73</b>
<b>Expenditures</b>	<b>- \$ 18,742.59</b>
<b>End of March balance (carry forward)</b>	<b>\$357,253.14</b>

Unpaid dues to date - \$53,253 (received Genoa, Liberty, Troy Twp.'s after EC meeting)

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

c. April RPC Preliminary Agenda

- 1.) Site Review:
  - River Rock Farms
- 2.) Rezoning: none to date
- 3.) Variance: None
- 4.) Preliminary:
  - Olentangy Falls, Section 3
- 5.) Final:
  - The Estates of River Run
- 6.) Extension: None

d. Director's Report

- 1.) State Audit complete – no exceptions were noted
- 2.) Rural Zoning Commission – continue to meet to review Zoning Resolution
- 3.) Liberty Twp. – meeting with Zoning Commission to update zoning resolution
- 4.) Convention & Visitors Bureau – continuing to serve as member
- 5.) Go Healthy – seminar May 17<sup>th</sup> to discuss chronic health issues, workplace health
- 6.) OEPA grant work continuing
- 7.) Sunbury – meeting to discuss Comprehensive Plan update

**4. Old Business**

- a. Membership dues – currently unpaid includes: Delaware City, Powell and Ashley.
- b. Status update of County Commissioners’ plat note enforcement for River Run subdivision

Mr. O’Brien noted that he had an update from the Prosecutor that they are continuing to do research. The plat for River Run Estates is on this month’s agenda and the County’s position may change after approval.

**5. Other Business** *(none)*

**6. Personnel** *(none)*

**7. Adjourn**

*Having no further business, Mr. Shoaf made a motion to adjourn the meeting at 10:00 a.m. Mr. O’Brien seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

*The next regular Executive Committee meeting will be Wednesday, May 23, 2012 at 8:30 a.m. at 109 North Sandusky Street, Delaware, Ohio, 43015.*

• **Statement of Policy**

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

**II. VARIANCES** *(none)*

**III. ZONING MAP/TEXT AMENDMENTS**

**03-12 ZON**      **Liberty F LLC. – Liberty Twp. – 1.182 acres – development plan approval (Tim Horton’s)**

**I. Request**

The applicant, Liberty F LLC. is requesting approval of the 1.182-acre development plan for a Tim Horton’s fast food restaurant and drive-thru.

**II. Conditions**

**Location:** Lot # 5122 of the Big Bear Farms, Section 10, Lot 4615, Division #1

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

**Proposed Zoning:** Planned Commercial (PC)

**Present Use(s):** vacant

**Proposed Use(s):** Tim Horton’s restaurant

**School District:** Olentangy Local School District

**Utilities Available:** Del-Co Water and sanitary sewer

**Critical Resources:** none

**Surrounding land uses:** Planned Commercial

**Soils:** BoA Blount Silt Loam 0-2% slope

### **III. Description**

This 1.182-acre site is part of a 2.139-acre parcel in the Shoppes at Liberty Crossing shopping area. The parcel is surrounded by development, with Walgreen's to the west, Tutor Time daycare to the south, a gas station/UDF/inline shopping center is to the east across Sawmill Road, and Scott's Garden Center is to the north across Powell Road. Roads to the north and east are public streets and roads to the west and south are private streets within Liberty Crossing.

The original development plan intended this site to be split and anticipated a small restaurant use in this location. However, a Final Development Plan has been presented to the township which represents some changes from the previously-approved Development Plan. These issues are detailed by the applicant.

### **IV. Issues**

The following items are listed as changes from the approved Development Plan, although there is no stated justification for each, as required by the zoning code.

- Size of this lot is increased from 1.07 to 1.18 acres (which also affects the size of the future parcel to the west).
- On-site parking spaces are decreased from 32 to 26 spaces.
- Increases the setback from Powell Road from 100 feet to 145 feet.
- Decreases the 113-foot setback from Sawmill Road to 102 feet.
- Increases the 68-foot setback from Discover Lane to 88.74.
- Adding an area for patio seating along the north side of the building.
- Reduction in the building height.
- Increases the square footage from 2,624-s.f. to 2,657-s.f.
- Reduction of parking stall depth from 20 feet to 18 feet.
- Other changes including increase of pavement apron, increase of drive aisle width, and trash enclosure location.

### **Staff comments:**

**Parking Stall Length:** The only concern is the reduction of the parking stall length. Reduction of length does not change the length of the cars parked there. The average light truck is about 18'11". The driveway aisle is 27 feet, with 12 feet being taken by potentially stacked cars in the drive-through. The resulting 15-foot driveway aisle appears to be sufficient, based on *Planning and Urban Design Standards, 2006*.

**Number of spaces:** The proposal is to reduce the number of spaces from 32 to 26. It should be noted that in another location the number is listed at 28 - this should be corrected. The reduction in spaces might be justified since a large segment of Tim Horton's business is drive-through. This should be specifically addressed. The floor plan indicates 41 seats inside and 16 outdoor seats. For reference, the stand-alone Tim Horton's in the City of Delaware provides 38 parking spaces and Westerville's has 31. Shared parking is encouraged, but the development timeline and use of the building to the west is not known.

**Signage:** Signage detail is included and specific zoning code limitations are committed to in the text. It appears to be a single-use sign, with the building to the west having a single-use sign of its own when it develops. Consideration should be given to combining these signs closer to the property line to reduce the number of individual signs.

**V. Platting**

Assuming this lot is split for the purposes of separate ownership, it is noted that this will require a plat, since this lot was created with a plat. This could be accomplished with a Combined Preliminary-Final procedure and a single RPC meeting.

**VI. Staff Recommendations**

Staff recommends **Conditional Approval** of the development plan by Liberty F LLC. to the DCRPC, Liberty Twp. Zoning Commission and Liberty Twp. Trustees, *subject to the township receiving clarification/justification for the parking space and number reductions and consideration of a co-located sign with the future tenant to the west.*

**Commission / Public Comments**

No one was present to represent the applicant. (Mr. Sunkle with Tim Horton's arrived after the case was heard.)

***Mr. Andrian made a motion to recommend Conditional Approval of the rezoning by Liberty F LLC., subject to staff recommendations. Mr. Sedlacek seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.***

-----

**IV. SUBDIVISION PROJECTS**

**Preliminary**

**18-04.3 Olentangy Falls, Section 3 – Liberty Twp. - 31 lots / 32.536 acres**

**I. Conditions**

- Applicant:** Crown Ridge Investments
- Subdivision Type:** Single Family Residential
- Location:** North and south side of Hyatts Road, east and west of Taggart Road
- Current Land Use:** vacant/former agricultural
- Zoned:** Planned Residential
- Utilities:** Del-Co Water, County Sewer
- School District:** Olentangy
- Engineer:** Floyd Browne Associates, Inc.

**II. Staff Comments**

This is the third Section of Olentangy Falls, which began development in 2006. This section includes the final extension of Farmstead Lane to the south, with a street (Crayfish Court) extending to the east. A second new road, Tadpole Lane, extends to the south with a small street, Cattail Cove, providing frontage for four lots to the southeast. An existing pond will be maintained and two new stormwater management ponds will be created. The project will plat 1.132 acres of open space which generally surrounds the detention ponds.

Additionally, 4.1 acres of natural green space will be preserved via a green space easement and a conservation/drainage easement along the ravine leading toward and away from the existing pond.

This Section is being reviewed as a Preliminary because changes were made in the road alignment from the originally-approved plan. During a Technical Review Committee meeting on February 14<sup>th</sup>, the applicant was asked to extend Farmstead Lane and Crayfish Court to the property lines to allow for the potential of a future extension, should adjacent properties develop in a compatible way. Those connections (in addition to Tadpole Lane) are now indicated on the Preliminary.

***A technical review was held on April 17, 2012, after which the applicant has addressed all of the required changes.***

### **III. Staff Recommendation**

Staff recommends *Preliminary Approval* of **Olentangy Falls, Section 3** to the DCRPC.

### **Commission / Public Comments**

Mr. Bob Yoakum was present to represent the applicant.

***Mr. Irvine made a motion for Preliminary Approval of Olentangy Falls, Section 3. Mr. Shoaf seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.***

-----  
**Preliminary/Final** (*none*)

## **CONSENT AGENDA**

### **Final**

**04-09                    The Estates of River Run – Liberty Twp. - 10 lots / 16.454 acres**

### **I. Conditions**

**Applicant:** Margello Development, Co.  
**Subdivision Type:** Single Family Residential  
**Location:** South side of Powell Road, north of Riverway Run  
**Current Land Use:** vacant, woods and underbrush  
**Zoned:** FR-1 (Farm Residential)  
**Utilities:** Del-Co Water, public sanitary sewer  
**School District:** Olentangy  
**Engineer:** Civil Design Engineering, Inc.

### **II. Staff Comments**

The Estates at River Run consists of a single extension of Riverway Run (a private street) to access ten single-family residential lots. Conservation easements are provided on the east side of the project (up to 50 feet in some locations) and on the west side (up to 15 feet). Additional conservation and drainage easements will be placed across all streams. The conservation easements and the drainage easements will be managed by the Soil and Water Conservation District.

A 30'-wide emergency easement will be dedicated and a paved bike and pedestrian path is built to support a fire truck. This extends from the end of the cul-de-sac to W. Powell Road.

The Soil and Water Conservation District will hold and maintain the conservation easements and has approved the easement locations and language. Surrounding development includes Deer Run to the west in the City of Powell (¾-acre lots), River Run to the south (1+ acre lots) and assorted lots to the east with frontage on SR 315.

The applicant has presented to the RPC Office a Final Plat (mylar) signed by the various County agencies, a requirement for Final approval. All improvements are in place because this is a project with private streets.

**III. Staff Recommendation**

Staff recommends *Final Approval* of **The Estates of River Run** to the DCRPC.

**Commission / Public Comments**

*Mr. Shoaf made a motion for Final Approval of The Estates of River Run. Mr. O'Brien seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

-----

**V. EXTENSIONS** (*none*)

**VI. OTHER BUSINESS**

- Nominating Committee (remaining Executive Committee nomination)

Mr. Clase with the Nominating Committee stated that Tiffany Jenkins was interested in serving on the Executive Committee. Chairman Burke asked if there were any other nominations. There were none.

*Mr. Clase made a motion to nominate Tiffany Jenkins to the Executive Committee, seconded by Mrs. Foust. VOTE: Unanimously For, 0 Opposed. Motion carried.*

*Mr. Sedlacek made a motion to close the nominations. Mr. Gunderman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

*Mrs. Foust made a motion to elect Tiffany Jenkins to the Executive Committee. Mr. Clase seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

**VII. POLICY / EDUCATION DISCUSSION**

- ACHIEVE working group

The Go Healthy! Delaware County (ACHIEVE) working group is hosting a one-day seminar on May 17<sup>th</sup> from 10:00 a.m. to 2:00 p.m. at the Council for Older Adults. The Regional Planning Commission staff has been involved with this effort in part because the physical design of a



community can add to the overall health of its residents. The Healthy Places Coordinators from Columbus Public Health and the Marion County Health Department will speak directly about the Built Environment. Other topics include Worksite Wellness, Prevention, and Delaware County's Health Rankings, among others. The event is free and lunch is provided. If interested, staff can forward an agenda. Please RSVP to Debbie Sparks, Delaware General Health District at 740-203-2025 or [dsparks@delawarehealth.org](mailto:dsparks@delawarehealth.org).

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

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

*The next meeting of the Delaware County Regional Planning Commission will be Thursday, May 31, 2012, 7:00 PM at the Willis Building, 2079 US 23 North, Conference Room, Delaware, Ohio 43015.*

---

*Steve Burke, Chairman*

---

*Stephanie Matlack, Executive Administrative Assistant*