



Delaware County Regional Planning Commission

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Scott B. Sanders, AICP
Executive Director

MINUTES

Thursday, May 26, 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 April 27, 2011 RPC Minutes
- Executive Committee Minutes of May 18, 2011
- Statement of Policy

II. VARIANCES

- 06-08.V Stirling Lakes – Trenton Twp. – requesting variance from Sec. 102.03 and 204.04
 19-01.V Sheffield Park – Genoa Twp. – requesting variance from Sections 102.03, 204.04, 204.05
 15-02.4.B.V Estates of Glen Oak, Section 4 – Orange Twp. – requesting variance from Sec.’s 102.03 and 204.04

III. ZONING MAP/TEXT AMENDMENTS

- 11-11 ZON Berlin Twp. Zoning Commission – text amendments, Articles IV and XXII

IV. SUBDIVISION PROJECTS

Preliminary (none)

Preliminary/Final (none)

Final

		Township	Lots/Acres
19-01.3.B.3	Sheffield Park, Section 3, Phase B, Part 3	Genoa	31 lots / 25.95 acres
03-06.1.A	Meadows at Lewis Center, Sec. 1, Ph. A	Orange	37 lots / 25.42 acres

T=TABLED, W=WITHDRAWN

V. EXTENSIONS

		Township	Lots/Acres
06-08	Stirling Lakes	Trenton	29 lots / 58.00 acres
19-01	Sheffield Park	Genoa	31 lots / 25.95 acres
15-02.4.B	Estates of Glen Oak, Sec. 4, Ph. B	Orange	30 lots / 09.48 acres

VI. OTHER BUSINESS

- Ohio Environmental Education Fund

VII. POLICY / EDUCATION DISCUSSION (none)

VIII. RPC STAFF AND MEMBER NEWS (none)

I. ADMINISTRATIVE BUSINESS

▪ **Call to Order**

Chairwoman Foust 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, Gary Gunderman, Joe Clase, Dave Stites, Holly Foust, Hal Clase, Dick Gladman, Bill Thurston, Lloyd Shoaf, Charlie Callender, Bill Metzler, Mike Dattilo, and Doug Price. *Alternates:* Duane Matlack and Doug Riedel. *Staff:* Scott Sanders, Da-Wei Liou and Stephanie Matlack.

▪ **Approval of the April 27, 2011 RPC Minutes**

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

▪ **May 18, 2011 Executive Committee Minutes**

1. **Call to order**

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

2. **Approval of Executive Committee Minutes from April 20, 2011**

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

3. **New Business**

a. Executive Committee officer elections

Mr. Gladman made a motion to elect Holly Foust as Chairwoman. Mr. O'Brien seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

Mr. Gladman made a motion to elect Steve Burke as Vice-Chairman. Mr. O'Brien seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

Mr. Gladman made a motion to elect Ken O'Brien as 2nd Vice-Chairman. Mr. Shoaf seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

Mr. Shoaf and Mr. Gladman are Members-At-Large.

b. Financial / Activity Reports for April 2011

REGIONAL PLANNING RECEIPTS		April	YTD TOTAL
General Fees (Lot Split)	(4201)	\$410.00	\$1,230.00
Fees A (Site Review)	(4202)	\$300.00	\$300.00
Insp. Fees (Lot Line Transfer)	(4203)		\$300.00
Membership Fees	(4204)	\$47,370.00	\$281,320.32
Planning Surcharge (Twp. Plan. Assist.)	(4205)		\$678.70
Assoc. Membership	(4206)		
General Sales	(4220)	\$40.00	\$40.00
Charges for Serv. A (Prel. Appl.)	(4230)		\$1,888.00
Charges for Serv. B (Final. Appl.)	(4231)	\$3,700.00	\$4,388.00

Charges for Serv. C (Ext. Fee)	(4232)	\$150.00	\$300.00
Charges for Serv. D (Table Fee)	(4233)	\$200.00	\$200.00
Charges for Serv. E (Appeal/Var.)	(4234)		\$300.00
Charges for Serv. F (Planned District Zoning)	(4235)	\$300.00	\$1,500.00
OTHER DEPT. RECEIPTS			
Health Dept. Fees	(4242)	\$100.00	\$100.00
Soil & Water Fees	(4243)	\$125.00	\$375.00
MISCELLANEOUS REVENUE			
Other Reimbursements	(4720)		\$124.82
Other Reimbursements A			\$0.00
Other Misc. Revenue (GIS maps)	(4730)	\$88.17	\$498.17
Misc. Non-Revenue Receipts	(4733)		
Sale of Fixed Assets	(4804)		
TOTAL RECEIPTS		\$52,783.17	\$293,543.01

Balance after receipts \$329,213.57
 Expenditures - \$ 26,633.13
 End of April balance (carry forward) \$302,580.44

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.

- c. May RPC Preliminary Agenda
 - 1.) Site Review: Lake of the Woods No. 1, Resubd. Of Lots 233, 234 and 244
 - 2.) Rezoning: (none currently)
 - 3.) Variance: Stirling Lakes, Sheffield Park, and Estates of Glen Oak
 - 4.) Preliminary: none for May
 - 5.) Final: Sheffield Park, Section 3, Phase B, Part 3 and Meadows at Lewis Center, Section 1, Phase A
 - 6.) Extension: Stirling Lakes, Sheffield Park, and Estates of Glen Oak
- d. Director's Report
 - 1) OEPA Grant authorization – The DCRPC was awarded a grant by the Ohio EPA for educational work to be done in the Olentangy Watershed. RPC staff will administer the grant funds and produce high-resolution mapping of streams within the study area.

Mr. O'Brien made a motion to recommend approval of the contract for the OEPA grant to the full Commission. Mr. Burke seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

- 4. Old Business (none)
- 5. Other Business (none)
- 6. Personnel (none)
- 7. Adjourn

Having no further business, Mr. O'Brien made a motion to adjourn the meeting at 9:30 a.m. Mr. Gladman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

The next regular Executive Committee meeting will be Wednesday, June 22, 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

06-08.V Stirling Lakes – Trenton Twp. – requesting variance from Sec. 102.03 and 204.04

I. Request

Webster Building Company is requesting a variance to allow a 12-month extension beyond the time limit allowed in the Subdivision Regulations for the Stirling Lakes subdivision in Trenton Township.

The proposed subdivision is located on the north side of SR 37, about 500 feet northwest of Boston Road. It is a residential subdivision for 29 single-family house lots on 62 acres. The current Preliminary Plan shows the use of individual on-site waste treatment systems.

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. Stirling Lakes received Preliminary approval on May 29, 2008, and received a one-year extension on April 22, 2010 to expire May 26, 2011;
4. The applicant seeks an additional one-year extension by variance;
5. The Zoning Development Plan was approved on January 21, 2008 and expired in January, 2011.

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: "Currently, Stirling Lakes is in the final engineering stages. Our plans for actual development have been placed on hold as we are not able to move forward due to the current economic state and lack of the

sale of lots and builds/ contracts. Moving forward with development at this time is not within the best interest of our company. We ask that you grant a one year extension. With this extension, we will continue our efforts of searching for potential builds/ clients and lot sales in hopes moving forward with our development plans in the near future.”

Staff comments: *This would be the first extension by variance request for this project. The Commission has typically approved the first variance request for one year of additional time. The applicant should note that zoning will need to be addressed prior to the submission of a final plat and that no additional extension will be recommended until the zoning is resolved.*

IV. Staff Recommendation

DCRPC staff recommends that based on current market and economic conditions, the variance request from Sec. 102.03 & 204.04 for **Stirling Lakes subdivision** be *Approved*.

Commission / Public Comments

Mr. Dustin Dillin with Webster Building Company was present.

Mr. Gladman made a motion to approve the variance request for Stirling Lakes Subdivision. Mr. Irvine seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

19-01.V Sheffield Park – Genoa Twp. – requesting variance from Sections 102.03, 204.04, 204.05

I. Request

M/I Homes of Central Ohio is requesting a variance to allow the approved Preliminary Plan for the Sheffield Park subdivision in Genoa Township to be active indefinitely.

Sheffield Park is a residential subdivision located on the north side of Sheffield Park Drive, west of Worthington Road. The proposed Final Plat on this month’s agenda is for 29 single-family house lots on 25.949 acres.

II. Facts

1. Sheffield Park received Preliminary approval on 9/27/2001, and recorded its first section on 2/19/2003;
2. The 2007 Subdivision Regulations require that after the first section is recorded, the remainder of the subdivision must be complete within 5 years;
3. Prior to the 2007 amendments to the Subdivision Regulations, there was ambiguity in the area of final completion of subdivisions.

The 1997 Regulations stated under 204.04 Commission Action and Expiration “The Preliminary Plan shall expire if a complete Final Plat application is not submitted within one year of Preliminary Plan approval.”

Prior to 2007, the Regulations did not seem to anticipate multi-phase subdivisions, although they are typical in larger developments. In the past, it was the practice to require a plat to be filed every 12 months for the original Preliminary to remain active. In recent years, the practice was to allow that once the first Final Plat was recorded, the remainder of the subdivision had no time limit. This later interpretation was seen as a problem, since surrounding conditions could change in the time it took to complete a large subdivision;

4. The 2007 revisions sought to clear up that ambiguity by adding an additional year, by right, to the initial

- approval period and defining the 5-year window to complete the subdivision after the first section is platted;
5. The applicant submitted a Final Plat for 29 single-family lots on 25.949 acres with signatures at the beginning of May;
 6. The applicant asks that the provision to complete the subdivision within five years of the recording date of the first section not apply to this section of 29 lots or the remaining acreage.

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: *"We request a variance to the Delaware County Subdivision Regulations Section 204.04 which states that the preliminary plan shall expire 5 years after the recording of the first final plat. We also ask for a variance from Section 102.03 which limits an extension to 1 year (1 year has already passed). We'd also ask that Section 204.05 which requires resubmittal of the preliminary plan with all required material and fees be waived. The preliminary plan review fees, amount to \$6,000 for the remaining 56 lots.*

The Preliminary Plan for Sheffield Park was approved in 2001 and there have been at least 5 final plats recorded between 2003 and 2009. The subdivision regulations in place at the time the preliminary plan was approved would NOT have resulted in the preliminary plan expiring. We'd suggest that the preliminary plan today ought to be regulated under the regulations in place at the time the preliminary plan was approved. This is different than saying that new Final Plat rules were developed in the intervening years ought to apply to a new final plat. We haven't already completed the final plats. You wouldn't retroactively approve new final plat rules on a completed final plat. Like a zoning, specifically a PUD zoning, there is significant time and money spent zoning to a specific plan, to lose that plan or to have to redo that plan is a significant hardship. It presents significant risk that halfway through a development, the approved plan expires and could potentially not get the second half approved.

Sheffield Park was approved with 234 lots. At the time the acquisition and planning was done, there was no time limit in place for how long it ought to take to develop and sell 234 lots. 6 years into the development, after 4 final plats had been approved, the regulations changed which resulted in the preliminary plan expiring only 1 year later, while development has been for the most part continuous.

Section 3B-1 was approved in 2009. This final plat was approved without the new 2007 regulations being applied. For the owner and developer at the time to have been in compliant with this policy, they would have had to record the final plats in 2008 for the remaining 76 lots all at one time, or requested an extension which is only allowed for 1 year.

After significant due diligence, consideration, and effort M/I Homes of Central Ohio recently purchased the remaining 2 phases of Sheffield Park (56 lots known as 3B-2 27 lots plus 3B-3 29 lots). These 2 phases had engineering and construction drawings approved for construction and preliminary versions of the final plats prepared but not submitted for review or approval. I had numerous conversations with Genoa Twp. officials confirming the status of the zoning, zoning commitments and our ability to proceed directly to construction and platting upon closing. I had confirmed with Delaware County Engineers and County Sanitary Engineers, our ability to proceed directly to construction with the formerly approved construction drawings.

Unfortunately, I did not have a conversation with staff from the Delaware County Regional Planning Commission to verify our ability to proceed with platting. We understand it is our responsibility for knowledge of and compliance with the subdivision regulations, however we were not aware that the 2007 policy on preliminary plan timing would apply to a preliminary plan approved in 2001. That had not been the case for the previous phase.

We have had a pre-construction meeting with Delaware County Engineers, entered into our subdividing agreements and commenced construction. The final plat for our first phase has been submitted and approved by the township, and the county engineer's. Had we proceeded with construction without the bonding and desire to have the final plat approved early, we'd have not found out that the preliminary plan had expired until construction were complete, this is certainly a unique condition presenting a significant hardship.

In 2009 Fischer Homes was granted approval of the final plat for Sheffield Park 3B-1, we would ask for that same consideration.

We do not believe that this request results in a detriment to public health or safety nor is it injurious to other property.

We believe that the conditions are unique, that the significant down turn in the economy and housing sales was unprecedented and to an extent that could not have been foreseen, that the requirement to sell or plat 50 homes per year in a single community is a hardship. Platting lots potentially years ahead of development requires costly and difficult to obtain performance bonding, and presents unnecessary risk to the community. The alternative strategy to have been able to comply with this regulation would have required the sale of homes at significantly lower prices to meet the absorption requirement. That could have been detrimental to other property.

The final plats were prepared in substantial conformance with the preliminary plan.

With your approval we will proceed immediately with the recording of the final plat for 3B-3. Sales pace dictates when the last final plat will be recorded, we'd expect it to be within 2 years of the preceding final plat.

We'd respectfully request that if you agree that the 2007 rule change not apply, that you'd return our variance fee and proceed with the approval of our pending final plat.

Staff comments: *As stated under Item II-Facts above, the intention of the 2007 amendments was to clarify the process and give various departments the opportunity to ensure that the public was being properly served by reviewing whether changes had occurred on surrounding properties and whether road connections and utility placement might need to be altered. The intention is not to cause a risk to the community or to force a developer to develop lots prematurely.*

It also is not the intention to create a situation where a Final Plat has been approved by the other signatories before this issue is noted to the applicant. Section 102.03 states that "The subdivider is solely responsible for knowledge of, and compliance with, applicable expiration dates." Despite that, staff makes every effort to inform applicants of the time constraints. Staff is seeking to keep other county departments informed of the time constraints on all remaining approved subdivisions so that plats do not proceed through the review stage without contact with the RPC.

Based on the fact that the economy is vastly different now than it was when the 2007 Regulations were revised and there has been steady progress on this project, staff recommends that a variance to these Sections be approved, allowing the overall preliminary of Sheffield Park subdivision to remain active for one year until May, 2012. Fees are non-refundable.

IV. Staff Recommendation

DCRPC staff recommends that based on market and economic conditions, a variance from Sec. 102.03, 204.04 and 204.05 for **Sheffield Park** be *Approved, allowing the Preliminary Plan to be in effect until May, 2012.*

Commission / Public Comments

Mr. James Mathieson with M/I Homes was present the answer questions from the Commission. He explained that the applicants feel the Regulations that were in place at the time of the original application should apply for all remaining sections. He also stated that although they have begun working on the utilities, they do not foresee the final phase being completed within one year, there for has asked for a 2 year extension.

Mr. Clase made a motion to approve the variance for Sheffield Park including extending the Preliminary approval for 2 years (until May, 2013). Mr. Price seconded the motion.

Mr. Shoaf made a motion to amend the motion to only allow a 1 year extension. The motion died for lack of a second.

There was a motion and a second on the original motion. VOTE: Majority For, 1 Opposed (Mr. Shoaf). Motion carried.

15-02.4.B.V Estates of Glen Oak, Section 4 – Orange Twp. – requesting variance from Sec.’s 102.03 and 204.04

I. Request

Dominion Homes is requesting a variance to allow a 12-month extension beyond the time limit allowed in the Subdivision Regulations for the Estates of Glen Oak, Section 4 subdivision in Orange Township.

The proposed subdivision is located on the west side of Old State Street, about 3,100 feet north of Orange Road. It is a residential subdivision for 30 single-family house lots on 9.466 acres.

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. The Estates of Glen Oak, Section 4 received Preliminary approval on August 26, 2004. The Estates of Glen Oak, Section 4, Phase A was recorded May 25, 2005, therefore the remaining lots must be recorded by May 2010. The applicant received a 1-year extension of the Preliminary approval to expire May, 2011.
4. The applicant seeks an additional two-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: "1. There are no health, safety or welfare issues that would cause harm to the public.

2. The preliminary plat was approved at a time when the expiration was 5 years. Regulations have changed and we are now requesting an additional two years.

3. If the preliminary plat were to expire, the development would be unfinished, leaving vacant ground. This is unsightly and can accumulate garbage. Granting this extension would allow the developer to finish the project in a timely fashion.

4. This variance is being requested to extend the preliminary plat approval. Due to the economic downturn, sales of homes in this project have not been what was expected. Because of this reason, we request an extension of two years for this project. If you should have any questions or concerns, please feel free to contact me."

Staff comments: As discussed in the previous case, this request is for the addition of time to complete a subdivision after the first section was recorded. Expiration of a Preliminary Plan does not, by itself, cause unsightly vacant ground and garbage.

To be consistent, and based on the fact that the economy is vastly different now than it was when the 2007 Regulations were revised, staff recommends that a variance to these Sections be approved, allowing one additional year for the remainder of this subdivision.

IV. Staff Recommendation

DCRPC staff recommends that based on market and economic conditions, the variance request from Sec. 102.03 and 204.04 for **The Estates of Glen Oak, Section 4** be *Approved, allowing the Preliminary Plan to be in effect until May, 2012.*

Commission / Public Comments

There was no one present to represent the applicant.

Mr. Riedel made a motion to approve the variance request for The Estates of Glen Oak, Section 4. Mr. Gunderman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

III. ZONING MAP/TEXT AMENDMENTS

11-11 ZON Berlin Township Zoning Commission – Text Amendments, Articles IV and XXII

I. Introduction

On May 10, 2011, the Berlin Township Zoning Commission initiated changes to the sign code (Article XXII) and Definitions (Article IV) of the Berlin Township Zoning Resolution. The proposal seeks to allow additional identification signage in the “Old Cheshire Village” portion of the township, or the area near and east of the intersection of Cheshire Road and Africa Road. The area is designated on the township’s zoning map as an overlay where a mix of uses is permissible, based on the fact that the existing small lots and buildings with minimal setbacks would cause much of the area to be non-conforming if the standards of the Planned Commercial District were applied.

While the overlay has been somewhat effective in allowing for redevelopment in the area, the township has identified the existing sign code needs some changes to aid in identification of the area. The Zoning Commission has recommended that the following paragraph be added to the “Permitted Signs – No Permit Required” section:

- W. Historic Village of Cheshire Informational and or Directional Signage.
1. Signs identifying or depicting the Village of Cheshire and its inherent historic features may be placed at locations upon entering and exiting the area. Such signs shall be located outside the ROW and shall not exceed six (6) square feet of area per side with not more than two (2) sides.
 2. A single permanent directional sign may be erected in a central location which identifies the area and provides space for the names of individual area businesses, helping visitors locate areas of commerce. Architectural structure and placement of the sign must be developed in conjunction with the Zoning Commission, Township Trustees or their designee and be in strict compliance with Section 22.03(C), (Commercial and Office Complex signs).

Staff Comments: With the amount of review needed to ensure the signs are the correct size and in the appropriate location, particularly the permanent architectural directional sign, it seems that a permit would be desired for this type of sign. Perhaps a permit could be granted without a fee. Also, if no permit is required for the permanent directional sign, what is the trigger to receive the approval of the Trustees?

Other proposed amendments include the following:

Article IV – Definition: “School Pride Signs: Are considered to be for the purpose of supporting or encouraging students regarding their school activities and education. Such signs may vary in size. Their construction and content is generally governed by the respective school or school district. The signs reference only the student(s) who reside at the residence where the sign is displayed.”

Article XXII – Permitted without a Permit: School Pride Signs:

Staff Comments: *These signs seem to be numerous and are usually professionally produced on behalf of the school or school district. If there has been a problem with them, it is beneficial to have a definition within the code. Check on the legality of this regulation.*

Article XXII – Permitted without a Permit: Open/Closed signs:

Staff Comments: *This text used to reference the neon (and neon-look) open signs that many businesses have. The proposed text references neon and LED and emphasizes that such sign may not flash or show movement, which is stated elsewhere in the Article.*

Article XXII – Permitted without a Permit: Commemorative Signs and Plaques:

Staff Comments: *This is reasonable. Limits such signs to name of donor and logo of establishment with no advertising allowed. Consider a size limitation similar to “Cornerstones, Commemorative Tablets” elsewhere in the text (9 square feet in size).*

Article XXII – Permitted without a Permit: Ribbons and Streamers (decoration in outdoor seating or garden areas):

Staff Comments: *The Township may want to check their definition of a sign. Staff doesn’t see how decorative ribbons and streamers, as described in this section, fit the definition of a sign.*

Article XXII – Permitted without a Permit: Menu Boards:

Staff Comments: *Allowing menu boards at 10 square feet mounted flush to the wall of a building or business seems to be excessive, particularly when allowing without a permit. It seems like these would be a standard item to be requested with other commercial signage during the permitting stage.*

Article XXII – Permitted, Permit Required: A-Frame Signs

Staff Comments: *This is reasonable.*

Other miscellaneous changes appear to be reasonable, and staff thanks the Zoning Commission for including many recommendations made during an earlier draft. Check with legal counsel regarding Section 22.07(D) as referencing “aesthetics” as a reason to remove an abandoned sign without some other requirement also being met. The other list seems to have everything covered.

II. DCRPC Staff Recommendation

Staff recommends **Conditional Approval** for changes to Article IV and Article XXII of the Berlin Township Zoning Resolution to the DCRPC, the Berlin Township Zoning Commission and the Berlin Township Trustees, based on the comments in this report.

Commission / Public Comments

There were no comments or questions from the public or Commission.

Mr. Gladman made a motion to recommend Conditional Approval of the text amendments to the Berlin Twp. Zoning Resolution, subject to staff comments. Mr. Shoaf seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Mr. Sedlacek). Motion carried.

IV. SUBDIVISION PROJECTS

Preliminary (none)

Preliminary/Final (none)

CONSENT AGENDA

Final

19-01.3.B.3 Sheffield Park, Section 3, Phase B, Part 3 – Genoa Twp. - 31 lots / 25.95 acres

I. Conditions

Applicant: M/I Homes of Central Ohio
Subdivision Type: Single Family Residential
Location: North side of Sheffield Park Drive, approx. 2,300 feet west of Worthington Road
Current Land Use: vacant
Zoned: PD-1 (Planned Residential)
Utilities: Del-Co Water, sanitary sewer
School District: Olentangy
Engineer: EMH & T

II. Staff Comments

Sheffield Park, Section 3, Phase B, Part 3 is the western-most portion of the overall development. It includes 29 single-family house lots and two open space parcels. Ramblewood Drive provides access to the lots, ending in a cul-de-sac toward the east. A stub street, Lisi Drive, is provided to land to the north. This plat creates 12.453 acres of open space, largely to accommodate stormwater management and preserve an existing stream through the site. Immediately to the west is a 26-acre parcel owned by Genoa Township and created with a previous platted section.

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 **Sheffield Park, Section 3, Phase B, Part 3** to the DCRPC.

Commission / Public Comments

Mr. Gladman made a motion for Final Approval of Sheffield Park, Section 3, Phase B, Part 3. Mr. Sedlacek seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

03-06.1.A Meadows at Lewis Center, Sec. 1, Ph. A – Orange Twp. - 37 lots / 25.42 acres

I. Conditions

Applicant: Jones / Lewis Center, LLC
Subdivision Type: Single Family Residential
Location: North side of Lewis Center Road, approx. 500 feet west of South Old State Road
Current Land Use: Vacant
Zoned: SF-PRD (Single Family Planned Residential)
Utilities: Del-Co Water, sanitary sewer
School District: Olentangy
Engineer: EMH & T

II. Staff Comments

This is the first plat for Meadows at Lewis Center. It includes 33 single-family lots at an average size of 1/3-acre. The lots are accessed by a new entrance road from Lewis Center Road, called Kilbourne Way. Koester Trace, Delano Avenue, McCumber Lane and McCumber Loop access the lots. Approximately 8.8 acres of open space is being created, including a large 8-acre piece to the east which includes a large existing pond. Land directly to the north is a platted subdivision. Two roads will continue west as the subdivision continues to develop.

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 Meadows at Lewis Center, Sec. 1, Ph. A to the DCRPC.

Commission / Public Comments

Mr. Gladman made a motion for Final Approval of Meadows at Lewis Center, Sec. 1, Ph. A. Mr. Sedlacek seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

V. EXTENSIONS

06-08 Stirling Lakes - Trenton Twp. - 29 lots / 58.00 acres

Applicant: Dustin Dillin, Webster Building Co.
Engineer: Bryan Lundgren, Hoy Surveying
Preliminary approval: 05/29/08
Extensions: 04/22/10 to 5/26/11

I. Staff Comments

The applicant is requesting a 1-year extension of Stirling Lakes due to economic conditions.

II. Staff Recommendation

Staff recommends *Conditional Approval* of the 1-year extension for **Stirling Lakes Subdivision**, *subject to the variance being granted*, to the DCRPC.

Commission / Public Comments

Mr. Gladman made a motion for Approval of a 1-year extension of the Stirling Lakes Subdivision. Mr. Sedlacek seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

19-01 Sheffield Park – Genoa twp. - 31 lots / 25.95 acres

Applicant: M/I Homes of Central Ohio
Engineer: Ed Miller, EMH & T
Preliminary approval: 09/27/2001

I. Staff Comments

The applicant is requesting an extension of Sheffield Park due to economic conditions.

II. Staff Recommendation

Staff recommends *Conditional Approval* of the 1-year extension for **Sheffield Park**, *subject to the variance being granted*, to the DCRPC.

Commission / Public Comments

Mr. Clase made a motion for Approval of a 2-year extension of Sheffield Park. Mr. Price seconded the motion. VOTE: Majority For, 1 Opposed (Mr. Shoaf). Motion carried.

15-02.4.B Estates of Glen Oak, Sec. 4, Ph. B – Orange Twp. - 30 lots / 09.48 acres

Applicant: Dominion Homes
Engineer: EMH&T
Preliminary approval: 08-26-04
Extensions: 05/27/10 to 05/27/11

I. Staff Comments

The applicant is requesting a 2-year extension of the **Estates of Glen Oak, Section 4, Phase B** subdivision due to the “economic downturn, sales of homes in this project have not been what was expected”.

II. Staff Recommendation

Staff recommends *Conditional Approval* of a 1-year extension for the **Estates of Glen Oak, Section 4, Phase B**, *subject to the variance being granted*, to the RPC.

Commission / Public Comments

Mr. Riedel made a motion for Approval of the 1 year extension for the Estates of Glen Oak, Section 4, Phase B. Mr. Sedlacek seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Orange Twp.). Motion carried.

VI. OTHER BUSINESS

■ Ohio Environmental Education Fund

The DCRPC has been awarded a grant by the Ohio EPA for educational work to be done in the Olentangy Watershed. In 2009 the OEPA issued a permit for stormwater associated with new construction within a 224square mile area of the watershed, including land in Franklin, Delaware, Morrow and Marion Counties. The action steps required by local jurisdictions to assure compliance are not clear within the development approval process. There are few regional examples of post-construction Best Management Practices and little public awareness about options such as the purchase of conservation easements to mitigate development.

RPC was the lead applicant for the grant with significant assistance from Amy Dutt of Friends of the Lower Olentangy Watershed (FLOW) and of Urban Wild LTD. Other partners include the City of Delaware, Delaware and Franklin County Soil and Water Conservation Districts, ODNR Division of Soil and Water Resources, OSU NEMO project (non-point pollution education program), Olentangy Watershed Alliance, Heart of Ohio RC&D, and Woolpert, Inc. and others.

Major Activities and Budget Narrative:

Administration of the grant and high-resolution mapping of streams within the study area (\$8,600);
Printing costs of maps (\$425). Total DCRPC portion.

Outreach material, print and postage by Heart of Ohio RC&D (\$1,787);
Coordinate outreach with landowners by Heart of Ohio RC&D (\$1,980);

Create Resource Manual by Urban Wild coordinating 8 sub-contractors and agency representatives (\$12,510);

Best Practices Tour by Heart of Ohio RC&D (\$655)

Four workshop locations, supplies by Heart of Ohio RC&D (\$640)

Publish, Distribute Resource Manual for governments and owners by Urban Wild (\$1,060)

Total OEEF Funding: \$27,657

In-kind “matches” include some workshop room use, resource manual and workshop prep, and hosting of compliance workshop.

Direct benefits to the RPC include better understanding of the permitting process, including the ability to engage in the permit process at the zoning-review and sketch plan phases. Other benefits include involvement with agencies and numerous area jurisdictions including municipalities and townships.

OEPA requires a signed contract, which has been supplied to the RPC, outlining reporting requirements including 6-month activity and budgetary updates. The time spent on project management has been estimated based on salary and benefits and was included in the RPC administration budget-line.

Staff and the Executive Committee recommends the RPC approve this contract for signing.

Commission / Public Comments

Mr. Hal Clase made a motion to approve the OEPA contract, seconded by Mr. Gladman. VOTE: Unanimously For, 0 Opposed. Motion carried.

VII. POLICY / EDUCATION DISCUSSION *(none)*

VIII. RPC STAFF AND MEMBER NEWS

Having no further business, Mr. Gladman made a motion to adjourn the meeting at 7:50 p.m. Seconded by Mr. Shoaf. VOTE: Unanimously For, 0 Opposed. Motion carried.

The next meeting of the Delaware County Regional Planning Commission will be Thursday, June 30, 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