



Delaware County Regional Planning Commission

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Scott B. Sanders, AICP
Executive Director

MINUTES

Thursday, July 30, 2015 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 June 25, 2015 RPC Minutes
- Executive Committee Minutes of July 22, 2015
- Statement of Policy

II. VARIANCES *(none)*

III. ZONING MAP/TEXT AMENDMENTS

- 18-15 ZON Alma Jones – Trenton Twp. – 7.5 acres from FR to CB
- 19-15 ZON David & Cheryl Born – Troy Twp. – 2.17 acres from FR-1 to PCD
- 20-15 ZON Lynn Kuhlman and Keith Unterbrink – Harlem Twp. – 4.745 acres from AR-1 to FR-1
- 21-15 ZON 401 East Powell Road LLC – Orange Twp. – 4.242 acres – PC to PC
- 22-15 ZON Katherine Leveque & Leveque Estates LLC – Orange Twp. – 4.94 acres – SFPRD to SFPRD
- 23-15 ZON Liberty Twp. Zoning Commission – Liberty Twp. – Zoning code amendments
- 24-15 ZON Thomas Sanfillipo – Orange Twp. – 5.87 – PC to PC

IV. SUBDIVISION PROJECTS

Preliminary

		Township	Lots/Acres
11-15	Nance Family CAD	Harlem	02 lots / 12.178 acres
10-15	Wedgwood Park North	Liberty	14 lots / 14.5 acres

Preliminary/Final *(none)*

Final

01-14.1	North Farms, Section 1	Orange	34 lots / 22.457 acres
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T=TABLED, W=WITHDRAWN

V. EXTENSIONS

12-13	The Heathers at Golf Village North	Liberty	129 lots / 47.4 acres
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VI. OTHER BUSINESS

- Consideration for Approval: ESRI maintenance \$1,677.00
- Consideration for Approval: Travel Expenses, up to \$2000 for Da-Wei Liou conference

VII. POLICY / EDUCATION DISCUSSION

VIII. RPC STAFF AND MEMBER NEWS

- **Acknowledgement of Retirement:** Ken O'Brien and Gary Gunderman

I. ADMINISTRATIVE BUSINESS

▪ **Call to Order**

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

▪ **Roll Call**

Representatives: Jeff George, Gary Merrell, Barb Lewis, Gary Gunderman, Tom Hopper, Susan Dorsch, Dave Stites, Matt Huffman, Bill Thurston, Charlie Callender, Bike Dattilo and Doug Price. Alternates: Chet Heid, Duane Matlack, Adam Howard, Jack Smelker, and Doug Reidel. Arrived after roll call: Susan Kuba (R). Staff: Scott Sanders, Da-Wei Liou and Stephanie Matlack.

▪ **Approval of the June 25, 2015 RPC Minutes**

Mrs. Lewis made a motion to Approve the minutes from the last meeting, seconded by Mr. Gunderman. VOTE: Unanimously For, 0 Opposed. Motion carried.

▪ **July 22, 2015 Executive Committee Minutes**

1. Call to order

Chairman Stites called the meeting to order at 8:45 a.m. Present: Dave Stites, Jeff George, Susan Kuba and Tiffany Jenkins. Staff: Scott Sanders and Stephanie Matlack. [Mr. O'Brien was not present due to his retirement. A new Representative of the Commissioners will be appointed.]

2. Approval of Executive Committee Minutes from June 17, 2015

Mrs. Kuba made a motion to Approve the minutes from June 17th. Mr. Stites seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

3. New Business

- Financial / Activity Reports for June 2015

REGIONAL PLANNING RECEIPTS		JUNE	YTD TOTAL
General Fees (Lot Split)	(4201)		\$2,050.00
Fees A (Site Review)	(4202)	\$300.00	\$900.00
Insp. Fees (Lot Line Transfer)	(4203)	\$100.00	\$1,400.00
Membership Fees	(4204)		\$272,375.00
Planning Surcharge (Twp. Plan. Assist.)	(4205)		\$465.79
Assoc. Membership	(4206)		
General Sales	(4220)		
Charges for Serv. A (Prel. Appl.)	(4230)	\$12,411.00	\$31,810.60
Charges for Serv. B (Final. Appl.)	(4231)	\$10,300.00	\$28,599.60
Charges for Serv. C (Ext. Fee)	(4232)	\$150.00	\$450.00
Charges for Serv. D (Table Fee)	(4233)		
Charges for Serv. E (Appeal/Var.)	(4234)	\$300.00	\$900.00
Charges for Serv. F (Planned District Zoning)	(4235)	\$600.00	\$2,400.00
OTHER DEPT. RECEIPTS			
Health Dept. Fees	(4242)		\$1,845.00
Soil & Water Fees	(4243)	\$975.00	\$1,775.00
MISCELLANEOUS REVENUE			
Other Reimbursements	(4720)		
Other Reimbursements A			
Other Misc. Revenue (GIS maps)	(4730)		\$56.00

Misc. Non-Revenue Receipts	(4733)		
Sale of Fixed Assets	(4804)		
TOTAL RECEIPTS		\$25,136.00	\$345,026.99

Balance after receipts	\$843,986.00
Expenditures	- \$ 23,862.79
End of June balance (carry forward)	\$820,123.21

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

- Site Review:
 - 1.) Clarkshaw Moors – Concord Twp. – 223 lots / 111.7 acres

- July RPC Preliminary Agenda
 - 1.) Rezoning:
 - Alma Jones – Trenton Twp. – 7.5 acres from FR to CB
 - David & Cheryl Born – Troy Twp. – 2.17 acres from FR-1 and Non to PCD
 - Lynn Kuhlman and Keith Unterbrink – Harlem Twp. – 4.745 acres from AR-1 to FR-1
 - 401 East Powell Road LLC – Orange Twp. – 4.242 acres – PC
 - Katherine Leveque & Leveque Estates LLC – Orange Twp. – 4.94 acres - SFPRD
 - 2.) Preliminary:
 - Nance Family CAD – Harlem Twp. - 02 lots / 12.178 acres
 - Wedgwood Park North – Liberty Twp. - 14 lots / 14.5 acres
 - 3.) Preliminary/Final: *none*
 - 4.) Final:
 - North Farms, Section 1 – Orange twp. – 34 lots / 22.457 acres
 - 5.) Extensions:
 - The Heathers at Golf Village North – Liberty Twp. 129 lots / 47.4 acres

- Director’s Report
 - 1.) Continued attendance on the MORPC Data Task Force discussing regional data – currently discussing how information is updated over time, what the governance structure could be.
 - 2.) Attended a Central Ohio Greenways meeting in Columbus. They are establishing a new structure and board with subcommittees that will discuss facility planning, funding, signage, standards, and other details.
 - 3.) Continued discussions with Sanitary and Engineering toward the creation of an internal GIS site where departments can share the status of development projects.
 - 4.) Attended the Central Ohio APA Planning and Zoning Conference in Columbus.
 - 5.) Finalized first draft of Oxford Township Zoning Resolution update.

- 6.) Attended the Sewer Master Plan meeting hosted by the Sanitary Engineer's office and Commissioners.
 - 7.) Minor changes to Comp Plan draft to Concord Township.
 - 8.) Updated information the Final Draft of Liberty's Zoning Resolution amendments.
 - 9.) Continued involvement as Trustees President with Convention and Visitors Bureau.
- Mid-year Statistics update (unincorporated areas)
 - 1.) **Zoning reviews:** reviewed acreage has already exceeded 2014 total, but more than half of the acreage was the single Evans rezoning in Orange Township. Largest recent spike in rezonings was 2013.
 - 2.) **Preliminary Lots:** significantly lower, with 241 so far this year compared to 1,176 total last year. However, final platted lots already match the number for 2014.
 - 3.) **Building permits** are on track to meet or slightly exceed 2014, averaging 45 a month.
 - 4.) **Summary:** Zoning surged in 2013, Preliminary surged in 2014, Final Plats usually take 1.5 years from Preliminary to completion of first Section, so 2016 should see significant new lots platted.

4. **Old Business** (*none*)

5. **Other Business**

- Consideration For Recommendation of Approval : ESRI Maintenance \$1,677.00

Mr. George made a motion to Recommend Approval of the ESRI maintenance contract of \$1,677 to the RPC. Mrs. Jenkins seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

- Consideration For Recommendation of Approval: Da-Wei Liou travel expenses for ESRI conference up to \$2,000.00

Mrs. Kuba made a motion to Recommend Approval of travel expenses for Mr. Liou of up to \$2,000 for the ESRI conference in San Diego to the RPC. Mr. George seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

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

7. **Adjourn**

Having no further business, Mrs. Kuba made a motion to adjourn the meeting at 10:15 a.m. Mr. George seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

The next regular Executive Committee meeting will be Wednesday, August 19, 2015 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

18-15 ZON Alma Jones – Trenton Twp. – 7.5 acres from FR to CB

I. Request

The applicant, Alma Jones, is requesting a 7.5-acre rezoning from FR to CB for a landscape and storage business.

II. Conditions

Location: 3752 Condit Road, Sunbury

Present Zoning: Farm Residential (FR)

Proposed Zoning: Community Business (CB)

Present Use(s): Vacant, accessory building

Proposed Use(s): Landscape business, storage

Existing Density: 1 du / 5 acres

Proposed Density: n/a

School District: Big Walnut Local School District

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

Critical Resources: none

Soils: BeA Bennington Silt Loam 0-2% slope

III. Introduction

The Community Business district in the Trenton Township Zoning Resolution is a straight district. This means that it does not require a development plan but that all uses developed within the district must meet a number of design standards as they are developed.

The permitted uses include the following (summarized) uses:

Office facilities for ... insurance agencies, insurance brokers, real estate offices, architects, engineers, law offices, offices of physicians, surgeons, dentists ... or other medical ... fields.

Offices of credit agencies, banks, savings and loan associations, personal credit institutions or loan offices. These may be drive through businesses, provided requirements are met.

Offices of veterinarians provided that the practice of said veterinarians is limited to small domestic animals, that no animals are boarded on the premises.

Bake-goods shop, retail only; Grocery and delicatessen stores; Candy and ice cream stores; Drug stores;

Self-serve dry cleaning and Laundromats; Pick up stations for dry cleaning and laundry.

Florists; Hardware; Sporting goods; Variety stores.

Barber and beauty shop; Shoe repair; Radio and television sales and service; Watch, clock, and jewelry sales and service;

There are also a limited number of accessory uses and conditional uses that are commonly related to the permitted uses listed.

The code has a number of Required Standards that are in addition to other standards such as lighting and signage. These include conducting business wholly within enclosed buildings, a prohibition of manufacturing and similar processes, paved surfaces and landscaped areas, visual and mechanical barriers between this use and adjacent residential uses, and limitations on emissions, smoke, pollution, etc., and other environmental impacts.

IV. Comprehensive Plan

The 2004 Trenton Township Comprehensive Plan identified the area surrounding the intersections of County Road 605/Condit Road and State Route 3 as an area for Planned Commercial uses, noting the nature of existing development on the south side of S.R. 3. Commercial uses are reasonable in this location, if the site can be safely accessed and appropriately served by the necessary utilities.

V. Issues

Use – The application notes that a landscape business will utilize the site. Based on the list of allowable uses, this does not sound like the correct fit for such a use that would likely need outdoor storage and sales. If the landscape business is merely to house offices and equipment, that also seems more intense a use than the retail-type uses listed.

The “storage” use is also vague and could mean multiple ministorage units, which would not be reviewed since there would be no development plan as part of the rezoning.

These uses appear to be better located in a Limited Industrial District, which allows trucking, warehousing, equipment, contractors, and other similar uses. Staff typically recommends Planned districts, which give the community greater control over the development of a site but notes that Trenton Township does not include such districts in its code except for residential districts.

Traffic is likely the most significant issue. This intersection has been identified as a dangerous one, with S.R. 3 traffic having the right-of-way through an intersection with poor geometry. The lack of a development plan limits the input on access and circulation throughout the site. For these reasons, it is important to limit the size of the rezoned site. Access should be limited strictly to an entrance at Condit Road pushed as far from State Route 3 as possible.

VI. Staff Recommendations

Staff recommends Conditional Approval of the rezoning request by Alma Jones, to the DCRPC, Trenton Twp. Zoning Commission and Trenton Twp. Trustees, subject to:

- 1.) **Reducing the acreage to an area intended for the landscape business, or the roughly 1.5 acres that previously sited the car lot;**
- 2.) **Reviewing whether these uses would be better served by the Limited Industrial district, which would require more buffering, lessening the impact on neighboring uses; and**
- 3.) **Health District/EPA review related to on-site sewage disposal.**

Commission / Public Comments

No one was present to represent the applicant.

Mr. Gunderman made a motion to recommend Conditional Approval of the rezoning request by Alma

Jones, subject to:

- 1.) *Reducing the acreage to an area intended for the landscape business, or the roughly 1.5 acres that previously sited the car lot;*
- 2.) *Reviewing whether these uses would be better served by the Limited Industrial district, which would require more buffering, lessening the impact on neighboring uses; and*
- 3.) *Health District/EPA review related to on-site sewage disposal.*

Mr. Merrell seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Trenton Twp.). Motion carried.

19-15 ZON David & Cheryl Born – Troy Twp. – 2.17 acres from FR-1 to PCD

I. Request

The applicants David and Cheryl Born are requesting a 2.17-acre rezoning from FR-1 and Non-Conforming (one parcel is .43 ac. and the other is 2.17 ac.) to Planned Commercial. The existing home is proposed to be a rental property to the south with the existing structure to the north to be converted to a cabinet sales showroom and retail automotive dent repair business.

II. Conditions

Location: 2666 and 2688 US 23, Delaware

Present Zoning: Farm Residential (FR-1)

Proposed Zoning: Planned Commercial and Office District (PCD)

Present Use(s): One single-family house, barn previously used as a business

Proposed Use(s): commercial/retail and rental home

School District: Delaware City Local School District

Utilities Available: Delaware City Water and private on-lot treatment systems

Critical Resources: streams, drainage, slopes >20%

Soils: GwB Glynwood Silt Loam 2-6% slope

LyD2 Lybrand Silt Loam 12-18% slope

III. Introduction

This is an application to utilize an existing building that was formerly a commercial structure and repurpose it as a cabinet sales showroom and retail automotive dent repair business. The Troy Township Zoning Map identifies the 2.17-acre site on which the commercial building sits as “Non-Conforming” without an underlying zoning designation. RPC records show that this parcel has been labeled Non-Conforming since the digital maps were created in 1998. At a point after 2000, Troy Township encouraged non-conforming commercial lots to be placed in the Highway Service District. A Non-Conforming use is no longer valid if voluntarily discontinued for two years or more. This action will correct this issue.

The applicant is therefore requesting rezoning to the Planned Commercial and Office District, rather than the Highway Service District. The uses are better suited for the PCD, but the plan submitted is minimal and essentially recognizes the existing features while committing to some improvements, such as new signage. Technically, a plat is required. For the proposed use it is likely that the township will allow the development to proceed without a plat since the lot is already in existence.

IV. Comprehensive Plan

The 2006 Troy Township plan recognizes that land along highway frontage is appropriate for commercial development and recommends this area for such use, if access can be safely granted and utilities can be provided.

V. Issues

Access is a significant issue as there is no opportunity for access to U.S. 23 at an existing or future traffic signal. However, there is a continuous turn lane for south-bound traffic and a small widening at the approach to the access for north-bound traffic. Given the nature of the proposed uses, traffic will not be a significant factor for the site.

Sanitary treatment – as this site converts into a commercial use, the status of the existing on-site treatment system will need to be reviewed. Staff recommends discussions with the Health District (or EPA based on flow requirements) before proceeding.

Rental home – The request is to extend the Planned Commercial zoning across the parcel to the south so that the home can be rented. This seems unnecessary and may impact future use of the home, should the owner choose to resell it as a single-family home. Unless there is some reason related to the shared driveway that this parcel needs to be included, staff recommends not including it in the PCD designation.

VI. Staff Recommendations

Staff recommends Conditional Approval of the rezoning request by David & Cheryl Born, to the DCRPC, Troy Twp. Zoning Commission and Troy Twp. Trustees, subject to:

- 1.) Health District/EPA review related to on-site sewage disposal;*
- 2.) Removal of the residential site to the south from the rezoning application.*

Commission / Public Comments

No one was present to represent the applicant.

Mr. George made a motion to recommend Conditional Approval of the rezoning request by David and Cheryl Born, subject to:

- 1.) Health District/EPA review related to on-site sewage disposal;*
- 2.) Removal of the residential site to the south from the rezoning application.*

Mrs. Kuba seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Troy Twp.). Motion carried.

20-15 ZON Lynn Kuhlman and Keith Unterbrink – Harlem Twp. – 4.745 acres from AR-1 to FR-1

I. Request

The applicants, Lynn Kuhlman and Keith Unterbrink are requesting a 4.745-acre rezoning from AR-1 to FR-1.

II. Conditions

Location: 11479 Woodtown Rd., Galena

Present Zoning: Agriculture (AR-1)

Proposed Zoning: Farm Residential (FR-1)

Present Use(s): One single-family house and barn

Proposed Use(s): lot split for single family house

Existing Density: 1 du / 5 acres

Proposed Density: 1 du / 2 acres

School District: Big Walnut Local School District

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

Critical Resources: none

Soils: CeB Centerburg Silt Loam 2-6% slope

CnA Condit Silt Loam 0-1% slope

SsA Smothers Silt Loam 0-2% slope

III. Introduction

This is a “straight” rezoning and does not require a development plan. The assumption is that the lot is being rezoned for future subdivision into additional lots.

The parcel is 4.75 acres in size with roughly 505 feet of frontage and a depth of 404 feet. With the house built in 1977, it is a legal, non-conforming lot, based on current lot size requirements.

Harlem Township’s zoning resolution requires 2 acres exclusive of all easements and rights-of-way, and frontage of 175 feet for 2-3 acres, with increasing frontage as acreage increases. Further subdivision of this lot (unless combined with other land) will be accomplished through the No Plat lot split process, allowing township and county agencies the opportunity to review and approve the proposed lot and remainder.

However, staff has generally supported rezoning requests from 5 acres to 2 as land is utilized in a more efficient manner. Staff also recommends that the applicant consult with the Delaware General Health District to determine the feasibility of on-site treatment on the site.

IV. Staff Recommendations

Staff recommends Conditional Approval of the rezoning request by Lynn Kuhlman and Keith Unterbrink, to the DCRPC, Harlem Twp. Zoning Commission and Harlem Twp. Trustees, subject to:

- 1.) *Review by the Delaware General Health District to determine the appropriateness of on-site sewage treatment.*

Commission / Public Comments

No one was present to represent the applicant.

Mr. Price made a motion for Conditional Approval of the rezoning request by Lynn Kuhlman and Keith Unterbrink, subject to:

- 1.) *Review by the Delaware General Health District to determine the appropriateness of on-site sewage treatment.*

Mr. George seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

21-15 ZON 401 East Powell Road LLC – Orange Twp. – 4.242 acres – PC to PC

I. Request

The applicants are seeking to amend the existing PC for the property as the original site plan is not reflective of the current lot sizes, as the relocated Green Meadows Drive was altered by ODOT after the zoning was approved in 2004. The request is to amend the text and map for the 4.242 acres tract to reflect the actual size and requested reduced setbacks.

II. Conditions

Location: north of Powell Rd., between Green Meadows Dr. and Old Green Meadows Dr.

Present Zoning: Planned Commercial and Office (PC)

Proposed Zoning: Planned Commercial and Office (PC)

Present Use(s): vacant

Proposed Use(s): Commercial and office uses

School District: Olentangy Local School District

Utilities Available: Del-Co Water and central sanitary sewer

Critical Resources: none

Soils: UdB Udorthents, Clayey-Urban Land Complex

III. Introduction

401 East Powell Road Ltd. rezoned this site with review by the RPC in July, 2004 and final approval by Orange Township in December, 2004. The property was platted in September, 2008 as part of the road relocation by ODOT. Comparing the submitted rezoning drawings with the actual road geometry suggests the curves were built each with a different radius and possibly different rights-of-way widths. Also, the intersection of Green Meadows and Old Green Meadows is farther south. These changes made the western lot 4.24 acres in size, where it was proposed at 6.11 acres. This amendment allows for reduced sizes of each outparcel.

IV. Divergences

The applicant has submitted a full development text that indicates updated information where needed. The divergences listed include two that were previously approved (phasing of sections smaller than five acres and wall signage at a maximum of 20 feet) as well as additional divergences for setbacks.

The request is to reduce the building setback from 70' to 40' along Green Meadows Drive and from 50' to 35' along Old Green Meadows Drive. The request will also reduce the parking setback along Green Meadows Drive from 42' to 20' and along Old Green Meadows Drive from 42' to 20'. The zoning development plan indicates a Powell Road frontage of approximately 500 feet. The site was actually platted with a Powell Road frontage of approximately 445 feet. The requested reduction in frontage is not as great as the difference between the zoning and the platting, so this is probably a reasonable request. The change in frontage requirements will enable the lots to retain their original size on the smaller acreage.

***Staff Comment:** This is reasonable. Staff recommends a Development Plan be submitted showing this new configuration. Also, setbacks may not need reduction if the two southern lots are developed as a single lot. Language could be clarified to allow setback divergences only if the lots are developed separately.*

It should be noted that the rezoning included language that intended to maintain as much of the natural vegetation along Old Green Meadows as possible. That vegetation was removed during the last year or two, suggesting that additional buffering and landscaping may be needed for the site. The internal road system will be put in place when one or a combination of the lots develop(s).

V. Staff Recommendations

Staff recommends Conditional Approval of the rezoning request by 401 East Powell Road LLC, to the DCRPC, Orange Twp. Zoning Commission and Orange Twp. Trustees, subject to:

- 1.) Approval of the requested setback divergence, but consider whether it should only apply to the southern lots if developed as two separate building sites.***

Commission / Public Comments

Mr. David Hodge, attorney with Smith & Hale, was present to represent the applicant.

Mr. Gunderman asked the role of the state regarding the road location. Mr. Hodge said the land was given to ODOT. Mr. Reidel stated that ODOT built the road at no cost to the developer in exchange for the land.

Mr. Price made a motion to recommend Conditional Approval of the rezoning request by 401 East Powell Road LLC, subject to:

- 1.) Approval of the requested setback divergence, but consider whether it should only apply to the southern lots if developed as two separate building sites.***

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

22-15 ZON Katherine Leveque and Leveque Estates LLC – Orange Twp. – 4.94 acres – SFPRD to SFPRD

I. Request

The applicants, Katherine Leveque and Leveque Estates LLC are requesting an amendment to the approved plan for Lot 7851 of Sanctuary at the Lakes, Section 1.

II. Conditions

Location: 4470 Katherine’s Way

Present Zoning: Single Family Planned Residential

Proposed Zoning: Single Family Planned Residential

Proposed Use(s): split for additional single family house site

Existing Density: 1 du / 4.941 acres

Proposed Density: 1 du / 2.4 acres

School District: Olentangy Local School District

Utilities Available: Del-Co Water and central sanitary sewer

Critical Resources: slopes \geq 20%

Soils: RoA Rossburg Silt Loam 0-2% slope

AmD2 Amanda Silt Loam 12-18% slope

CaB Cardington Silt Loam 2-6% slope

III. Introduction

Sanctuary at the Lakes was rezoned in Orange Township in 2012 with 141 lots in Sanctuary and 44 lots in Enclave at the Lakes to the north. Additional lots were zoned in Genoa Township as well. Preliminary approval was granted by the Regional Planning Commission on November 28, 2012 and construction began shortly thereafter. Section 1 was recorded on July 16, 2013. This plat included dedication and improvement to Africa Road and portions of Sanctuary Drive, Royal Birkdale Drive, and Katherine’s Way. The existing Leveque home and grounds were retained on a new 4.94-acre lot. This lot was provided with a new access on Katherine’s Way, with frontage of approximately 84 feet. The previous access to Africa Road was removed and a row of evergreens was added on the lot on the north side of the cul-de-sac.

The applicant wishes to divide the 4.94 acres into a 2.653-acre lot with the current house and a 2.288-acre lot for a new home. The existing home will retain the required 60 feet of frontage, based on the new driveway and landscape features as well as the location of the old school building. The new lot would have 24.43 feet of frontage but the setback will be based on the point where the parcel opens to 60 feet of width. This is the only divergence requested.

***Staff comments:** The application is minimal and includes a development plan indicating the new lot configuration. The text states that the new lot will adhere to the other standards imposed by the current development plan with regard to deed restrictions, homeowner association membership, and similar.*

The configuration does not appear to impact existing easements and utility improvements. Applicant should ensure the location of the old school house does not create a non-conformity with side yard setback based on the new lot line.

Divergence for frontage is reasonable in this case, based on the size of the lot and the ability to achieve the appropriate setback.

Based on the reduction of frontage, the new house lot could create an awkward layout. Additional buffering along the eastern edge of the lot may be needed.

The subdivision of this lot will require a platted re-subdivision (“Lot 7851 Division #1”) process through the DCRPC and not a No-Plat process. No direct access will be allowed to Africa Road, as noted on the existing plat.

IV. Staff Recommendations

Staff recommends Conditional Approval of the rezoning request by Katherine Leveque and Leveque Estates LLC, to the DCRPC, Orange Twp. Zoning Commission and Orange Twp. Trustees, subject to:

- 1.) Approval of the divergence for frontage reduction;***
- 2.) Consideration of additional buffering on the east side of the lot to avoid an awkward arrangement of house sites; and***
- 3.) A new easement may need to be created during platting to service the existing home.***

Commission / Public Comments

Mr. Jack Brickner with Planned Communities was present to represent the applicant. He explained that the southern lot line (along the school house) has been set in accordance with Orange Twp. requirements.

Mr. Gunderman made a motion to recommend Conditional Approval of the rezoning by Katherine Leveque, subject to:

- 1.) Approval of the divergence for frontage reduction;***
- 2.) Consideration of additional buffering on the east side of the lot to avoid an awkward arrangement of house sites; and***
- 3.) A new easement may need to be created during platting to service the existing home.***

Mr. Heid seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

23-15 ZON Liberty Twp. Zoning Commission – Liberty Twp. – Zoning code amendments

I. Request

The Liberty Township Zoning Commission has initiated changes to its Zoning Resolution. The township has been working for many years on the document. In May of 2012, staff began working with the Zoning Commission through a series of monthly meetings. That work was essentially completed by February, 2013 with additional discussion in June. Updates were made throughout 2014 including the incorporation of Prosecutor comments. The resolution went to Don Brosius’ office and to the Prosecutor for another review in 2015 and RPC staff made final changes earlier this month.

The resolution is now reformatted with many new definitions added. The document was essentially reorganized, such that even if section were not significantly amended, they ended up in a different location with different numbering.

Significant changes include:

- Clarification of Swimming Pool regulations;
- New Telecommunication Tower language;
- New Small Wind Farm language;
- New Portable Storage Unit language;
- Residential Facility language;
- The addition of a Two-Step option in planned districts and clarification of Variations to Approved Development Plans;
- New Planned Residence Conservation District;
- Significant clarification of the Adult Entertainment Regulations language;
- Other consistency issues throughout.

II. Staff Recommendations

Staff recommends Approval of the text amendments to the Liberty Twp. Zoning Resolution to the DCRPC, Liberty Twp. Zoning Commission and Liberty Twp. Trustees.

Commission / Public Comments

Mrs. Lewis made a motion to recommend Approval of the text amendments to the Liberty Twp. Zoning Resolution. Mr. George seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

24-15 ZON Thomas Sanfillipo – Orange Twp. – 5.87 acres - PC to PC

I. Request

The applicant, Thomas Sanfillipo, is requesting an amendment to the approved development plan for Triple T Transport.

II. Conditions

Location: 433 Lewis Center Rd., Lewis Center

Present Zoning: Planned Commercial and Office (PC)

Proposed Zoning: Planned Commercial and Office (PC)

Present Use(s): Single-family

Proposed Use(s): office buildings and parking

School District: Olentangy Local School District

Utilities Available: Del-Co Water and central sanitary sewer

Critical Resources: several archaeological sites

Soils: PwA Pewamo Silty Clay 0-1% slope

BoA Blount Silt Loam 0-2% slope

GwB Glynwood Silt Loam 2-6% slope

III. Introduction

A rezoning was reviewed for this site by the Regional Planning Commission in June, 2012 and ultimately approved by Orange Township in August of the same year. The original staff report described the request to allow office buildings and associated parking for Triple T Transport corporate headquarters. Started in 1988, the business is currently located on Radio Drive off Polaris Parkway. They need to expand and are proposing a 14,200 square foot single-story building on the site as an initial phase. Future plans are to allow two additional buildings with timing based on the future growth of the business.

The office building will host the logistics company and the development of the site will not require parking or loading of large trucks. The development plan indicates utilizing the existing curb cut on Lewis Center Road and retaining the existing single-family home until such time the business expands.

The original intent was to maintain the existing house and build the new building located in the center of the site. This would have included a temporary loop road around the middle building. The applicant is requesting a change in the Development Plan to allow the northern-most building to be built first. The temporary loop road is no longer needed, since the full driveway for Phases 1 and 2 will be built. This phase will include parking for only the first phase at 76 spaces.

Preliminary site work has begun on the parcel in anticipation of development of the property. The Development Plan notes that an eastbound left turn lane will be built with Phase 1.

IV. Staff Recommendations

Staff recommends Approval of the rezoning request by Thomas Sanfillipo, to the DCRPC, Orange Twp. Zoning Commission and Orange Twp. Trustees.

Commission / Public Comments

Ms. Susan Hayes, attorney for the applicant was present to answer questions from the Commission.

Mr. Price made a motion to recommend Approval of the rezoning by Thomas Sanfillipo. Mr. Merrell seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

IV. SUBDIVISION PROJECTS

Preliminary

11-15 Nance Family CAD – Harlem Twp. – 02 lots / 12.178 acres

I. Conditions

Applicant: Harold Nance

Subdivision Type: Single family residential Common Access Driveway

Location: west side of Harlem Rd., north of Center Village Rd.

Current Land Use: single family home

Zoned: Agriculture Residential District (AR-1)

Utilities: Wells and on-site treatment systems

School District: Big Walnut Local Schools

Engineer: Patridge Surveying / Mannik Smith Group

II. Staff Comments

The Nance Family CAD is a subdivision to allow an existing flag lot to serve an existing house as well as a new house site to the west. The CAD and utility easement will utilize the existing driveway which runs along the flag portion of the lot. Each lot will be larger than the 5-acre minimum per the zoning district. The second house lot has been reviewed by the various county agencies as well as the Harlem Township Fire Department, which concur with the plan. The driveway may need additional passing areas as well as minimal tree removal to comply with the CAD standards in the Subdivision Regulations. Improvements will need to be made and the Maintenance Agreement recorded before the Final Plat can be recorded and the lot created.

A technical review was held on July 21, 2015, after which the applicant has addressed all of the required changes.

III. Staff Recommendation

Staff recommends *Preliminary Approval* of the **Nance Family CAD** to the DCRPC.

Commission / Public Comments

Mr. Bob Patridge with Patridge Surveying was present. He explained the applicant is creating a lot for his daughter. They are in the process of clearing the trees for the driveway.

Mr. Price made a motion for Preliminary Approval of the Nance Family CAD. Mr. George seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

10-15 **Wedgewood Park North – Liberty Twp. – 14 lots / 14.5 acres**

I. Conditions

Applicant: DCR Commercial Development LLC.
Subdivision Type: Single family residential
Location: north of Creighton Dr., south of Seldom Seen Rd.
Current Land Use: single family home with several outbuildings, pond
Zoned: Planned Residential District (PR)
Date of Rezoning: November 4, 2014
Utilities: Del-Co water and public sanitary sewer
School District: Olentangy
Engineer: Bird + Bull

II. Staff Comments

Wedgewood Park North is a subdivision of 14 lots that serves as an extension of the Wedgewood Park subdivision. The section of Creighton Drive and the McDowall Drive road stub was platted in 2006, providing access to the site. The development plan shows the extension of McDowall Drive into the site with a new road, Krendale Drive, going east and stubbing to adjacent property. The site includes 14 building lots and a 4.741-acre open space area. This open space includes a detention pond, a portion of an existing pond, and will provide pedestrian access to Seldom Seen Road. Several years ago, county agencies held a site review on the site and determined that a full road connection through the development was not desired at this location.

A technical review was held on July 21, 2015, after which the applicant has addressed all of the required changes.

III. Staff Recommendation

Staff recommends *Preliminary Approval* of **Wedgewood Park North** to the DCRPC.

Commission / Public Comments

Mr. Andrew Gardner with Bird + Bull was present to represent the applicant.

Mrs. Kuba asked if the road on the east side would require a turn around. Mr. Gardner said that was a comment from the County Engineer and that they are working with the adjacent property owner for a temporary turn around.

Mr. Smelker stated that sewer system currently does not have capacity to serve this project. The applicant is aware of this.

Mr. George made a motion for Preliminary Approval of Wedgewood Park North. Mrs. Kuba seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

Preliminary/Final (*none*)

CONSENT AGENDA

Final

01-14.1 North Farms, Section 1 – Orange – 34 lots / 22.457 acres

I. Conditions

Applicant: Rockford Homes
Subdivision Type: Single Family Residential Community
Location: West of North Road, north of Lewis Center Road
Current Land Use: Vacant
Zoned: Single Family Planned Residential (SFPRD)
Zoning Approved: December 4, 2013
Utilities: Del-Co water and public sanitary sewer
School District: Olentangy
Engineer: EMH & T

II. Staff Comments

North Farms is a large residential subdivision located just south of Shanahan Road and both sides of North Road. To the east is the railroad and to the west is land owned by Olentangy Local Schools. Shanahan Middle School, Heritage Elementary School and Olentangy High School and their recreational facilities are located there.

Section 1 includes the southernmost access from North Road. Swanton Street enters the site, providing frontage to 12 lots. That road forms a T intersection with Dorrington Street, which extends south to a T intersection with Lenox Court. Lenox Court stubs to the west into future sections and Dorrington Street stubs to the north to future sections.

All proposed improvements for and along North Road are to be made with Section 1. Improvements along Shanahan Road, including ditch setback and turn lanes are deferred to Section 6, which includes the access to Shanahan, or July 2016. Sidewalks are required along the existing roads and along all new streets.

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 **North Farms, Section 1** to the DCRPC.

Commission / Public Comments

Mr. Price made a motion for Final Approval of North Farms, Section 1. Mr. Gunderman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

V. EXTENSIONS

12-13 The Heathers at Golf Village North – Liberty Twp. – 129 lots / 47.4 acres

Applicant: Pulte Homes (formerly Dominion Homes)

Engineer: EMH & T

Preliminary approval: 07/25/13

I. Staff Comments

The applicant is requesting a 2-year extension for The Heathers at Golf Village North. The applicant states that “construction has been delayed due to the alignment of the Sawmill Liberty Trunk Sewer within the development. The final engineering plans for Section 1 have been approved and the developer intends on proceeding with construction this summer. The final engineering plans for Section 2 have been designed and are under review by the county.”

The Heathers is a 129-lot subdivision on the remaining portion of Golf Village North. It is bordered by Olentangy Schools to the south, the railroad to the east, and an electrical substation to the north. The western boundary is Sawmill Parkway, from which the subdivision takes two accesses; a full access to the south and a right-in/right-out to the north.

During the Technical Review Committee stage in 2013, the Environmental Services office required an appropriate area to extend a trunk line either through or adjacent to this site and at that time was working with the applicant to identify such a location. The applicant acknowledged those discussions with a note provided on the RPC’s Preliminary Plan in 2013 that stated that the final alignment of the trunk sewer would be determined as part of the final engineering of the site. The note also stated that “the alignment shall not impact the developer’s ability to construct homes on the lots...as shown.”

During the final engineering process, the sanitary engineer’s office determined that a Conservation Easement related to the original development of Sawmill Parkway potentially impacts the proposed location of the trunk sewer and related easement. A portion of the corridor offered by the developer for the trunk sewer and related easement is also located within an existing 50-foot gas easement containing a 20-inch high pressure transmission main, which may potentially impact the viability of construction of the trunk sewer.

The developer of the Heathers at Golf Village must agree to continue to work with the Delaware County Sanitary Engineer to identify a location and easement for the proposed Liberty-Sawmill trunk sewer through the Heathers at Golf Village site. To date, the location and easement proposed by the applicant for the Liberty-Sawmill trunk sewer, as shown on the final engineering drawings, has not proved to be possible due to unresolved environmental restrictions and the existing gas easement.

II. Staff Recommendation

Staff recommends **Conditional Approval** of a 2-year Extension for The Heathers at Golf Village North to the RPC, *subject to the following:*

1. Section 1 may proceed with construction and platting as designed;
2. The developer shall acknowledge that a modification to the proposed street, lot, and utility layout for Sections 2-4 may be necessary in order to facilitate the proposed trunk sewer and easement;
3. Note K shall be null and void and restated as follows: “The developer for the Heathers at Golf Village North agrees to work with the Delaware County Sanitary Engineer’s Office to identify a suitable location and easement for the proposed Liberty-Sawmill trunk sewer through the Heathers at Golf Village site, satisfactory to the Delaware County Sanitary Engineer. The location and easement of the trunk sewer shall be from the railroad tracks to the existing Golf Village North Pump Station, and from the existing Golf Village North pump station to a point within the southwest corner of

Reserve E within Section 3, part 2 as shown on the development plans. The trunk sewer is to be built by the County or others, unless both the Sanitary Engineer's office and the developer mutually agree that construction of all, or portions of, the trunk sewer is/are best constructed by the developer. The alignment of the sewer and easements may necessitate that various lots within the development may only be constructed upon following construction of the trunk sewer, however, the County and developer shall work with each other to determine ways to attempt to minimize the number of lots to which this applies."

Commission / Public Comments

Mr. Jeff Strung with EMH & T was present to represent the applicant. He questioned whether Mr. Sanders was suggesting that lots could be removed during the realignment with trunk sewer. Mr. Sanders said that a reconfiguration might be necessary and recommended working with the various agencies to accomplish what needs to be done.

Mr. Matt Lambert, a member of the Sanitary Engineer's office, stated that their intent is not to have the developer lose lots. They would work with the applicant on possible solutions.

Mrs. Lewis made a motion for Conditional Approval of a 2-year Extension for The Heathers at Golf Village North to the RPC, subject to:

- 1. Section 1 may proceed with construction and platting as designed;***
- 2. The developer shall acknowledge that a modification to the proposed street, lot, and utility layout for Sections 2-4 may be necessary in order to facilitate the proposed trunk sewer and easement;***
- 3. Note K shall be null and void and restated as follows: "The developer for the Heathers at Golf Village North agrees to work with the Delaware County Sanitary Engineer's Office to identify a suitable location and easement for the proposed Liberty-Sawmill trunk sewer through the Heathers at Golf Village site, satisfactory to the Delaware County Sanitary Engineer. The location and easement of the trunk sewer shall be from the railroad tracks to the existing Golf Village North Pump Station, and from the existing Golf Village North pump station to a point within the southwest corner of Reserve E within Section 3, part 2 as shown on the development plans. The trunk sewer is to be built by the County or others, unless both the Sanitary Engineer's office and the developer mutually agree that construction of all, or portions of, the trunk sewer is/are best constructed by the developer. The alignment of the sewer and easements may necessitate that various lots within the development may only be constructed upon following construction of the trunk sewer, however, the County and developer shall work with each other to determine ways to attempt to minimize the number of lots to which this applies."***

Mr. George seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

VI. OTHER BUSINESS

- Consideration for Approval: ESRI annual maintenance \$1,677.00
Mr. Price made a motion for Approval of the ESRI annual maintenance of \$1677.00. Mr. Thurston seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.
- Consideration for Approval: Travel Expenses, up to \$2000 for Da-Wei Liou conference
Mr. Merrell made a motion to Approve up to \$2000 for Mr. Liou travel expenses for the ESRI conference. Mrs. Lewis seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

- Sewer Master Plan Public Hearing – will be held August 20th at the Willis Building at 6:30 p.m.

VII. POLICY / EDUCATION DISCUSSION (*none*)

VIII. RPC STAFF AND MEMBER NEWS

- Acknowledgement of Retirement: Ken O'Brien and Gary Gunderman

Mr. Stites explained that Ken O'Brien has retired and would no longer be representing the County Commissioners at the RPC. He stated that Mr. O'Brien served on the RPC for 7 years, with the last 3 years serving as Executive Committee Chairman. He thanks Mr. O'Brien for his efforts and contributions to the Regional Planning Commission. Mr. Stites also explained that this would be Mr. Gunderman's last meeting as he is also retiring from the City of Dublin. Mr. Gunderman served for 11 ½ years on the RPC. Mr. Stites appreciated his knowledge and professional opinion.

Certificates of Appreciation were presented to Mr. Gunderman and Mr. O'Brien (mailed).

Having no further business, Mr. George made a motion to adjourn the meeting at 8:00 p.m. Mr. Price seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

The next meeting of the Delaware County Regional Planning Commission will be Thursday, August 27, 2015, 7:00 PM at the Willis Building, 2079 US 23 North, Conference Room, Delaware, Ohio 43015.

Dave Stites, Chairman

Stephanie Matlack, Executive Administrative Assistant