



# Delaware County Regional Planning Commission

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Scott B. Sanders, AICP  
Executive Director

## *\*MINUTES\**

Thursday, October 25, 2012 at 7:00 PM

Delaware County Commissioners Conference Room, 101 N. Sandusky Street,  
Delaware, Ohio 43015

### I. ADMINISTRATIVE BUSINESS

- Call to order
- Roll Call
- Approval of Sept. 27, 2012 RPC Minutes
- Executive Committee Minutes of Oct. 17, 2012
- Statement of Policy

### II. VARIANCES *(none)*

### III. ZONING MAP/TEXT AMENDMENTS

- 11-12 ZON            Bensen Fire & Safety Consulting Ltd. – Marlboro Twp. - 2.101acres - zoned PC - development plan amendment
- 12-12 ZON            Loch Lomond Hills, LLC – Liberty Twp. – 11.691 acres – zoned PR – development plan amendment
- 13-12.A & B ZON    Romanelli & Hughes – Genoa Twp. – 129.978 acres – RR to PRD

### IV. SUBDIVISION PROJECTS

#### Preliminary

		<b>Township</b>	<b>Lots/Acres</b>
21-04.2	Estates at Cheshire, Section 2	Berkshire	20 lots / 53.82 acres

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

#### Final

03-06.1.B	Meadows at Lewis Center, Section 1, Phase B	Orange	14 lots / 07.73 acres
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**T=TABLED, W=WITHDRAWN**

### V. EXTENSIONS

07-05.1-3	Nelson Farms, Sections 1-3	Liberty	150 lots / 154.3 acres
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### VI. OTHER BUSINESS

- Consideration of Approval of expenditure: SWCD fees collected, \$2,225.00
- Consideration of Approval: Contract, \$2,500.00 – update to Liberty Twp. Zoning Resolution
- 2013 Budget – 1<sup>st</sup> review

### VII. POLICY / EDUCATION DISCUSSION *(none)*

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

**I. ADMINISTRATIVE BUSINESS**

▪ **Call to Order**

2<sup>nd</sup> Vice Chairman Stites called the meeting to order at 7:00 p.m.

▪ **Roll Call**

Representatives: Jeff George, Rick Sedlacek, Susan Kuba, Ric Irvine, Fred Fowler, Tiffany Jenkins, Gary Gunderman, Ton Hopper, Joe Clase, David Andrian, Dave Stites, Holly Foust, Thomas Farahay, Bill Thurston, Charlie Callender, Bonnie Newland, Mike Dattilo, and Doug Price. Alternates: Mike Rogich and John Piccin. Staff: Scott Sanders, Da-Wei Liou and Stephanie Matlack.

▪ **Approval of the September 27, 2012 RPC Minutes**

*Mr. Andrian made a motion to approve the minutes from the September 27, 2012 as presented. Mr. Irvine seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

▪ **October 17, 2012 Executive Committee Minutes**

**1. Call to order**

Vice-Chairman O'Brien called the meeting to order at 9:00 a.m. Present: Ken O'Brien, Tiffany Jenkins, Susan Kuba and Dave Stites. Steve Burke was absent. Staff present: Scott Sanders and Stephanie Matlack.

**2. Approval of Executive Committee Minutes from September 12, 2012**

*Mr. Stites made a motion to approve the minutes from the last meeting as presented. Mrs. Jenkins seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

**3. New Business**

a. Financial / Activity Reports for September 2012

REGIONAL PLANNING RECEIPTS		SEPTEMBER	YTD TOTAL
General Fees (Lot Split)	(4201)		\$4,305.00
Fees A (Site Review)	(4202)		\$1,500.00
Insp. Fees (Lot Line Transfer)	(4203)		\$2,100.00
Membership Fees	(4204)		\$292,309.00
Planning Surcharge (Twp. Plan. Assist.)	(4205)		\$657.25
Assoc. Membership	(4206)		
General Sales	(4220)		\$16.20
Charges for Serv. A (Prel. Appl.)	(4230)		\$25,457.00
Charges for Serv. B (Final. Appl.)	(4231)	\$613.90	\$19,313.90
Charges for Serv. C (Ext. Fee)	(4232)		\$600.00
Charges for Serv. D (Table Fee)	(4233)		\$800.00
Charges for Serv. E (Appeal/Var.)	(4234)		\$2,100.00
Charges for Serv. F (Planned District Zoning)	(4235)		\$2,100.00
OTHER DEPT. RECEIPTS			
Health Dept. Fees	(4242)		\$240.00
Soil & Water Fees	(4243)		\$1,825.00

MISCELLANEOUS REVENUE			
Other Reimbursements	(4720)		
Other Reimbursements A			\$100.00
Other Misc. Revenue (GIS maps)	(4730)	\$40.00	\$395.00
Misc. Non-Revenue Receipts	(4733)		
Sale of Fixed Assets	(4804)		
<b>TOTAL RECEIPTS</b>		<b>\$653.90</b>	<b>\$353,818.35</b>

<b>Balance after receipts</b>		<b>\$342,031.83</b>
<b>Expenditures</b>	<b>-</b>	<b>\$ 19,290.60</b>
<b>End of September balance (carry forward)</b>		<b>\$322,741.23</b>

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

- b. October RPC Preliminary Agenda
  - 1.) Site Review:
    - Sanctuary at the Lakes – Orange/Genoa Twp.’s – 209 lots / 120.7 acres
  - 2.) Rezoning:
    - Bensen Fire & Safety Consulting Ltd. – Marlboro Twp. - 2.101acres - zoned PC - development plan amendment
    - Loch Lomond Hills, LLC – Liberty Twp. – 11.691 acres – zoned PR – development plan amendment
    - Romanelli & Hughes – Genoa Twp. – 129.978 acres – RR & PR to PRD
  - 3.) Variance: None
  - 4.) Preliminary:
    - Estates at Cheshire, Section 2 – Berkshire Twp. - 20 lots / 53.82 acres
  - 5.) Preliminary/Final: None
  - 6.) Final:
    - Meadows at Lewis Center, Section 1, Phase B – Orange Twp. - 14 lots / 07.73 acres
  - 7.) Extension:
    - Nelson Farms, Sections 1-3 – Liberty Twp. - 150 lots / 154.3 acres
- c. Director’s Report
  - 1.) Liberty Twp. – continuing work on the zoning code
  - 2.) Sunbury – starting work on comprehensive plan update
  - 3.) Brown Twp. – completed reformatting of the zoning code
- d. Discussion of By-Laws – Mr. Sanders presented suggested amendments to the By-Laws regarding funding and Officers (See attached.). Discussion to continue at the November meeting.
- e. Discussion of Subdivision Regulation amendments – Mr. Sanders presented proposed amendments to Section 205.06 of the Delaware County Subdivision Regulations (See attached.). After some discussion, the Committee asked that he work with Mr. Hochstettler with the Delaware Co. Prosecutor’s office to finalize a draft.

- f. 2013 Budget Discussion – Mr. Sanders presented the proposed 2013 Budget. Staff was asked to provide a variety of projections, including salary increases 2%-4% and reduction of dues (credit of 2012 paid dues).

Summary of Budget:

Projected carry forward into 2013: \$254,962  
Projected revenue for 2013: \$307,657  
Proposed expenditures for 2013: \$ 290,334

***Mrs. Kuba made a motion to recommend Approval of the proposed budget including a 2% pay increase for RPC staff and a \$0.12 credit of the 2012 paid membership dues. Mrs. Jenkins seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.***

4. Old Business *(none)*

5. Other Business

- 1.) Recommendation of Approval: Payment of SWCD fees collected on their behalf: \$2,225.00 –

***Mr. Stites made a motion to recommend Approval of the \$2,225 payment to the SWCD for fees collected on their behalf. Mr. O'Brien seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Mrs. Kuba). Motion carried.***

6. Personnel *(none)*

7. Adjourn

***Having no further business, Mrs. Jenkins made a motion to adjourn the meeting at 10:45 a.m., seconded by Mrs. Kuba. VOTE: Unanimously For, 0 Opposed. Motion carried.***

• **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

#### 11-12 ZON Bensen Fire & Safety Consulting Ltd. – Marlboro Twp. - 2.101 acres - zoned PC – development plan amendment

##### I. Request

The applicant, Walt Benson, is requesting a development plan amendment on 2.101 acres from recreational sales and service to fire/arson investigation service.

##### II. Conditions

**Location:** 8350 US 23 North, Delaware

**Present Zoning:** Planned Commercial and Office District (PC)

**Proposed Zoning:** Planned Commercial and Office District (PC)

**Present Use(s):** Existing commercial structures and parking

**Proposed Use(s):** fire/arson investigation service

**School District:** Buckeye Valley School District

**Utilities Available:** well water and private on-lot treatment systems

**Critical Resources:** none

**Surrounding land uses:** Agriculture and residential 5-acre lots

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

PwA Pewamo Silty Clay Loam 0-1% slope

##### III. Issues

The site was originally zoned Planned Commercial through the Rural Zoning Commission in late 1998. The current approved development plan allows recreational sales and service of ATVs and snowmobiles. The existing Development Plan was approved for an area of 1.95 acres. Because of title and recording issues over the years since, the current parcel is 2.101 acres. Most of that area is within the area covered by the PC zoning designation and the current Development Plan. However, a portion of the parcel lies behind the neighboring parcel to the south. This application seeks to amend the Development Plan not only based on the proposed use of the site, but also in an effort to rezone the small strip behind the parcel to the south so that the entire parcel is under a consistent zoning designation.

The applicant seeks to amend the Development Plan from recreational sales and service to fire/arson investigation service. The applicant is not proposing any additional buildings or improvements to the site except for a security fence which was approved in the original plan but never installed. The use will be less intensive than the previous use as it will not involve retail uses and related traffic.

Setbacks are allowed to be determined “per plan” but the end result is that the newer metal building has been surveyed at 5.8 feet away from the parcel line for a portion of the building. This is an existing condition based on the current configuration of the parcel and shouldn’t be an issue.

##### IV. Staff Recommendations

Staff recommends **Approval** of the application by **Benson Fire & Safety Consulting** for 2.101 acres, to the DCRPC, Delaware County Rural Zoning Commission, and Delaware County Commissioners.

##### Commission / Public Comments

The applicant was not present. Mr. Price stated that he would represent the applicant.

**Mr. Sedlacek made a motion to recommend Approval of the application by Benson Fire & Safety Consulting for 2.101 acres. Mr. Andrian seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Troy Twp. and Fred Fowler). Motion carried.**

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**12-12 ZON                    Loch Lomond Hills, LLC – Liberty Twp. – 11.691 acres – zoned PR – development plan amendment**

**I. Request**

The applicant, Loch Lomond Hills, LLC, is requesting approval of a development plan for a new condominium community consisting of 42 units on 11.691 acres to be known as Loch Lomond Hills.

**II. Conditions**

**Location:** west side of SR 315 on the south side of Manning Parkway

**Present Zoning:** Planned Residential District (PR)

**Proposed Zoning:** Planned Residential District (PR)

**Present Use(s):** vacant

**Proposed Use(s):** Residential - 42 single-family condominiums

**Existing Density:** 1.35 units per acre on 239.086 acres per approved 1979 Loch Lomond development plan as amended in 1994, according to the Liberty Township Zoning office

**Proposed Density:** 3.59 du / acre

**School District:** Olentangy School District

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

**Critical Resources:** none

**Surrounding land uses:** Agriculture and residential 5-acre lots

**Soils:** GwB Glynwood Silt Loam 2-6% slope

GwC2 Glynwood Silt Loam 6-12% slope

LyE2 Lybrand Silt Loam 18-25% slope

**II. Project Description**

The Loch Lomond Farms development, approximately 257 acres overall, was originally rezoned in 1979 to Planned Residence District (PR) and included single-family, multi-family and commercial/office uses. It is located on the west side of SR 315 and extends from the Franklin County Line to just south of Jewett Road.

The 11.691 acres under consideration is at the south end of the development between the county line and Manning Parkway. Surrounding land use includes offices to the north (Loch Lomond Park), vacant land in Franklin County to the south, former agricultural land zoned for a senior care center and two cell phone towers to the east and undeveloped land to the west (zoned PR with a pending application for condominiums). The land slopes from a high point on the western end down toward the Olentangy River to the east.

**III. Issues**

1. Development Design - The design shows two access points from existing crossovers on Manning Parkway which is designed as a boulevard. All internal roads are private. One drive accesses eight units with a small loop (Border Drive). The other entrance accesses the remainder of the units with a large loop (Cromwell Loop) and small dead-end street.
2. Building Design – Individual buildings are detached duplex, cottage-style units with a minimum size of 2,000 square feet. Each has a pair of recessed garages. Minimum building spacing is measured at 15', where the

zoning code requires 25'. The text notes that building with less than 25 feet of spacing shall provide adjacent walls to be built with masonry with no openings or windows.

3. Roads – The application drawings show two full connections on Manning Parkway. Internal roads are intended to be private and built to the Delaware County standards for public roads. However, the cross section shows center drainage for all internal roads. This cross section has caused issues in other condominium developments throughout the county and the staff recommends that streets utilize crowned pavement with side drains.
4. Density - The proposed density of 3.95 units per gross acre exceeds the recommendation of the 2006 Comprehensive Plan but the 1979 Loch Lomond PRD zoning is vested. For the purpose of this review staff presumes the applicant has the right to the number of dwelling units proposed, but notes that this draws off the residual units remaining.
5. Utilities -
  - a. Sanitary sewer – A 10” sanitary sewer line crosses the site and will be moved. A letter of service availability has been provided.
  - b. Water – There is a 12” Del-Co water line at the west side of the development. A service letter has been provided.
  - c. Gas - A service letter has been provided.
6. Open Space – The plan preserves some open space around the units and drainage areas and through existing tree preservation, where none is specifically required in the current zoning code.
7. Storm water – Two new water quality/retention ponds are proposed on site. A storm water management plan must be submitted to and approved by the County Engineer.
8. Sidewalks, bike paths – No pedestrian facilities are shown. Based on the current Subdivision Regulations, a sidewalk should be required on the south side of Manning Parkway.
9. Divergences are requested for:
  - a. Model Home – The plan proposes to construct one building to be used as a model and sales office during the development of the site. **Staff's comment:** *No objection.*
  - b. Setbacks – Divergences are requested for setbacks and building separation. The application is unclear as to the request. The text states that the setback from Manning Parkway will be 60 feet from centerline but the drawing shows 60 feet from the property line, which is larger. Setbacks from internal roads are 20 feet from the edge of pavement or 31 feet from the centerline where the code recommends 60' but allows divergences. Side yard setback is requested at 35 feet which exceeds the requirement of 25 feet. **Staff's comment:** *It appears the only divergence required is the structure separation. Buildings that are closer than 25' must have a masonry wall, which is proposed in the text. The township should consider the roof overhang of the units and not the foundation when calculating building separation. Private road setbacks look acceptable.*
10. Parking – The proposal shows 61 guest spaces distributed throughout the site. **Staff's comment:** *This appears to be excessive guest parking for this site, which is unusual for a condominium proposal. These areas are in addition to the generally deep driveways provided in front of each garage. This pavement adds to the overall lot coverage and impervious surface of the site. Landscaping plans show details surrounding each unit but do not address how these parking areas are landscaped. The Township*

*should seek additional detail as to the average amount of guest parking typically provided per unit as well as additional landscaping detail.*

11. A subdivision Plat will be required for this project.

#### **IV. Required Findings for PR**

That the proposed development is consistent in all respects with the purpose, intent, and general standards of this zoning resolution, that the proposed development is in conformity with the comprehensive plan or portion thereof as it may apply, and that the proposed development advances the general welfare of the township and the immediate vicinity.

***DCRPC Staff Finding:** Generally, the plan is in compliance with the previously-approved plan, if consideration is made to increasing the building spacing and pedestrian connections.*

#### **V. DCRPC Staff Recommendation**

Staff recommends **Conditional Approval** of the application by the Loch Lomond Hills, LLC for a Development Plan Amendment to construct 42 condominiums units on 11.691 acres in Loch Lomond to the DCRPC, Liberty Twp. Zoning Commission and Liberty Twp. Trustees, *subject to the following:*

- 1) *Pedestrian linkages should be made along Manning Parkway.*
- 2) *Review building spacing and utilize the roof overhang in determining building spacing.*
- 3) *Review the guest parking needs and landscaping of such areas.*

#### **Commission / Public Comments**

Mr. Ron Leonard with Pomeroy & Associates was present. He stated that a reduction to the parking area would be considered. He expressed concern with adding sidewalks to this project due to the lot size but would take the staff comments to the developer. Mr. Gunderman asked if the storm water could be piped under the sidewalks. Mr. Leonard said it would be up to the County Engineer's office. Mr. Piccin stated that the County Engineer would review this request.

***Mr. Andrian made a motion to recommend Conditional Approval of the application by the Loch Lomond Hills, LLC., subject to:***

- 1) ***Pedestrian linkages should be made along Manning Parkway.***
- 2) ***Review building spacing and utilize the roof overhang in determining building spacing.***
- 3) ***Review the guest parking needs and landscaping of such areas.***

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

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**13-12.A & B ZON Romanelli & Hughes – Genoa Twp. – 129.978 acres – RR & PR to PRD**

**I. Request**

The applicant, Vince Romanelli, on behalf of himself and other landowners, seeks to rezone two separate areas or property to allow the development of 82 single-family residential lots on one 19.661-acre tract (two parcels) and 87 single-family residential lots on a second 13.466-acre tract. Also related to this proposal is an area of two parcels which total 17.39 acres of land to be donated as open space to the township. The applicant states in the rezoning request that these areas are to be considered as a single application. “In the event either of the properties...are not rezoning...neither property shall be rezoned.” Therefore, these shall be considered as a single rezoning case but shall be separated due to the unique details of each. The following table demonstrates the details that are explained in text format throughout this report:

	<b>Vinmar Village</b>	<b>Diersing/Yarnell</b>
<b>Gross acreage</b>	73.111 ac.	58.868 ac.
Acreage without right-of-way	72.490 ac.	57.142 ac.
<b>Proposed units</b>	87	82
<b>Gross density</b>	1.20 du./ac.	1.44 du./ac.
Net developable area	60.868 ac.	47.967 ac.
<b>Net density</b>	1.429 ac.	1.71 du./ac.
Open space required	28.996 ac (40%)	22.857 ac. (40%)*
Open space provided	31.186 ac. (+2.19 ac.)	19.661 ac. (-3.20 ac.)
Offsite open space provided		13.466 ac.
Overall net density with offsite ded.	1.38 du./ac.	

\*application states this as 50% where the code states PRD requires 40%.

**II. Conditions**

**13-12.A – Vinmar Village**

**Location:** 4484 S. Old 3C Highway

**Acres:** 73.111

**Present Zoning:** Rural Residential (RR)

**Proposed Zoning:** Planned Residential (PR)

**Present Use(s):** vacant

**Proposed Use(s):** Single-family residential community (Vinmar Village)

**Existing Density:** 1 du / 2 acres

**Proposed Density:** 1.429 du / net developable acres

**School District:** Big Walnut Local School District

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

**Critical Resources:** stream

**Surrounding land uses:** Single family residential to the south (Vinmar Farms) and east, vacant land to the north and west

**Soils:** BeA – Bennington Silt Loam 0-2% slope

BeB – Bennington Silt Loam 2-4% slope

PwA – Pewamo Silty Clay Loam 0-1% slope

Vinmar Village is a proposed development of 87 units on 73.111 acres just north of the Vinmar Farms development. Lot size is generally 90’x150’, or 13,500 square feet. Sidewalks will be located on both sides of the street and the landscape plan shows typical landscape features at the entrance as well as street trees along all streets. The layout takes advantage of a road stub from Vinmar Farms (Chichester Way) and provides a new stub

to the north. At South Old 3C Highway, the development plan shows a wider, “no-load” arterial road providing access to the site and access to future development to the north. Open space of 31.186 acres (51% of the net area) is provided which includes an active play area and a paved path to the existing Genoa Trail (Ohio to Erie Trail) to the west.

**Comprehensive Plan:** This parcel falls within Sub-Area IV of the Plan which recommends Conservation Subdivisions which is a part of the Rural Residential section of the code. The plan recommends a density of .75 dwelling units per acre when centralized sewer is available. The development plan represents a density of 1.429 units per net developable acre. This represents a density divergence which the applicant states is justified because the Comprehensive Plan does not contemplate a request Planned Residence.

The lots in the Vinmar North proposal are similar in size to the Vinmar lots to the south. Vinmar is platted at approximately 1.20 units per acre (105 lots on 87.63 gross acres).

**Staff Response:** *This is a significant density divergence. Although the Comprehensive Plan does recommend Conservation Subdivisions at .75 units to the acre and does not anticipate use of the PRD, an applicant should note that the density issue is a greater concern than whether the area is developed under the PRD standards. The Comprehensive Plan recommends approximately 46 units. If the development were proposed to match the development of Vinmar to the south, there would be approximately 86 lots based on gross density (or 73 lots based on Net Developable Acreage).*

*The better argument for a density divergence is whether the arterial road at the eastern end of the development, the design of the open space, the dedication of the off-site open space as noted in the Diersing/Yarnell text above, justifies a higher density than what is noted on the Comprehensive Plan. The Township has yet to see a successful Conservation Subdivision, so it is difficult to know whether the Township’s boards would prefer such a development. It is recommended that the township review this density and lower it to be closer to the 73 lots based on net developable acreage.*

### 13-12.B – Diersing-Yarnell Tract

**Location:** west side of Worthington Rd., south of Lewis Center Rd.

**Acres:** 58.868

**Present Zoning:** Rural Residential (RR)

**Proposed Zoning:** Planned Residential (PRD)

**Present Use(s):** Single Family residence and vacant

**Proposed Use(s):** Single family residential community

**Existing Density:** 1 du / 2 acres

**Proposed Density:** 1.71 du / net developable acres

**School District:** Olentangy Local School District

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

**Critical Resources:** ponds, streams

**Surrounding land uses:** Single family residential

**Soils:** BeA Bennington Silt Loam 0-2% slope

BeB Bennington Silt Loam 2-4% slope

PwA Pewamo Silty Clay Loam 0-1% slope

CaB Cardington Silt Loam 2-6% slope

CaC2 Cardington Silt Loam 6-12% slope

The development proposed for the “Diersing-Yarnell” tracts is 87 units on 58.868 acres just north of the Sheffield Park development. Lots sizes are in a range from 85’x150’ (12,750 s.f.) to 100’x150’ (15,000 s.f.). Sidewalks will be located on both sides of the street and the landscape plan shows typical landscape features at both accesses at Worthington Road and Lewis Center Road as well as street trees along all streets. The layout utilizes an existing

street stub from Sheffield Park (Rammelsberg Dr.). Open space of 19.661 acres (41% of the net area) is provided which includes an active play area and a paved path within the open space.

**Comprehensive Plan:** This parcel falls within Sub-Area V of the Plan which recommends Planned Residential development up to 1.35 when centralized sewer is available. The development plan represents a density of 1.71 units per net developable acre. However, this application uses the off-site parkland dedication to achieve an effective density of 1.335 dwelling units per acre.

This is not specifically requested as a divergence, despite the Zoning Code stating (Section 902) that “all land within a proposed Planned Development shall be contiguous...” However, there is an allowance within the code under Section 912 that states “in lieu of the Common Open Spaces required in Section 911, the Zoning Commission or Township Trustees may accept, as part of an approved Final Development Plan, Common Open Space consisting of an off-site unified tract...” Therefore it is clear that the code anticipates an allowance for off-site open space as long as it meets the purposes of the public authority to which land is to be transferred. In this case, the land is owned by the commercial entity Casto and consists of an area that would not be conducive to commercial development. It is also adjacent to the Township’s 34-acre Fleur Road Park. To date, this land has not been developed for public use, either as an active or educational park, but the Township seeks to expand the area and is looking for improving access through adjacent development.

The lots in the Diersing/Yarnell proposal are similar in size to the Sheffield Park lots to the south. Based on the large amounts of open space on the western end of Sheffield Park and across Worthington Road to the east, Sheffield Park is platted at approximately 1.04 units per acre (226 lots on 218.5 acres).

**Staff Response:** *If the Township views this as a divergence for offsite Open Space, it may be warranted given the amount and location of the open space dedication and the fact that the density is within the limits recommended on the Comprehensive Plan. The Township will need to review this issue as it relates to the other case below.*

### **III. Issues**

**Road network:** As stated in the description of the project, each site is utilizing existing road stubs. Additionally, each of these sites has been through the Sketch Plan phase, at which time other connections to undeveloped property were discussed. It was determined that the stubs shown were the only ones necessary. This overall area of the Township has been the subject of other discussions based not only on this development, but also regarding the impending expansion of the Genoa Baptist Church and the future plans for the park parcels currently owned by Genoa Township. Based on those discussions, it was noted that major improvements would not be required at the access to Worthington Road. Improvements will be required at Lewis Center Road and a new arterial would be needed at South Old 3C Highway.

A Traffic Impact Study is included in the application which considers future improvements by the County further south at Big Walnut and Worthington and also at Big Walnut and South Old 3C. Both proposed to be signalized. For this project the summary of the study indicates a northbound left turn lane will be warranted at both Worthington Road (for the Diersing/Yarnell tract) and Old 3C (for Vinmar North). These improvements will either be required or may be used for calculation purposes regarding future regional improvements. No additional lanes are warranted on Lewis Center Road.

The road layout in the Diersing/Yarnell shows a long, unimpeded east/west street that could encourage higher speeds. Staff recommends road calming in this area to discourage such traffic.

**Utilites:** Water service is available to the sites although there are specific conditions placed upon the Diersing/Yarnell tract which requires a new water line being constructed to a higher pressure area at Linder Way,

north of the site, rather than tying into existing lines at Sheffield Park to the immediate south. Storm basin sizes are conceptual. It appears that there is ample room in open space areas for such storage which will be finalized as the subdivisions proceed through the platting process.

Sanitary service letters are included from the Sanitary Engineer's office, which show that the Diersing/Yarnell tract has available sanitary lines through Sheffield Park. The letter referencing Vinmar Village states that there is capacity for the equivalent of 63 single-family uses (where 87 are proposed). Within the past year, this project sought a change in the sewer service area for this tract. That area was expanded by the County Commissioners with the condition that larger regional improvements would have to be made by either the County or the developer before those remaining units could be served.

#### **IV. Required findings for a PRD rezoning**

The Final Development Plan submitted shall support the following requirements:

1. The physical character of the site shall be suitable for development in the manner proposed without hazards to persons or property, on or off the site from probability of flooding, erosion, subsidence, or slipping of the soil or other dangers, annoyances, or inconveniences.  
**Staff finding:** *Sites do not contain topography that would cause concern for these issues.*
2. Any Divergence from the Zoning Resolution requirements is warranted per plan by the design and amenities incorporated in the development plan and each requested Divergence shall specifically and separately be listed in the Final Development Text in accordance with Section 920.  
**Staff finding:** *The off-site land dedication is a reasonable request if favored by the Township but the density of the Vinmar Village needs to be revisited by the Township.*
3. Land surrounding the proposed development can be planned in coordination with the proposed development and that it be compatible in use. **Staff finding:** *It can be based on the road stubs and traffic pattern discussions.*
4. The proposed change to a Planned Development District is in conformance with the standards, objectives, and policies of the Genoa Township Comprehensive Plan. **Staff finding:** *See relevant comments in the report regarding the Comprehensive Plan recommendations for the Vinmar Village area.*
5. The site must have direct access to a major street without creating traffic on minor residential streets outside the District. **Staff finding:** *Both sites do have such access.*
6. Existing and proposed utility services are adequate for the proposed development.  
**Staff finding:** *Water and sewer letters each have conditions which will have to be met by the development.*
7. Each phase of the proposed development, as it is proposed to be completed contains the required parking spaces, landscape and utility areas necessary for creating and sustaining a desirable and suitable environment.  
**Staff finding:** *Design appears to comply. Phases are not shown on the plan but will be required at the subdivision phase.*
8. The proposed Planned Development including all proposed parking spaces, and landscape areas and utilities can be substantially developed, and all construction for public benefit has been approved by the Delaware County Engineer, within three (3) years of the establishment of the Planned Development District unless a different time schedule is set forth in the approved development plan.  
**Staff finding:** *This will depend on the timing of the subdivision process.*
9. The developer either possesses or has access to sufficient funds for the initiation and completion of the project as described in the Final Development Plan.

**Staff finding:** *The developer appears to comply and this will probably impact the timing.*

**V. Staff Recommendations**

Staff recommends **Conditional Approval** of the application by **Romanelli & Hughes** for 129.978 acres from RR/PR to PRD, to the DCRPC, Genoa Township Trustees, and the Genoa Township Zoning Commission, *subject to the following:*

1. *Consider lowering the density of Vinmar Village to be closer to 1.2 net developable acreage, partially based on the Sanitary Service letter.*
2. *Consider adding traffic calming to the E/W road in Diersing/Yarnell development.*
3. *Township should consult legal counsel regarding the dedication of land in lieu of on-site open space and the related timing of such transactions.*

**Commission / Public Comments**

Mr. Joe Looby with Stantec was present to represent the applicant.

Mr. Andrian asked if the project would be phased. Mr. Looby said there would be three phases with the first to begin fall 2013.

Mr. Farahay asked if ODOT was opposed to allow this project access on Route 3 to Vinmar? Mr. Sanders stated that would have to be worked out. If the Big Walnut intersection is closed in exchange for this location, it is probably an improvement.

Mr. Gunderman asked what the potential solutions are for the utilities. Mr. Looby said that he met with Del-Co Water today and there are possibly two solutions. One being to connect to the water line to the north, the other coming to the west along Africa Road (Flying J district). The preferred concept today was going to the west but more discussions are to follow.

**Mr. Farahay made a motion to recommend Conditional Approval of the application by Romanelli & Hughes for 129.978 acres, subject to:**

1. *Consider lowering the density of Vinmar Village to be closer to 1.2 net developable acreage, partially based on the Sanitary Service letter.*
2. *Consider adding traffic calming to the E/W road in Diersing/Yarnell development.*
3. *Township should consult legal counsel regarding the dedication of land in lieu of on-site open space and the related timing of such transactions.*

**Mr. Andrian seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Genoa Twp.). Motion carried.**

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#### IV. SUBDIVISION PROJECTS

##### Preliminary

21-04.2 Estates at Cheshire, Section 2 – Berkshire Twp. - 20 lots / 53.82 acres

##### I. Conditions

**Applicant:** South Galena Development Company  
**Subdivision Type:** Single Family Residential  
**Location:** west side of South Galena Rd., south of US 36  
**Current Land Use:** Vacant  
**Zoned:** Farm Residential (FR-1)  
**Utilities:** Del-Co water and on-site sanitary sewer  
**School District:** Big Walnut  
**Engineer:** CEC

##### II. Staff Comments

Estates at Cheshire originally received Preliminary approval in August 26, 2004. The first Section was recorded on August 25, 2006. The remaining portion of the subdivision was not recorded because of market conditions and because of the uncertainty of improvements at Interstate 71 and US 36/SR 37. The subdivision expired because of this uncertainty. A new arterial road needs to be planned, connecting 36/37 to Cheshire Road. This road could potentially bisect the site, although the existing road stub is not designed to carry the traffic that an arterial road would be able to manage. Therefore, a new right-of-way is provided in this Preliminary Plan for a future roadway. Nothing else has changed from the originally-approved plan, including the 20 remaining lots and road layout.

*A technical review was held on October 16, 2012, after which the applicant has addressed all of the required changes.*

##### III. Staff Recommendation

Staff recommends *Preliminary Approval* of Estates at Cheshire, Section 2 to the DCRPC.

##### Commission / Public Comments

Mr. Scott McClintock with Kass Corporation was present.

*Mr. Price made a motion for Preliminary Approval of Estates at Cheshire, Section 2. Mr. Sedlacek seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Berkshire Twp.). Motion carried.*

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Preliminary/Final (none)

**CONSENT AGENDA**

**Final**

**03-06.1.B Meadows at Lewis Center, Section 1, Phase B – Orange Twp. - 14 lots / 07.73 acres**

**I. Conditions**

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

**II. Staff Comments**

The overall development, located northwest of the Lewis Center Road/S Old State Road intersection, contains 135 lots on 75.87 acres. Section 1, Phase A was the site of the 2012 BIA Parade of Homes. Section 1, Phase B, Part 1 includes the extension of McCumber Lane to the west to an intersection with Ludington Drive. The development includes 13 single-family lots, generally .279 acres in size. A central open space of 2.789 acres is also platted with this 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 **Meadows at Lewis Center, Section 1, Phase B** to the DCRPC.

**Commission / Public Comments**

***Mr. Clase made a motion for Final Approval of Meadows at Lewis Center, Section 1, Phase B, seconded by Mr. Sedlacek. VOTE: Unanimously For, 0 Opposed. Motion carried.***

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## V. EXTENSIONS

### 07-05.1-3 Nelson Farms, Sections 1-3 – Liberty Twp. - 150 lots / 154.3 acres

**Applicant:** Nelson Farms Assoc., LLC

**Engineer:** EMH & T

**Preliminary approval:** 05/25/06

#### I. Staff Comments

The applicant is requesting the preliminary plan for Nelson Farms be extended beyond the five year limit after the approval of the first section of the final plat, based on the depressed housing market over the last four years. Section 1, Phase A, Parts 1-3 have all three been recorded, along with Section 1, Phase B. The remaining lots need to be recorded by March 2013. The applicant anticipates “construction on Section 2, Phase A to start in the spring of 2013 with the remaining development to occur thereafter.” Due to this timing the applicant has requested a one year extension. If approved, the remainder would be extended until March 2014.

#### II. Staff Recommendation

Staff recommends **Approval** of a 12-month Extension for Nelson Farms, Section 1-3 to the RPC.

#### Commission / Public Comments

Mr. Jeff Strung with EMH & T was present to represent the applicant.

**Mr. Price made a motion for Final Approval of a 12-month extension for Nelson Farms, Section 1-3. Mr. Andrian seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.**

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## VI. OTHER BUSINESS

- Consideration of Approval of expenditure: SWCD fees collected, \$2,225.00

**Mr. Gunderman made a motion to Approve paying \$2,225.00 to SWCD for fees collected on their behalf. Mrs. Foust seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.**

- Consideration of Approval: Contract, \$2,500.00 – update to Liberty Twp. Zoning Resolution

**Mr. Farahay made a motion for Approval of the contract for \$2,500.00 between Liberty Twp. and the RPC to update their zoning code. Mr. Gunderman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.**

- 2013 Budget – 1<sup>st</sup> review

Mr. Sanders said that at the request of the Executive Committee, a draft budget for 2013 was prepared using the most current carry forward calculations, revenues and expenditures which included a 2% potential salary increase for employees and a 12 cent credit (total of \$33,728) to the 2012 membership dues.

### 2013 Proposed Budget

<b>Administration</b>		
Salaries (w/2% increase)		\$192,233
PERS		\$26,913
Workers Comp.		\$1,730
Medicare		\$2,787
Hospitalization		\$18,240
Opt out Health Ins.		\$4,800
Life Insurance	(5104)	\$960
Dental	(5103)	\$4,500
		\$252,163
<b>Materials &amp; Supplies</b>		
Office Supplies	(5201)	\$2,000
Seminar/Conf supplies	(5208)	\$100
Minor Tools & Supplies (under \$200)	(5250)	\$200
Food Supplies	(5294)	\$500
		\$2,800
<b>Services &amp; Charges</b>		
Training & Staff Development	(5305)	\$1,200
Membership/Subscriptions/Dues	(5308)	\$1,000
Travel Mileage Reimbursement	(5309)	\$150
Travel Non Taxable	(5310)	\$1,500
Advertising & Promotion	(5312)	\$750
Printed Stationary	(5313)	\$250
Public Relations /Promotions	(5317)	\$100
Software Licenses and Computer Services	(5320)	\$6,771
Maintenance Contracts & Agreements	(5325)	\$1,500
Maintenance & Repairs services	(5328)	\$500
Telephone Services	(5330)	\$450
Postal Services	(5331)	\$200
Rental Services	(5335)	\$3,500
Utilities	(5338)	\$4,000
Legal Fees	(5361)	\$2,000
Insurance Premiums & Claims	(5370)	\$7,500

Other services	(5380)	\$4,000	
			\$35,371

**\$290,334**

**Revenues**

Platting Fees	4230	\$25,000	
Membership Fees	4204	\$276,257	*
Twp. Planning Assistance	4205	\$2,000	
General Sales	4220	\$100	
Other Reimbursements	4720		
GIS Map Sales	4730	\$300	
Health Dept. Fees	4242	\$2,000	
SWCD fees	4243	\$2,000	

**\$307,657**

\*excludes City of Delaware fees AND \$0.12 credit of 2012 dues paid

**Carry forward into 2014**

**\$272,285**

Mrs. Foust questioned the legality of the existing opt out program for health insurance. Mrs. Matlack explained that she would contact the County Fiscal Department for an opinion.

Mrs. Foust asked if there is a need to hire any additional staff. Mr. Sanders feels comfortable with the current staff but if the work load significantly increases, feels there is room in the budget to allow that, given that it will take some time to get to that point.

Mr. Stites reminded the Commission that the vote for the Budget would take place at the November 29<sup>th</sup> RPC meeting.

**VII. POLICY / EDUCATION DISCUSSION (none)**

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

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

*The next meeting of the Delaware County Regional Planning Commission will be Thursday, November 29, 2012, 7:00 PM at the Willis Building, 2079 US 23 North, Conference Room, Delaware, Ohio 43015.*

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

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*Stephanie Matlack, Executive Administrative Assistant*