

**\*MINUTES\***  
**Thursday, January 27, 2000 at 7:00 PM**  
**Delaware Joint Vocational School Auditorium**  
**1610 St. Rt. 521, Delaware, Ohio 43015**

**I. ADMINISTRATIVE BUSINESS**

- Call to order
- Roll Call
- Approval of December 16, 1999 RPC Minutes
- Executive Committee Minutes of January 19, 2000
- Statement of Policy

**II. VARIANCES**

- 03-99.V Tanner Estates – Concord Twp. – variance of tree removal requirements on a CAD  
 01-00.V T French CAD – Radnor Twp. – variance from CAD width requirement  
 02-00.V Mathews Subdivision – Berkshire Twp. – variance from CAD requirements

**III. ZONING MAP/TEXT AMENDMENTS**

- 01-00 ZON Thomas & Linda Paul – Harlem Twp. – 1.513 acres from AR-1 to FR-1  
 02-00 ZON Jon Ullman & Mary Johnson – Berkshire Twp. – 14.62 acres from A-1 to FR-1  
 03-00 ZON Daniel Caveda – Berkshire Twp. – 1.276 acres from A-1 to FR-1  
 04-00 ZON Judith Hook – Orange Twp. – 2.85 acres from PC to PCD  
 05-00 ZON Airtight, Ltd. c/o Continental Real Estate Co. – Orange Twp. – 13.25 acres from FR-1 to PID  
 06-00 ZON Walter Durrett – Berkshire Twp. – 4.80 acres from A-1 to FR-1  
 07-00 ZON Donald Kenney c/o Planned Communities, Inc. – Genoa Twp. – 192.83 acres from RR to PRD  
 08-00 ZON Orange Twp. Zoning Commission – text amendments – Comprehensive Plan

**IV. SUBDIVISION PROJECTS**

**Preliminary**

		<b>Township</b>	<b>Lots/Acres</b>
47-99	Maplewood Farms	Berkshire	03 lots / 30.70 acres
02-00	Mathews	Berkshire	03 lots / 10.06 acres
05-00.2/3 T	Highland Hills at the Lakes, Sec 2 & 3	Genoa / Orange	107 lots / 49.30 acres
04-00	Abbey Knoll, Sec. 2	Orange	12 lots / 07.20 acres

**Preliminary/Final**

03-00	Northgate	Genoa	09 lots / 19.91 acres
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**Final**

29-98.4.2	Scioto Reserve, Sec. 4, Ph. 2	Concord	54 lots / 18.14 acres
34-98.12B	Tartan Fields, Phase 12B	Concord	02 lots / 01.63 acres
19-98.2	Highland Lakes East, Sec. 14, Ph. 2	Genoa	44 lots / 15.54 acres
23-97.1	Eagle Trace, Phase 1	Genoa	72 lots / 33.56 acres
15-98.1	Westerville Reserve, Phase 1	Genoa	58 lots / 23.70 acres
44-99	Grove	Kingston	02 lots / 25.15 acres
66-93C	Liberty Lakes, Phase 3	Liberty	46 lots / 20.41 acres
26-98.1	River Bend, Sec. 1, Ph. 1	Liberty/Orange	75 lots / 72.88 acres
04-99	River Bend, Section 3	Orange	41 lots / 24.59 acres

**T=TABLED**

**V. EXTENSIONS**

**VI. OTHER BUSINESS**

- Consideration of approval: Professional Services, Legal – Don Brosius: \$2,553.66
- Consideration of approval: Year 2000 Property Insurance: \$8,427.00
- Consideration of approval: Unemployment reimbursement: \$3,768.00
- Director Evaluation

**VII. POLICY / EDUCATION DISCUSSION**

## I. ADMINISTRATIVE BUSINESS

### ■ Call to Order

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

### ■ Roll Call

Representatives present: Don Poland, Bill Adams, Fred Fowler, Jim Ward, Dale Simpkins, Tom Hopper, Mark Mazzon, Bill Shively, Holly Foust, Dick Gladman, Yvonne Ball, Bill Thurston, Marvin Miller, David Betz, Hansel Waugh, Bonnie Newland and Kevin Moran. Alternates present: Clyde Seidle, Jerry O'Shaughnessy and Earl Lehner. Arrived after roll call: Gary Spanner (R) and Cy Schmidt (R). Staff present: Phil Laurien, Paul Deel, Mike Bissett, Jiyeong Lee, Da-Wei Liou and Stephanie Johnson.

### ■ Approval of the December 16, 1999 RPC Minutes

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

### ■ January 19, 2000 Executive Committee Minutes

*Mr. Gladman made a motion to dispense with the reading of the last Exec. Committee meeting minutes, seconded by Mr. Moran. VOTE: Unanimously For, 0 Opposed. Motion carried.*

#### 1. Call to order

Chairman Mazzon called the meeting to order at 8:30 a.m. Present: Mark Mazzon, Holly Foust, Dick Gladman, Larry Starling, and Jim Ward. Staff present: Phil Laurien and Stephanie Johnson. Attorney Don Brosius was present to discuss the review of the By-Laws.

#### 2. Approval of Executive Committee Minutes

a. **December 8, 1999** – *Mrs. Foust made a motion to approve the minutes of the last Executive Committee meeting. Mr. Gladman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

#### 3. Old Business

a. **Web server** – Mr. Laurien suggested the RPC employ Jeremy Fryman to assist in setting up and maintaining the offices web server. The 2000 Budget included the purchase of a web server (approximately \$10,00.00). The RPC is looking at ways to support the system: storage of the server, Internet providers, etc. Mr. Laurien stated that the RPC could contract with the Co. Engineer for Mr. Fryman's services. He is still employed as an Intern with the Co. Engineer's office. He maintains the Co. Engineer's server via the Internet from college. There was a general consensus by the Exec. Comm. to go forward and report back.

#### 4. New Business

##### a. **Financial / Activity Reports for December 1999** –

The Financial report was presented as follows:

#### Ending balance

**\$565,769.29**

<u>Receipts</u>	<u>December</u>	<u>YTD</u>
General Fees (NPA)	\$ 2,310.00	\$ 32,195.00
Inspec. Fees (Transfer)	\$ 200.00	\$ 1,680.00
Fees A (Site Review)	\$	\$ 3,700.00
Membership Fees	\$	\$114,228.00
Planning Surcharge (Twp. Assist.)	\$	\$ 26,400.42
Charges for Services A (Prel. Appl.)	\$	\$128,704.00
Charges for Services B (Final Appl.)	\$ 5,300.00	\$135,978.45

Charges for Services C (Ext. Fees)	\$		\$	900.00
Charges for Services D (Table Fees)	\$	400.00	\$	8,600.00
Charges for Services E (Appeal/Var)	\$		\$	1,500.00
General Sales	\$	630.25	\$	4,948.33
Health Dept. Fees	\$	-50.00	\$	19,360.00
Soil & Water Fees	\$	50.00	\$	4,825.00
Other Reimbursements	\$		\$	349.16
Other Reimbursements A	\$	80.00	\$	150.00
Inter-fund Revenues	\$	0	\$	0
<b>TOTAL</b>		<b>\$ 8,920.25</b>		<b>\$483,518.36</b>

**Balance after receipts** **\$574,689.54**

**Expenditures** **\$79,748.39**

**End of December balance** **\$494,941.15**

*Mr. Gladman made a motion to approve the Financial report, seconded by Mrs. Foust. VOTE: Unanimously For, 0 Opposed. Motion carried.*

- b. January RPC Preliminary Agenda** – Mr. Laurien stated that there are 3 variance requests, 8 zonings (5 arrived after the Prel. agenda was mailed), 4 Preliminary, 1 Prel. / Final, and 9 Final applications.
- c. Review of the By-Laws** – Mr. Brosius said the By-Laws should be simple and state the purpose and duties of the Regional Planning Commission. They should not include personnel compensation (Cost of Living Raise section should be deleted. Payroll evaluations are addressed in the Personnel Handbook.). There are some items that need to be added such as a provision for the disposition of the Commission’s property in the event of the dissolution of the RPC. He also suggests rewording the associate member option. *Mr. Ward made a motion to approve the continued work between Mr. Laurien and Mr. Brosius to amend the By-Laws and possibly present a draft at the next Executive Committee meeting. Mr. Gladman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*
- d. Contracts**
  - 1.) **Berkshire Twp.** – working on Chapter 10. Should be completed by the end of the summer.
  - 2.) **Brown Twp.** - received a letter of intent to sign a contract. Mr. Laurien will be presenting them with a sample contract 1/20/00.
  - 3.) **Harlem Twp.** - received a letter of intent to sign a contract. Mr. Laurien and Mr. Bissett will meet with them 1/19/00.
  - 4.) **Troy Twp.** – Mr. Laurien has had some discussions and if a contract is requested, will begin mid-year.
  - 5.) **Kingston and Oxford Twp.’s** – Both have suggested possible contracts for next year.

Chairman Mazzon stated that the actual costs of printing the copies should be paid by the Township under the contract. He suggested only printing black and white copies of the plan to save on color printing costs. Mr. Laurien said that there is a separate fee for each contract (except Porter Twp.) that included reproduction costs and reimbursable expenses (travel, supplies, etc.).

**5. Other Business**

- a. Consideration for recommendation of expenditure: Loveland & Brosius \$2,553.66** – *Mrs. Foust made a motion to recommend approval of the \$2553.66 legal expenditure, seconded by Mr. Ward. VOTE: Unanimously For, 0 Opposed. Motion carried.*

- b. **Consideration for recommendation of expenditure: Rinehart, Walters, Danner (Liability Ins.) \$8,427.00** – *Mr. Ward made a motion to recommend approval of the \$8427.00 liability insurance expenditure, seconded by Mr. Gladman. VOTE: Unanimously For, 0 Opposed. Motion carried.*
- c. **Auditor's Certificate** – a copy of the Auditor's certificate was presented for the year ending 1999.
- d. **Inventory** – 1999 Year End Inventory was presented. A copy was also mailed to the Del. Co. Auditor's office January 3, 2000.

## 6. Personnel

- a. **Jiyeong Lee's evaluation** – Mr. Laurien presented a copy of Mr. Lee's evaluation. The Committee concurred with the wage adjustment in the evaluation as budgeted.

Mr. Ward left the Exec. Comm. meeting at 11:30 a.m. to attend another meeting.

*At 11:35 a.m., Mrs. Foust made a motion to move into Executive Session to discuss compensation. Mr. Gladman seconded the motion. Roll Call VOTE: Chairman Mazzon Aye, Mrs. Foust Aye, Mr. Gladman Aye, Mr. Starling Aye. 0 Opposed. Motion carried.*

**Meeting called back to regular session at 11:50 a.m.**

b. **Mr. Laurien's evaluation** – *Mr. Gladman made a motion to recommend approval of a 4% pay increase by Mr. Laurien retroactive to 1/12/00. Mrs. Foust seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

7. **Adjourn** – Having no further business. *Mrs. Foust made a motion to adjourn. Mr. Gladman seconded her motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

Meeting adjourned at 12:00 p.m.

*The next Executive Committee meeting will be Wednesday, February 16, 2000 at 8:30 a.m. in the 2nd Floor conference room at 50 Channing Street, Delaware, Ohio, 43015*

## ■ Statement of Policy

As is the adopted policy of the Regional Planning Commission, all applicants will be granted 10 minutes to make their formal presentation. The audience will then be granted up to 10 minutes 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.

## II. VARIANCES

### 03-99.V Robert Tanner Concord Twp. - Tanner Estates Subdivision – requesting variance from clear area from CAD

#### Request

The applicant has an approved CAD subdivision, which is ready for signature on the final plat. DCRPC staff noted, during CAD inspection, that numerous large trees are within the required 10-foot wide clear area along the actual paved CAD, which was once a driveway to a back lot. The request is to vary the requirement for tree and shrub removal adjacent to the CAD from 10 feet to permit the trees in place to remain.

#### Facts

1. The Delaware County Subdivision Regulations specify in section 306.05 that there shall be “tree and shrub removal within 16 feet of CAD centerline”. There are numerous trees within this 16-foot swath. The closest of these trees is on the edge of the CAD (less than one-foot setback). The CAD serves three lots.
2. The requirement for 10 feet of clear area along roads is an ASHTO (American Society of Highway Officials) requirement, according to the County Engineer, who accompanied the staff to review this site. As we drove county roads, we noted many instances where this 10’ standard is not met on public roads, thereby making it seem excessive on private low speed roads, especially CADs.
3. CADs are subdivisions, which confers responsibility and may confer limited liability on the county for the actual road standards. Although private, CADs are open to the residents, fire and police, visitors and delivery people. They must be built to a reasonable standard of safety.
4. Trees that are too close to the CAD are a danger to the traveling public, especially in wet or icy conditions. It would be inappropriate to reduce this clear area setback to zero, but 10 feet seems excessive on such a low-speed semi- private road. After considerable discussion, the County Engineer and staff agreed that reduction of tree and shrub removal from 10’ to 4’ would be reasonable and safe.
5. A four-foot setback from the edge of the paved CAD will permit many trees adjacent to this CAD to remain, although some of the overhanging branches will have to be trimmed. Other trees within this four-foot distance will still have to be cleared prior to CAD approval.
6. The County Engineer and staff also noted concerns with the proposed relocation of the water line within the actual CAD roadbed, from the easement previously approved for it as on the preliminary plat. The Concord Township Fire Chief also noted concern with this.
7. Guardrail construction along the creek crossing appears to be lightly constructed and in need of strengthening and lengthening. The staff will ask the consulting engineer to review and approve of this as-built and sign off on its safety and appropriateness.

**Recommendation**

DCRPC staff recommends that a variance for tree and shrub clearance be granted from ten feet (10') to four feet (4') feet from the edge of the paved (gravel) common access driveway for the Tanner Estates Subdivision. Trees within the four- foot distance shall be removed and low hanging overhead branches shall be trimmed within this 20-foot swath prior to RPC Director's signature on the plat. The applicant shall check with DEL-Co Water Company about the relocation of the water line within the paved surface of the CAD. If they approve, a revised plan must be submitted to show this change from the approved preliminary plan.

January 26, 2000 update- The Tanners have prepared a graphic for the DCRPC meeting. They will submit the graphic prior to, or at the meeting for review by the RPC.

**Commission / Public Comments**

Mr. & Mrs. Robert and Marie Tanner were present to request a reduced area to be clear cut for their CAD subdivision; Tanner Estates. Mr. Tanner stated that he identified all the trees along the driveway which were within 3 feet of the drive. The reason he marked the trees at 3 feet instead of 4 feet is because upon measuring the driveway they found it was between 13 – 14 feet wide. The requirement is 12 feet. He also marked the trees in the curved areas that he felt were close to the driveway. Of the 7 trees identified, he hoped to only cut two of those identified.

Chairman Mazzon asked if EMS personnel have been out to the site. Mr. Laurien said that he has been out to the site with both the Fire Chief and Larry Fisher with EMS. Mr. Fisher has stated that he would not like to see squad vehicles get scratched by over-hanging branches. He also stated that some of the trees were rather close but he could probably squeeze through. He doesn't want to have to worry about them under duress of an emergency run.

Chairman Mazzon stated that the Subdivision Regulations require 16 feet of clearance from the centerline. At last months meeting, the Commission agreed that may be excessive and had considered approving 4 feet from the edge of the driveway. The driveway is a minimum of 12 feet wide. The proposal from the RPC staff is to clear 10 feet from centerline. Chairman Mazzon asked if it would be possible to widen the opposite side of the driveway where they wanted the trees to remain. Mr. Tanner stated that in a couple of instances he might be in favor of taking a tree or two down instead of widening it all the way down.

***Mr. Ward made a motion to approve the Tanner variance to remove trees identified as #1, 4, 5 and 7 and also widen the curve at tree #6. Mr. Gladman seconded the motion.***

Mrs. Foust stated that there are a set of standards and that it is the general consensus that they may be excessive in most cases, what we are being asked to do is reduce the standards. She stated that she's reluctant to pick and choose trees when the Commission could just reduce the standard as a variance to the 10 feet from centerline, which has been discussed. Several members agreed.

Chairman Mazzon stated that a motion and a second was on the table.

***HAND VOTE: 13 For the approval of the variance to remove trees #1, 4, 5 and 7 and widen the curve at #6. 9 Opposed to the variance. Motion carried.***

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**01-00.V French CAD – Radnor Twp. – variance from CAD width requirement**

Applicant: Gerald and Kelly French  
Consultant: Mike Shade, Attorney

The applicant has requested a 90-day tabling.

**Staff Recommendation**

Staff recommends approval of the table request by Gerald and Kelly French for 90-days to the RPC

**Commission / Public Comments**

No one was present to represent the applicant.

*Mr. Miller made a motion to approve the 90-day table request, seconded by Mr. Moran. VOTE: Unanimously For, 0 Opposed. Motion carried.*

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**02-00V Mathews Subdivision – Berkshire Twp. – requesting CAD surface width of 10’ as opposed to 12’**

**Applicant:** Sandra J. Mathews

**Location:** East side of Sunbury Rd. South of Vans Valley Rd.

**Variance of:** Sub. Regs. **Section 306.05 CAD Standards and Requirements.** “Surface width, excluding berms – 12’.”

**Staff Comments**

The Mathews Subdivision is a proposed Common Access Drive subdivision with three lots on the east side of Sunbury Road south of Vans Valley Road, in Berkshire Township. The surrounding land uses are residential with the Hoover reservoir to the west, residential to the south and agriculture/open space to the east and north. The development is 10.057 acres and is to be accessed by an existing paved driveway that would be a unique one-way in and one-way out boulevard CAD. The applicant is applying for a variance on this CAD for a pavement width reduction to 10’ from the required 12’.

**Conditions for Approval**

**1. The granting of this variance request shall not be detrimental to the public health, safety and welfare and not injurious to other parties.**

The variance would not be detrimental to the public health, safety and welfare. However, the applicant must be sure to properly mark the ‘in’ and the ‘out’ lanes on the proposed CAD so as to avoid collisions.

**2. The conditions, upon which this variance is based, are unique to the property for which this variance is sought.**

The existing driveway is very unique in its boulevard design allowing for a possible one-way in and one-way out, that would not be possible on most drives.

**3. Due to the physical surroundings, shape, or characteristics of the property, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of the Delaware County Subdivision regulations were carried out.**

The existing configuration of the boulevard driveways lends itself to a one-way double CAD. There is sufficient amount of pavement width for vehicles if the drive is used as one-way in and one-way out. Adding



an extra two feet to each drive would be an excessive amount of pavement taking away green space for no benefit to the community or the property owners.

**4. The granting of this variance will not vary the provisions of the application of the applicable zoning regulations, comprehensive plans, or other existing development guidelines and regulations, nor shall it otherwise impair the intent and purpose of these regulations, or the desirable development of the neighborhood and community.**

This variance conforms with the zoning of Berkshire Twp. and comprehensive plan and is also within the intent of the 12' regulation to provide adequate width for ingress and egress.

**Staff Recommendation**

Staff feels that the request is reasonable because of the existing configuration of the boulevard driveway. Staff recommends *approval* of the variance, to the RPC.

**Commission / Public Comments**

Mr. Chuck Orth of Stults & Associates was present to represent the applicant. He received a letter from the Fire Dept. stating that there is adequate road width for their vehicles to maneuver.

Mr. Seidle stated that the Co. Engineer's concern is with the radius into the site. The entrance may need to be widened. There should also be true one way signs, along with a permit for them to be in the right-of-way. Mr. Orth stated that they would follow the standards for road width and radius.

*Mr. Simpkins made a motion to approve the variance for Mathews Subdivision subject to looking at the radius per County Engineer concerns. Mr. Miller seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

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**III. ZONING MAP/TEXT AMENDMENTS**

**01-00 ZON Thomas & Linda Paul – Harlem Twp. – 1.513 acres from AR-1 to FR-1**

**Request**

This application was submitted by Thomas and Linda Paul in order to create a 1.513 acre lot at 4936 Miller Paul Road in Harlem Township.

**Conditions**

**Present Zoning:** AR-1 (Agricultural Residential)

**Proposed Zoning:** FR-1 (Farm Residential)

**Present Use:** Residential/Agriculture

**Proposed Use:** Residential

**Existing Density:** 1 unit / 5 acres (AR-1)

**Proposed Density:** 1 unit / acre (FR-1)

**School District:** Big Walnut

**Utilities Available:** DEL-Co Water, On-site septic

**Soils:** BeA (Bennington Silt Loam 0-2%) and BeB (Bennington Silt Loam 2-4%)

**General Comments**

The site is currently zoned Agricultural with Farm Residential to the north, neighborhood commercial to the west, agriculture and parkland to the east and agriculture followed by farm residential to the south. The existing 19.88-acre tract has a home in the south west corner near Miller Paul Rd. The remaining

area of the site is presently agricultural. The proposal is to create a lot for the existing house and leave the remaining agricultural land. There are similar size lots to the north and south along Miller Paul Rd. There is a horse farm and residences to the west and the Tree Haven campground to the northeast of the site.

Through creating a smaller lot from the larger tract, there is now potential for further splitting of the remaining acreage for future development, however, with the large amount of Pewamo soils on the remaining agricultural land, this is unlikely to occur until sewer is available. With the large number of smaller lots to the south and to the north, staff finds that this proposal does enhance the general welfare of the township and the immediate vicinity.

**Compliance with Comprehensive Plan**

The 1988 Harlem Master Plan shows this area as agricultural. The uses adjacent to this site in the plan are commercial to the west, park to the north and residential to the south and to the east. Although the lot is not within the shaded residential area of the 1988 plan, the close proximity to the residential areas as well as its proximity to the commercial use are evidence that this site being zoned FR-1 is close to meeting the intent of the Master Plan.

**Staff Recommendation**

The staff recommends *approval* of the 1.513 acre rezoning from A-1 to FR-1 to the RPC, the Harlem Twp. Zoning Commission and Harlem Twp. Trustees.

**Commission / Public Comments**

No one was present to represent the applicant.

*Mr. Miller made a motion to recommend approval of the rezoning request by Thomas & Linda Paul. Mr. Simpkins seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

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**02-00 ZON            John Ullman & Mary Johnson – Berkshire Twp. – 14.62 acres from A-1 to FR-1**

**Request**

This application was submitted by John Ullman and Mary Johnson in order to subdivide 4 lots from a 14.62 acre lot at 10001 Vans Valley Rd. in Berkshire Township.

**Conditions**

- Present Zoning:** A-1 (Agricultural)
- Proposed Zoning:** FR-1 (Farm Residential)
- Present Use:** Residential/Agricultural
- Proposed Use:** Residential
- Existing Density:** 1 unit / 5 acres (A-1)
- Proposed Density:** 1 unit / acre (FR-1)
- School District:** Big Walnut
- Utilities Available:** DEL-Co Water, On-site septic
- Soils:** Bo (Bonpas Silty Clay Loam), Ee (Eel Silt Loam), Gn (Genesee Silt Loam), Sh (Shoals Silt Loam), FnB (Fox Silt Loam 2-6%)

### **General Comments**

The site is currently zoned Agricultural with some Farm Residential to the northeast, Agricultural to the south followed by the Hoover Reservoir, and the Village of Galena to the west. The existing 14.62-acre tract has a home in the southeast corner fronting on Vans Valley Road. The remaining area of the site is agricultural. The proposal is to create four lots, two accessing from Vans Valley Rd. and two accessing from Old Vans Valley Rd. which extends from Vans Valley to the west approx. 200'. This current 200' public portion of Old Vans Valley Rd. is the remaining portion of the original Vans Valley Road that was vacated in 1953 for the creation of the Hoover Dam. This remaining section has not been maintained and must be upgraded for the development to occur. The flood plain enters the northwestern edge of the property. The surrounding lots to the east are larger than those proposed but are a transition from the very small lots to the west in Galena. The rezoning does not guarantee a subdivision according to the proposed development plan.

### **Compliance with Comprehensive Plan**

The 1989 Master Plan shows this area as agriculture. The proximity of this site to the Village of Galena would suggest that a residential density offered by the FR-1 might be appropriate. If a residential development were to occur, the development plan proposed in the FR-1 district would offer the owner economic viability as well as maintain a 'rural setting' as stated in the Master Plan for the goals of the Agricultural district. The intent on maintaining a low density is achieved by the development plan.

### **Staff Recommendation**

The staff recommends *approval* of the 14.62 acre rezoning from A-1 to FR-1, to the RPC, Berkshire Twp. Zoning Commission and Berkshire Twp. Trustees.

### **Commission / Public Comments**

Mr. John Ullman of HER Realtors was present to answer any questions from the Commission.

Chairman Mazzon asked if the road has been vacated. Mr. Bissett said that there is 200 feet remaining on Old Vans Valley Road that has not been vacated.

The Commission questioned who would upgrade and/or maintain Vans Valley Road. Mr. Poland stated that that section of Vans Valley Road is a County Road. Mr. Seidle stated that he doesn't believe the County Engineer would maintain it as a public road for three or four lots. Mr. Laurien stated that the road ownership could be determined at the subdivision level.

***Mr. Simpkins made a motion to recommend approval of the rezoning application by John Ullman and Mary Johnson. Mr. Miller seconded the motion. VOTE: 21 For, 0 Opposed, 2 Abstained (Village of Galena and Berkshire Twp.). Motion carried.***

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**03-00 ZON Daniel Caveda – Berkshire Twp. – 0.304 & 0.972 Acres from A-1 to FR-1**

### **Request**

This application was submitted by Daniel Caveda in order to rezone a 0.304 acre parcel and a 0.972 acre parcel from A-1 to FR-1 on the South side of South Galena Road, west of Alexander Road in Berkshire Township.

**Conditions**

**Present Zoning:** A-1 (Agricultural)  
**Proposed Zoning:** FR-1 (Farm Residential)  
**Present Use:** Open Space  
**Proposed Use:** Residential  
**Existing Density:** 1 unit / 5 acres (A-1)  
**Proposed Density:** 1 unit / acre (FR-1)  
**School District:** Big Walnut  
**Utilities Available:** DEL-Co Water, On-site septic  
**Soils:** CaB (Cardington Silt Loam 2-6%)

**General Comments**

The site is currently zoned Agricultural with Agricultural to the south, west and east and Farm Residential along the west side of South Galena Rd. to the north. There are homes located on large flag lots in the Agricultural zone to the south. The one-acre lots to the north are adjacent to these flag lots with the two properties in this proposal separating them. These two small properties are remnants of the large flag lots and the one-acre frontage lots to the north. The applicant wishes to utilize these remnants to create an additional buildable lot.

**Compliance with Comprehensive Plan**

The 1989 Berkshire Twp Master Plan shows these properties as well as all those surrounding them to be residential. Therefor this application fits well with the vision of Berkshire Twp.

**Staff Recommendation**

The staff recommends *approval* of the 1.513 acre rezoning from A-1 to FR-1, to the RPC, Berkshire Twp. Zoning Commission and Berkshire Twp. Trustees.

**Commission / Public Comments**

No one was present to represent the applicant.

*Mr. Gladman made a motion to recommend approval of the rezoning case of Daniel Caveda, seconded by Mr. Schmidt. VOTE: Unanimously For, 0 Opposed. Motion carried.*

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**04-00 ZON      Judith Hook – Orange Twp. - 2.85 acres - Planned Commercial (PC) – to include use for a new/used car sales lot.**

Location: 6519 Columbus Pike; southeast Corner of Lewis Center Road and U.S. 23, Orange Township.

**I.      Conditions**

**Present Zoning:** Planned Commercial/Office, gas station and carryout  
**Proposed Zoning:** Planned Commercial/Office, new and/or used car sales  
**Tract Coverage Permitted:** 75%  
**Tract Coverage Proposed:** As exists

**Present Use:** Carry out and gas station  
**Proposed Use:** New/used car sales  
**School District:** Olentangy  
**Utilities Available-** Del Co Water

## **II. Request**

This parcel was zoned PC in 1997 by the present owner. The Orange Township Planned Commercial District potentially permits all commercial uses subject to the approval of a development plan. The resolution goes further to stipulate that “in effect, each application for plan approval is a conditional use granted by the Zoning Commission and/or the Orange Township Board of Trustees.”

The township interprets any use change within the PC district to require a new rezoning.

RPC staff questions if the request should be for administrative review only. Discussion between Orange Township legal counsel and counsel for the applicant could not resolve this issue, so RPC staff is making comments to the RPC as if it were a rezoning.

## **III. Existing Land Use**

- 1.) **To the north** of Lewis Center Road is agricultural land.
- 2.) **To the south** is a vacant lot formerly occupied by Ohio Mulch.
- 3.) **To the east** are single family homes fronting on Lewis Center and Dubois Roads.
- 4.) **To the west** is agricultural land on US 23.

## **IV. Facts**

1. The property was rezoned by Orange Township in 1997 for a gas station and carryout. The development plan was approved to convert the home to a store, and a barn to a produce sales barn.
2. A list of prohibited uses was attached to the 1997 PC zoning. One of the prohibited uses was new and used car sales. The applicant now wishes to change the use to permit new and used car sales.
3. New and used car sales appear to be permitted uses within the PC district subject to development plan approval.
4. The applicant proposes to use the site improvements as-is. Display cars will be parked in the existing parking lot, and the two buildings will remain.
5. US 23 is a busy retail corridor in Delaware County. The key to commercial development has been to control access and signage to maintain flow on the four-lane divided highway. US 23 had a 1999 Average Daily Trip count of 32,000 vehicles at Lewis Center Road (between level of service B and C). The township has worked with ODOT to require parallel access roads and limit direct curb cuts onto US 23 for individual uses. The ODOT/MS Consultants Access Management study preliminary draft principles may indicate that the open median crossing should be closed in front of this location. If so, south bound left turns can be accomplished at the signal at Lewis Center Road. Access can be provided off Lewis Center Road via an existing “backage road”.

## **V. Compliance with the PCO Standards**

1. No sanitary sewer serves the tract. An existing septic system and leach field will be retained.
2. DEL-Co water serves the development.
3. No traffic study has been submitted, but none is necessary according to ODOT because traffic impacts are less with a car sales lot than with the carryout/gas station.
4. The uses proposed would conform to commercial and industrial development in the US 23 corridor, but the adjacent residential uses to the rear need more specific buffering than is shown on the plan. No additional lighting is shown on the development plan, but car sales lots often light up the night sky. If there is more lighting desired, it should be shown on the plan, and it should be downward cast to avoid spillover onto the residential lots.
5. No specific sign plan is provided; the existing signs will be reused, but no rendering has been shown.
6. Compliance with Comprehensive Plans  
The 1991 Orange Township Comprehensive Plan recommends concentrating, yet limiting development along US 23. Orange Township has contracted with the Delaware County Regional Planning Commission to update its comprehensive plan. The plan is in its final draft form, but is not yet adopted. The 1999 Comprehensive Land Use Plan recommends Planned Commercial at this location. The new and used car sales comply if a suitable development plan is submitted.

## **VI. Section 11.06 - Required findings for Approval of a Planned Commercial Development**

The Zoning Commission and Trustees may approve a Commercial Residential Development zoning overlay provided they find that the proposed use complies with all of the following requirements:

- 1.) That the proposed development is consistent in all respects with the purpose, intent, and general standards of this zoning resolution.

**DCRPC Staff Finding:** The development plan is substantially complete. More specific language should be provided regarding the type and density of landscape buffering to the east, any additional lighting that may be needed, and the reuse of the signs.

- 2.) That the proposed development is in conformity with the comprehensive plan or portion thereof as it may apply.

**DCRPC Staff Finding:** The use generally conforms to the existing and the proposed comprehensive plans, subject to plans revision as noted in 1.) above.

- 3.) That the proposed development advances the general welfare of the township and the immediate vicinity.

**DCRPC Staff Finding:** Subject to the revision of the plan as noted in 1.) above, the use can advance the general welfare of the township and immediate vicinity

## **VII. DCRPC Staff Recommendation**

Staff recommends to the DCRPC, Orange Township Zoning Commission and Orange Township Trustees that the change of use from Planned Commercial/ gas station and carryout, to Planned Commercial/ auto sales, be approved subject to additional detail being added to the development plan regarding landscape buffering, signs and lighting.

**Commission / Public Comments**

Ms. April Sanchez, attorney with Shade and Shade Law offices was present to represent the applicant. She stated that there have been extensive conversations with Mr. Laurien and Orange Twp.'s counsel Mike McCarthy regarding the review of this application. The Township is treating the request as a rezoning even though it is going from Planned Commercial to Planned Commercial. Mr. Gladman stated that the Orange Twp. Zoning Code requires a recommendation from the RPC and then a hearing by the Zoning Commission.

***Mr. Miller made a motion to recommend conditional approval of the rezoning application by Judith Hook, subject to staff comments. Mr. Betz seconded the motion. VOTE: 22 For, 1 Opposed (Delaware Twp.). Motion carried.***

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**05-00 ZON      Airtight, Ltd. c/o Continental Real Estate Co. – Orange Twp. – 13.25 acres  
from Farm Residential District (FR-1) to Planned Industrial District (PID)**

This rezoning application is submitted by Airtight, Ltd. c/o Continental Real Estate Co. for a Planned Industrial District for an office and industrial development.

**Conditions**

- Present Zoning:** Farm Residential District (FR-1)
- Proposed Zoning:** Planned Industrial District (PID)
- Present Use:** Vacant
- Proposed Use:** Office and industrial development
- Existing Density:** 1 unit/acre
- Proposed Density:** N/A
- School District:** Olentangy
- Utilities Available:** Del Co Water and County sanitary sewer
- Soils:** CaB & CaB2 – Cardington  
BeA – Bennington  
Pw – Pewamo

**Map Amendment**

The applicant wishes to change the zoning map from Farm Residential (FR-1) to Planned Industrial District (PID) for an office and industrial development. The property is located east of U. S. 23 and would connect Highfield Drive north with Highfield Drive south. The property is surrounded by commercial uses to the south, southwest (Wal-Mart) and northwest, industrial to the east and southeast (Northbrooke Corporate Center), multi-family apartments to the north (Orange Village Center), and vacant lands to the west. Deep Run creek runs along the north property line. The commercial uses are

zoned Planned Commercial District, the uses to the east and south are Planned Industrial District, to the north is Multi-Family Planned Residential District, and the remaining areas to the west are zoned Farm Residential (FR-1).

This development will be a future phase of the Northbrooke Corporate Center, an industrial subdivision to the east. It includes the completion of Highfield Drive and 2 new lots (7.0 acres and 4.65 acres) to go along with 3 proposed lots to the east (already zoned PID) for a 5 lot industrial subdivision. The development will utilize DEL-Co Water and County sewer. A detention area is proposed to the north.

### **Requirements for approval per the Orange Township Zoning Resolution**

When applying for a Planned Industrial Development, the development plan is the expectation of what can, and would be built if the PID zone were approved.

A set of standards must be addressed by the development plan. If the plan is acceptable in accordance with these standards and the Township approves of the map amendment, then the applicant has three years to submit a subdivision plat that conforms to the development plan.

The intent of the Township ordinance is for the applicant to show the feasibility of the plan from an engineering standpoint, his control over the land and his ability to carry out the development process. The applicant is not expected to completely engineer it at the time of the development plan submission, but to engineer it far enough to assure feasibility.

### **Criteria for Approval**

**“In approving an application for a Planned Industrial District the reviewing authorities shall determine:”**

- 1.) If the proposed development is consistent in all respects with the purpose, intent and general standards of the Zoning Resolution;
- 2.) If the proposed development is in conformity with the comprehensive plan or portion thereof as it may apply;
- 3.) If the proposed development advances the general welfare of the township and the immediate vicinity.

### **Comments on meeting criteria for approval:**

#### **I.) Compliance with local zoning**

**The development plan lacks some items to be consistent with the general standards.**

- a.) The application needs the location and description of adjacent buildings within two hundred feet of the boundary of the proposed development. Existing and proposed buildings, topographic contours, tree lines, and drainage ways must be shown as well.



- b.) The development plan has not shown engineering feasibility. Has the County Engineer approved the alignment of Highfield Drive? What about retention/detention? How are the parcels to be developed?
- c.) A landscaping plan has not been submitted. There are residentially zoned areas adjacent to this site; therefore landscaping and buffering are extremely important. Are the trees to the north going to be preserved?
- d.) Architectural designs were not described for structures (including signs) nor were renderings submitted.
- e.) Letters from the Orange Township Fire Chief and American Electric Power were not submitted.

## **II.) Compliance with the Comprehensive Plan**

- a.) The Delaware County 1993 Regional Land Use Plan for this area shows the land to contain an existing commercial use, however that is based on the original 97 +/- acre parcel on U.S. 23. The Plan is not site specific enough to recommend land use for this parcel. However, given its location between U. S. 23 and the railroad tracks, and considering that it is adjacent to industrial developments, PID zoning would be a reasonable request and in general compliance with the intent of the 1993 Regional Land Use Plan, which shows commercial and industrial uses nearby.
- b.) The 1991 Comprehensive Plan of Orange Township shows this area as part of the U. S. 23 Corridor (Powell-Orange Roads). The Plan recommends commercial and mixed commercial/industrial growth along U. S. 23 south of Orange Road.

The proposed 1999 Plan recommends commercial and office developments along this segment of U. S. 23 with industrial uses east of these areas toward the railroad tracks.

## **III.) Advancing the general welfare of the Township**

The Property is currently zoned Farm Residential District and has industrial and commercial zoning around it. The proposed uses would be similar in nature and intensity to the adjacent Northbrooke Corporate Center. Staff finds that the concept of the PID district does enhance the general welfare of the township and the immediate vicinity. However, the development plan does not provide adequate information to be the basis of the required subdivision plat nor does it show engineering feasibility

### **Findings:**

- 1.) The zoning is appropriate but the development plan is incomplete and premature.

### **Staff Recommendation**

The *staff recommends* to the Regional Planning Commission, the Orange Township Zoning Commission, and the Orange Township Trustees that the application by Airtight, Ltd. c/o Continental Real Estate Co., for rezoning 13.25 acres from FR-1 to PID be *denied*, until a more complete development plan is submitted.

**Commission / Public Comments**

Mr. Sean Cullen of Continental Real Estate was present to represent the application. Mr. Cullen acknowledged all the items listed by staff that were incomplete and stated that he plans to submit a full plan in accordance with the Orange Twp. Zoning Code prior to the Zoning Commission hearing.

Mr. Gladman stated that some of the trees along the north end of the property are on the adjoining property not this property.

Mr. Laurien stated that the RPC staff is in favor of the zoning but not the development plan. The plan is deficient and is not adequate to approve. The recommendation is to deny the application unless and until the plan is improved. If the plan is improved at the Township level the Township can approve it. The RPC staff wants to pass on the strictest recommendation. The application needs to show more detail to receive a recommendation for approval.

*Mr. Ward made a motion to recommend denial of the rezoning request by Airtight, Ltd. Mr. Miller seconded the motion. VOTE: 22 For denial, 0 Opposed, 1 Abstained (Orange Twp.). Motion carried.*

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**06-00 ZON      Walter Durrett – Berkshire Twp. – 4.80 acres from A-1 to FR-1**

This application is submitted by Walter Durrett in order to split 5.35 acres into 2 lots at 880 3 B's and K Road in Berkshire Township.

**Conditions**

- Present Zoning:** Agricultural District (A-1)
- Proposed Zoning:** Farm Residential District (FR-1)
- Present Use:** Single-family residence
- Proposed Use:** 2 Single-family residences
- Existing Density:** 1 unit / 5 acres
- Proposed Density:** 1 unit / acre
- School District:** Olentangy
- Utilities Available:** DEL-Co water and on-site septic
- Soils:** BeB – Bennington  
CaB – Cardington  
AmE – Amanda

**General comments**

The applicant is proposing to rezone 4.80 acres out of 5.35 acres to a Farm Residential District (FR-1) in order to create two residential lots. The Agricultural District (A-1) requires a minimum of 5 acres for residential development. The new lots will be 2.16 acres (existing house) and 2.50 acres. The northern 60-foot strip may be used for a CAD to the applicants' adjacent lands in the future. If the zoning is approved, the applicant will submit for an NPA subdivision. A survey has been submitted of the proposed lot layout. Health Department endorsement is required for both lots.

The 5.35-acre property is located on the east side of 3 B's & K Road just south of Heverlo Road. The Township line divides the parcel, with 0.55 acres in Berlin Township and the rear 4.80 acres in Berkshire. The surrounding land use includes agriculture and single-family residences. The adjacent lands in Berlin

Township are zoned FR-1 as are some parcels to the north in Berkshire. The remaining areas in Berkshire are zoned Agricultural (A-1).

**Compliance with the Comprehensive Plan**

- a.) The Delaware County 1993 Master Plan for this area shows the area to contain lands suitable for development, unsuitable for development, resource management lands, and an existing residence. The Plan discourages single-family housing on small lots (5 acres or less) along existing roads, particularly state and county roads. However, there are several lots in this area that are less than 5 acres, so the character of the surrounding area is conducive to new single-family residences on lots smaller than 5 acres.
  
- b.) The 1989 Berkshire Township Land Use Plan indicates that this area may be developed as rural single family residential with one unit per net acre.

**Advancing the general welfare of the Township**

The proposal will create an additional residential lot on 3 B’s and K Road. There are already a number of smaller lots (5 acres or less) in this area so the rezoning should not cause any negative impacts. Staff finds that the rezoning does enhance the general welfare of the township and the immediate vicinity.

**Staff Recommendation**

Staff *recommends approval* of the 4.80 acre rezoning from A-1 to FR-1, to the RPC, Berkshire Twp. Zoning Commission, and Berkshire Twp. Trustees.

**Commission / Public Comments**

Mr. Pat Hubert of Stults & Associates was present to represent the applicant.

Mr. Seidle asked if there is a possibility that the applicant could reserve an ingress/egress easement off of the 60-foot strip for future access if a CAD is requested. Mr. Hubert agreed.

***Mr. Schmidt made a motion to recommend conditional approval of the rezoning request by Walter Durrett subject to staff comments and Co. Engineer’s comments. Mr. Moran seconded the motion. VOTE: 22 For, 1 Opposed (Brown Twp.). Motion carried.***

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**07-00 ZON      Donald Kenney c/o Planned Communities, Inc. – Genoa Twp. – 192.83 acres from Rural Residential (RR) to Planned Residential (PD-1)**

This application is submitted by Planned Communities in order to develop a planned residential subdivision consisting of single-family and cluster homes on Worthington and Big Walnut Roads in Genoa Township.

**Conditions**

- Present Zoning:** Rural Residential District (RR)
- Proposed Zoning:** Planned Residential District (PD-1)

**Present Use:** Vacant farmland and woods

**Proposed Use:** 231 Single family homes and 113 condominium units (344 total units)

**Existing Density:** 1 unit/acre in RR

**Proposed Density:** 1.8 units per acre in PRD (gross density).

**School District:** Olentangy

**Utilities Available:** Del Co Water, Delaware County sanitary sewer.

**Soils:** Alexandria (AdC2 & AdD), Bennington (BeA & BeB), Cardington (CaB & CaB2), Condit (CnA), Eel (Ee), Marsh (Mc), Pewamo (Pw), and Shoals (Sh)

### **Background**

Planned Communities is requesting a zoning change to PD-1 for 192.83 acres on Big Walnut and Worthington Roads in order to develop a residential subdivision consisting of single-family and cluster housing. M/I Schottenstein Homes will develop the site. This application is an amendment to the PD-1 request of 179.66 acres reviewed by the RPC in November 1999 (RPC # 62-99ZON). It includes an additional 13.9 acres to the southeast and a redesign of the cluster development along Big Walnut Road. The property has been rezoned to Planned Residential twice before but each time the change was overturned by referendum. In 1993, the request (22-93ZON) was for 379 single-family houselots for a density of 2.13 units per acre. In 1995, the developer proposed 310 single-family homes for a density of 1.75 units per acre (9-95ZON). The current proposal is for a total of 344 units including 231 single-family homes (67%) and 113 single-family detached condominium units (33%). The gross density will be 1.78 units per acre.

The major part of the plan is to develop 231 single-family homes arranged around a series of interconnecting loop streets off Worthington Road. Average lot size is 10,000 sq. ft. The existing tree lines will be preserved, which help to create a series of neighborhoods. There are 2 access points proposed for this section, one of which lines up with the entrance to the Highland Lakes North Subdivision to the west. The entryway between the 2 access points includes landscaping and a 3.7-acre park for recreation. The cluster development consists of 113 single-family detached condominium units and is planned for 35 acres to the northeast with access onto Big Walnut Road. The proposed layout is different from the original submission. The access has been shifted to the east in order to provide additional distance from the bend on Big Walnut Road. The units have been rearranged allowing the pond and clubhouse to be the focal point of the development. The units are designed so that the garage and access is in the rear. This section will be linked to the single-family portion via Bike path/emergency access only. Approximately 91 acres or 47 percent of the overall development will be open space (40% is required).

The existing land use is agricultural fields separated by several tree and fence lines and a 40-acre wooded area in the southeast corner. There is a north-south flowing creek that divides the property. The western two-thirds is the area to be developed while the eastern third will be left in its natural state. The eastern portion includes the woods and 4 wetlands totaling 5.624 acres (confirmed by Army Corp of Engineers), and is calculated as part of the open space. The developer does propose a walking path throughout this area. Adjacent lands include residential to the north, west (Highland Lakes North), southeast (Blackhawk Forest Subdivision), and south. A farmstead with several outbuildings adjoins the northwest corner of the property. The land to the east is primarily wooded and natural vegetation. Surrounding zoning is mostly residential, including Planned Residential to the west and the remaining areas Rural Residential and Suburban Residential. There is a small area east of the site zoned Planned Commercial.

DEL-Co can provide water to the site with a 10" line along Worthington Road. There is also a 16" line along Big Walnut Road for service to the condos. Sanitary sewer is available through a connection with an existing line to the south. The Sanitary Engineer has indicated that there is capacity in the line to serve this project. Columbia Gas can provide additional utility service.

#### **Compliance with Comprehensive Plans**

The 1998 Genoa Township Comprehensive Plan places this property in Planning Area 1. It recommends that this area be developed as single-family residential developments up to 1.8 units per acre or 2.2 units per acre if conservation standards are used. The proposal complies with the plan.

The Delaware County 1993 Regional Land Use Plan for this area shows the land to contain areas that are suitable for development, unsuitable for development, resource management areas, and a stream. The Plan states that all developments should be planned developments permitting the township to participate with the County Engineer and DCRPC to review, through zoning requirements and development standards, proposed uses, subdivision plans, etc.

#### **Compliance with PD-1 standards**

##### **The development plan lacks some items to be consistent with the general standards.**

- a.) The active recreation has not been identified in the 3.7-acre entrance loop. Is it tennis courts? Basketball courts? Playground? It is not centrally located either and the main street must be crossed for access. Is it possible that the northeast section of the development, which is predominately Pewamo soils and has some steeper slopes, could be shifted east of the creek to allow for a more centrally and easily accessible active recreation area in the Pewamo soils?
- b.) Formal calculations/plans for drainage and stormwater management have not been submitted or approved. Is the pond in the cluster development to be used for detention? If so, label it as such on the plan.
- c.) A traffic study examining the impact of the development on the existing infrastructure has not been submitted.
- d.) The County Engineers office has not been contacted regarding this project, but in preliminary discussions with the RPC Staff, they do have some geometry issues

regarding the interior streets. There needs to be a tangent at the entrances and some of the loop streets may not meet their standards.

**Criteria for approval**

“Approval for planned development rezoning will be granted only when the plan for the project is such that public health, safety, comfort, morals and general welfare will be promoted”, as it pertains to Section 524.23 of the Township Zoning Resolution.

**Staff findings**

Staff finds that the request for PD-1 is in general conformance with the Genoa Township 1998 Comprehensive Plan and is compatible with the surrounding land use. There is adequate utility service available and the development has direct access to 2 major streets so it will not create traffic on minor residential streets outside the district. Nevertheless, a traffic study is required. The development plan is generally an appropriate design in conformance with the zoning standards, but additional work is needed before the overall development plan comports fully with the requirements of the PD-1 concept. If the plan were revised then it would promote the public health, safety, and general welfare of the township.

**DCRPC Staff Recommendation**

Staff recommends *conditional approval* of the PD-1 zoning of 192.83 acres on Worthington and Big Walnut Roads to the RPC, Genoa Township Zoning Commission, and Genoa Township Trustees, subject to staff comments.

**Commission / Public Comments**

Mr. Jack Brickner, Director of Development at Planned Communities, Inc. was present to represent the applicant. He said that this was the same plan as presented and approved two months ago with the exception of additional adjoining property that has come under contract. They have amended the plan to include approximately 14 acres and 22 single-family lots in the south central part of the project. The entrance to the cluster units has also been relocated.

Chairman Mazzon stated that he didn't think that the vegetation on Lester's property has not been accurately indicated. Mr. Brickner stated that he noted that and they will be submitting a vegetation change on the additional property to the Township next week.

***Mr. Spanner made a motion to recommend conditional approval of the rezoning request by Donald Kenney and Planned Communities subject to staff comments. Mr. Gladman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.***

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**08-00 ZON      Orange Township Zoning Commission – Comprehensive Plan review**

**Applicant:** Orange Township Zoning Commission

**Request:** Review and Comment on the proposed 1999 Orange Township Comprehensive Land Use Plan

## **I. Procedure**

Ohio Revised Code 713.23 (5) states a duty of the RPC to “ review, evaluate, and make comments and recommendations on proposed and amended comprehensive land use ... plans of local units of government and make recommendations to achieve compatibility in the region.”

## **II. General**

The Orange Township Trustees and Zoning Commission initiated a revision to their comprehensive plan by contracting with the Delaware County Regional Planning Commission (DCRPC) as provided by ORC 713.23 (4). The plan has been the subject of approximately one year’s work by the township land use steering committee, a dedicated core group of 12 landowners and residents. A draft text and map have been revised and sent, with the unanimous support of the Zoning Commission, to the DCRPC for our statutory review.

## **III. Summary of the 1999 Orange Township Comprehensive Plan**

Orange Township is the fastest growing township in Ohio. Growth has outstripped all projections. Agriculture has given way to suburban neighborhoods. The township has attempted to negotiate well-designed neighborhoods and commercial developments to retain a quality of rural character.

### **A. Findings of the Comprehensive Plan:**

1. 1/8 of the township (or 2004 acres) has been annexed since 1990.
2. Population has grown from 3,789 in 1990 to 10,222 (DCRPC projection) at the end of 1999, or an increase of 269%.
3. From 1/89 to 1/99 there were 4,228 new house lots zoned, 1,869 new multi-family units zoned, and 1,758 new acres of commercial and industrial ground zoned.
4. There is a 7 –10 year supply of house lots in the subdivision process in the Township.
5. Agricultural acreage decreased from 10,379 acres in 1990 to 5,581 acres in 1999. Loss of farmland is the number one concern regarding growth and land use.
6. Traffic is becoming a significant problem, especially on collector and arterial roads.
7. 58% of the area population think the pace of growth is too fast.
8. There is a perceived need for more open space and environmental protection.
9. Orange Township has significant natural beauty in its ravines. These ravines need to be protected.
10. There is a variety of housing for all income levels in the township. 96% of all housing is new, or in very good condition.
11. There are 5,407 housing units within the original boundaries of Orange Township (includes annexed territory). 3,095 or 57.24%, are single family homes. 24 or .005%, are two family housing units, and 2,288 or 42.32%, are multi-family housing units.
12. Economic conditions are good in Orange Township and Delaware County. The current unemployment rate is 1.7%. The current inflation rate is less than 2%. The current prime lending rate is 7.75%. Economic development analysts worry that the low unemployment rate may deter new industry from locating in the county.
13. The Polaris area has been a huge job and traffic generator. It has boosted Delaware County and the city of Columbus but has burdened Orange township with its school impacts and traffic.
14. Township collector roads were built in the 1800’s for farm to market use and are too narrow for today's traffic. All township collector roads need to be widened, but some narrow roads are considered part of the scenic character.

15. US 23 is a major four-lane highway that is losing its ability to move through-traffic as it becomes a commercial frontage road. Access management principles to limit curb cuts can help prevent the deterioration of this important highway.
16. There is adequate potable water supplied by the DEL-Co Water Company, but summertime lawn watering taxes its ability to maintain treatment and pressure. A year round alternate-day watering ban was instituted in July 1999, with possible loss of service for repeat violators.
17. Sanitary sewer service was once thought to ultimately be available for the entire township. Densities for single family housing have typically been 2 housing units per acre. A new 10 million-gallon per day treatment plant in Orange Township will serve the east side of the county. If all the subdivisions and commercial uses in the eastern sewer tributary get built that have been zoned since 1987, some areas of Orange Township may not receive sewer service, or they may receive sewer service at lower densities than once anticipated.
18. The Olentangy School system is adding approximately 650 new students every year. A levy was recently passed for operations and new construction, but the pace of growth is a severe strain on the schools. Olentangy maintains an excellent academic record for student proficiency test scores.
19. There are no township parks, but the Highbanks Metro Park and the Alum Creek State Park provide passive open space and recreation. There is a need for active recreation such as baseball and soccer fields, tennis and basketball courts and a public swimming pool.

## **B. Goals and Objectives of the Comprehensive Plan**

### **Goal 1**

**To preserve the rural and natural character of Orange Township as expressed in its open spaces, green areas, farms, natural resources (floodplains, wetlands, slopes > 20%, ravines, creeks and rivers) as it changes from a rural to a suburban community.**

#### **Objectives**

- a.) Amend the zoning resolution to increase the dedication of useable open space in planned developments. Identify / increase the amount of active versus passive open space that is acceptable.
- b.) Amend the zoning resolution to identify floodplains, jurisdictional wetlands, and slopes over 20% in planned developments and to protect them.
- c.) Set landscape and architectural design standards for planned developments that stipulate the kinds of centralized green spaces envisioned.
- d.) Require the linkage of planned developments by bike paths or walking paths in green ways so that new neighborhoods are all pedestrian oriented and children can move safely between neighborhoods without having to be driven by automobile.
- e.) Amend the county subdivision regulations to protect 100-year floodplains.
- f.) Create a landscape detail or “look” for new developments that front on historic township roads.

### **Goal 2**

**To provide an opportunity for vestiges of agriculture to continue through flexible/creative zoning.**



**Objectives**

- a.) Seek to retain structurally sound appropriate farm structures where possible for reuses in new developments as vestige of the agricultural past.
- b.) Offer the opportunity to preserve a key farm as open space by permitting the transfer of its development rights to other nearby properties in return for a permanent easement for open space and or agriculture.

**Goal 3**

**To retain a primarily single family residential housing mix, but permit a diversity of housing types.**

**Goal 4**

**To provide for a variety of residential housing districts, with an overall (township –wide) density not to exceed 2 units per acre where centralized sanitary sewer exists or can be provided. Higher densities may be permitted in Lewis Center if part of an overall planned neo-traditional village district.**

**Objectives**

- a.) Retain single family zoning at one unit per acre, planned developments at approximately 2 units per acre, single family with 20,000 square foot lots, and multi-family zoning districts.
- b.) Create a Lewis Center Redevelopment District that permits single family and condominium development of approximately 5 units per acre.
- c.) Maintain the area east of the CSX railroad tracks as the residential heart of the township, with single family development.

**Goal 5**

**To encourage commercial and light industrial development in planned districts to broaden the jobs and tax base, and to prevent property taxes from rising faster than the growth in the township tax base.**

**Objectives**

- a.) Expand the Planned Commercial and Industrial districts on the west side of the CSX Railroad Tracks in the US 23 corridor.
- b.) Provide for Planned Office districts as in-fill to the Columbus annexations on S. Old State Road's west side.
- c.) Provide for Planned Office districts as in-fill to Columbus and Westerville annexations on Worthington Road.
- d.) Encourage a historic looking storefront commercial with on-street angle parking as part of the redevelopment of Lewis Center.

**Goal 6**

**To provide for dense landscape buffering between incompatible land uses.**

**Objectives**

- a.) Create a landscaping detail(s) to be used between incompatible land uses.
- b.) Amend the zoning text to require the appropriate landscaping buffer detail between certain residential and non-residential land uses.
- c.) Retain natural vegetation and use existing topography as buffers where they exist.

**Goal 7**

**To provide passive and active recreational areas as the township grows.**

**Objectives**

- a.) Acquire, by donation, lease or purchase, the AEP tract between the CSX tracks and Summerfield Village for a Township park with active recreation.
- b.) Acquire, by donation, lease or purchase, the tract of land between the DEL-Co Water Company reservoir and the CSX Tracks for a township park for active recreation.

**Goal 8**

**To acquire suitable land for the Township and school future needs**

**Objectives**

- a.) Acquire by donation, lease or purchase appropriate new sites for township facilities, including fire, police, recreation, schools, parks.

**Goal 9**

**To retain wildlife cover and corridors where feasible.**

**Objectives**

- a.) Retain wooded greenways along ravines, waterways and project perimeters in reviewing Planned Developments.

**Goal 10**

**To link developments with green spaces and paths.**

**Objectives**

- a.) Amend the zoning text to require a green way link between new planned developments.
- b.) Create a detail for minimum standard green way bike paths.
- c.) Create a new green way and bike path along the east side of the CSX track to link the new Lewis Center and the new Township Hall on Orange Road.

**Goal 11**

**To preserve the rural “look” along township roads via fencing and landscaping, especially at entrances to new subdivisions.**

**Objectives**

- a.) Amend the zoning text to create a minimum standard landscape detail for new planned residential developments.

**Goal 12**

**To retain historic and agricultural structures.**

**Objectives**

- a.) Amend the zoning text to require the consideration for retention of well located and desirable agricultural and/or historic structures as part of new planned developments, and to give density bonuses for such retention.

**Goal 13**

**To preserve scenic views.**

**Objectives**

- a.) Amend the zoning text for Planned Residential Developments to encourage the preservation for scenic views as part of the open space design of new PRD(s) and give density incentives for doing so.

**Goal 14**

**To create a “heart” of the township at Lewis Center with mixed uses.**

**Objectives**

- a.) Amend the zoning text to create a new planned district, the Historic Lewis Center District, which permits mixed uses, a density of approximately 5 units per acre in single family or condominium homes, local commercial with street front design and zero setbacks from the road right of way, on street angle parking, and a town center open space at the corner of North Road and Lewis Center Road.
- b.) Endorse the idea of a two lane Home Road-to-Lewis Center Road by-pass south of Lewis Center to remove the heavy truck traffic that currently runs though the historic railroad town.
- c.) Offer up-zoning to planned commercial and planned industrial in return for construction, in increments, of the Lewis Center by-pass.
- d.) Ask the County Engineer to use road and bridges sales tax money to construct the grade separation crossing of the railroad tracks under the by-pass.

**Goal 15**

**To relate land use and density to land suitability, utility availability and adjacent existing land uses; limit development to the carrying capacity of the land infrastructure.**

**Objectives**

- a.) Use the width of roads, the capacity of water and sewer systems, and the soil characteristics to encourage and limit development to the carrying capacity of the infrastructure, using the densities and land uses on the Orange Township Comprehensive Land Use Plan as a guide.
- b.) Avoid development of uses or densities that cannot be serviced by currently available or imminently planned infrastructure, unless such development mitigates its unplanned infrastructure impacts.

**Goal 16**

**To recognize and maintain only those services needed for a predominantly suburban community.**

**Goal 17**

**To expand township services at a rate to ensure public health and safety.**

**Objectives**

- a.) Avoid competition with Westerville and Columbus by not permitting multi-family with densities greater than five units per acre and single family with densities greater than 2 units per acre.
- b.) Determine the basic services that the township can provide which conform to the vision of a suburban community with a sense of rural character, and do not exceed those service limits.

**Goal 18**

**To determine and implement an appropriate land use mix.**

**Objectives**

- a.) Use the outcome of the Ohio State University Fiscal Impact case studies to evaluate the impact of the Comprehensive Land Use Plan and to make such adjustments to encourage commercial land use to help balance the disparity between single family costs and revenues.

**Goal 19**

**To use access management controls to minimize highway congestion.**

**Objectives**

- a.) Assure new developer funded access roads A, B, and C, and E as part of new Planned Developments in exchange for commercial up-zonings.
- b.) Encourage construction of a Lewis Center by-pass D in exchange for commercial up-zonings and use of county sales tax road and bridge funds.
- c.) Encourage construction of a new connector road F from Lewis Center to Orange Road as part of new planned developments and township park construction.
- d.) Restrict unlimited left turns across traffic on US 23. Coordinate signals at new locations shown by \* symbol on the Comprehensive Land Use Plan.
- e.) Avoid new signals on US 23 other than at locations at least one half mile separations.
- f.) Adopt the appropriate recommendations of the ODOT US 23 Access Management study and work with ODOT to prevent the deterioration of US 23 through traffic.
- g.) Require commercial parallel access roads and connections between planned developments.
- h.) Encourage continuation of Walker Wood Boulevard to Orange Road by connector G.
- i.) Encourage the connection of Piatt Road at the Berlin Township line with the Lewis Center bypass as shown by proposed new road H.
- j.) Work with COTA, MORPC, Delaware County Commissioners and ODOT to create a park and ride light rail commuter stop at Lewis Center for a Delaware to Columbus light rail service. Use the offer of higher densities on adjacent land at Lewis Center as an incentive the rail service.

**Goal 20**

**To discourage over-development or premature development.**

**Objectives**

- a.) Do not over-zone land when there is an adequate supply for the needs of the current market.
- b.) Use the Comprehensive Land Use Plan as the guideline to prevent over-zoning.

**Goal 21**

**To implement and maintain the land use plan.**

**Objectives**

- a.) Revise the zoning text and map in accordance with the comprehensive plan.
- b.) Develop policies for service provision that comport with the comprehensive plan.
- c.) Provide for 5 year updates and revisions to the plan.

**Goal 22**

**To strictly enforce zoning regulations.**

**Objectives**

- a.) Provide for competitive wages and benefits for a staff to enforce zoning and to respond to the daily zoning work of the township. Encourage continuity by training and retaining staff.

**C. Comprehensive Land Use Plan (map)**

The 1999 Comprehensive Land Use Plan (map) embodies the policies and principles of the text of the Comprehensive Plan document and should be adopted in its entirety. If the township develops in accordance with the 1999 Comprehensive Plan the ultimate maximum population would be 24,500 with expanded sanitary sewer, or 14,000 with limited sanitary sewer.

**IV. Staff Finding and Recommendation**

DCRPC staff finds that Orange Township has followed an appropriate planning process to evaluate their goals and objectives for future growth, that they have created a comprehensive land use plan map in ArcView and in paper form of at least 1"=1000' scale that is site specific with a land use and density recommendation for each parcel in the township.

**Staff finds that the plan in its entirety is compatible with regional planning goals, and recommends approval to the DCRPC.**

**Commission / Public Comments**

Having no questions, *Mr. Miller made a motion to recommend approval of the Orange Twp. Comprehensive Plan. Mr. Ward seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

Mr. Gladman stated that once the Comprehensive Plan is adopted by the Trustees, the Zoning Commission plans to make some drastic changes to the Zoning Code.

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**IV. SUBDIVISION PROJECTS**

**Preliminary**

**47-99                   Maplewood Farms – Berkshire Twp. - 03 lots, 30.70 acres**

**Applicant:** Joseph R. Kuhn  
**Subdivision Type:** Single Family Residential (CAD)  
**Location:** East side of Carter's Corner Rd., North of state Route 36  
**Current Land Use:** Residential  
**Zoned:** Agricultural (A-1)  
**Utilities:** DEL-Co Water, On-site septic  
**School District:** Big Walnut  
**Engineer:** Todd D. Willis P. E.

**Staff Comments**

Maplewood Farms is a proposed 3-lot CAD subdivision on 30.7 acres. It is located on the east side of Carter's Corner Road approximately 1,700 feet north of S. R. 36. The site is flat and mostly wooded. The existing residence and pond located to the southeast will remain on Lot 3. All 3 lots will have on-site septic systems and will be served by DEL-Co water. The zoning is Agricultural (A-1) which requires 5-acre minimum lot sizes. The smallest lot is 6.96 acres and the others are 10 and 9.86 acres. The Health Department has approved locations for septic systems.

Surrounding land uses include mostly agriculture with some residential along Carter's Corner Road and some commercial on S. R. 36. This subdivision was tabled for 30 days at the December 16<sup>th</sup>, 1999 RPC meeting

*A technical review was held on January 18, 2000, after which the applicant has addressed all of the required changes*

**Staff Recommendation**

Staff recommends *Preliminary approval* of **Maplewood Farms** to the RPC.

**Commission / Public Comments**

The applicant, Mr. Joseph Kuhn was present.

*Mr. Gladman made a motion for Preliminary approval of Maplewood Farms, seconded by Mr. Miller. VOTE: Unanimously For, 0 Opposed. Motion carried.*

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**02-00                    Mathews Subdivision - Berkshire Twp. – 3 Lots, 10.06 acres (CAD)**

**Applicant:** Sandra J. Mathews  
**Subdivision Type:** Single Family Residential (CAD)  
**Location:** East side of Sunbury Rd., South of Vans Valley Rd.  
**Current Land Use:** Residential  
**Zoned:** A-1 & FR-1  
**Utilities:** DEL-Co Water, On site septic  
**School District:** Big Walnut  
**Engineer:** Stults and Associates (Tim Huffman)

**Staff Comments**

The Mathews Subdivision is a proposed Common Access Drive Subdivision with three lots on the east side of Sunbury Road south of Vans Valley Rd, in Berkshire Township. The surrounding land uses are residential with the Hoover reservoir to the west, residential to the south and agriculture/open space to the east and north. The development is 10.057 acres and is to be accessed by a unique boulevard CAD that is one-way in and one-way out. The applicant is applying for a variance on this CAD for a pavement width reduction to 10'. If the variance is granted, the existing drive will be utilized as the CAD. There are existing homes in lots 2 and 3 with the new house to be built in a new lot in furthest to the west.

*The application received a technical review on January 18, 2000, after which the applicant has addressed all of the required changes*

**Staff Recommendation**

Staff recommends *Preliminary approval* of the Mathews Subdivision to the RPC subject to the variance for the CAD being granted.

**Commission / Public Comments**

Mr. Chuck Orth of Stults & Associates was present.

*Mr. Miller made a motion for Preliminary approval of the Mathews Subdivision, seconded by Mr. Lehner. VOTE: Unanimously For, 0 Opposed. Motion carried.*

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**05-00.2/3 Highland Hills at the Lakes, Sections 2 and 3 – Genoa & Orange Twp,'s – 107 lots, 49.30 acres**

**Applicant:** Planned Communities, Inc.  
**Engineer:** EMH&T

**Staff Comments**

The applicant has requested a tabling of the Preliminary Plan for 90 days due to excessive modifications.

**Staff Recommendation**

Staff recommends a *90-day tabling* of **Highland Hills at the Lakes, Sections 2 and 3** to the RPC.

**Commission / Public Comments**

No one was present to represent the applicant.

*Mr. Miller made a motion to approve the table request of Highland Hills at the Lakes, Sections 2 and 3 for 90-days. Mr. Lehner seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

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**04-00 Abbey Knoll, Sec. 2 – Orange Twp. - 12 lots, 07.20 acres**

**Applicant:** Planned Communities  
**Subdivision Type:** Single Family Residential  
**Location:** East side of South Old State Rd., north of Orange Rd.  
**Current Land Use:** Vacant  
**Zoned:** SFPRD  
**Utilities:** DEL-Co Water, Public Sanitary Sewer  
**School District:** Olentangy  
**Engineer:** EMH&T (Shawn Lanning)

**Staff Comments**

Abbey Knoll, Section 2 is a 7-acre addition to the overall Abbey Knoll Subdivision located east of S. Old State Road north of Orange Road. This section contains 12 lots on a cul-de-sac that extends south from Abbey Knoll Drive and an open space area to the west fronting on S. Old State Road. The surrounding land uses include the Cross Creek subdivision to the southeast, Abbey Knoll to the northeast, Tall Pine Acres and Summerfield Village to the west, Orange Township Hall to the south, and the Goodwin Horse Farm to the north.

The site will drain into a large pond to the north but will not be detained. The water will move through this pond and toward the Abbey Knoll detention pond downstream to the east. There is a large swale on the northwest corner of the site that is to be filled in to allow Lot 2 to be developed. The drainage will be rerouted between lots 1 and 2. The specifics of the amount and location of the fill may need to be reviewed by the building department and the County Engineer must approve the drainage plan.

*A technical review was held on January 18, 2000, after which the applicant has addressed all of the required changes, except for drainage.*

**Staff Recommendation**

Staff recommends *conditional Preliminary approval* of the **Abbey Knoll Section 2** subdivision to the RPC, subject to the County Engineers acceptance of the drainage plan.

**Commission / Public Comments**

Mr. Jack Brickner of Planned Communities was present to represent the applicant.

*Mr. Gladman made a motion for conditional Preliminary approval of the Abbey Knoll Subdivision, Section 2, subject to staff comments. Mrs. Foust seconded the motion. VOTE: 21 For, 1 Opposed (Village of Powell). Motion carried.*

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**Preliminary/Final**

**03-00**                    **Northgate** (Resubdivision of lot 3461 of Maxtown Subd.) – **Genoa Twp. – 9 lots, 19.91 acres**

**Applicant:** Northgate Commercial Center  
**Subdivision Type:** Commercial  
**Location:** North side of Maxtown Road, east of Northgate Way  
**Current Land Use:** Commercial/institutional/vacant  
**Zoned:** PD-3 (Planned Industrial-Warehouse) & PD-2 (Planned Commercial Office)



**Utilities:** DEL-Co Water, Public Sanitary Sewer  
**School District:** Westerville  
**Engineer:** R.D. Zande and Associates, Inc.

**Staff Comments**

This 19.91-acre lot (part of the Maxtown Subdivision) is accessed by a private road extending from the north side of Maxtown Road to the east side of State Route 3. The existing Maxtown Commercial development is on the south side of the private road with lot 3461 on the north side consisting of mainly vacant land and a parking lot for the existing two structures on the lot, being Columbus State (Westerville Center) and another building containing MCF and Custom Veterinary Care. The applicant wishes to split this lot into 9 lots, but cannot apply for a No-Plat Approval because the lot does not front a public road. With a commercial or industrial development such as this, the County Engineer requires specific site plans for each lot before they are to be developed. Therefore more in depth review of specifics of the lots will take place when they are to be developed individually in the future.

The application received a technical review on January 18, 2000, after which the applicant has addressed all of the required changes

*The applicant has presented to the RPC Office a Final Plat (mylar) signed by the various County agencies, a requirement for Final approval.*

**Staff Recommendation**

Staff recommends *Preliminary and Final approval* of Northgate (the resubdivision of lot 3461 of the Maxtown Subdivision) to the RPC.

**Commission / Public Comments**

Mr. Joe Looby of RD Zande was present to represent the applicant, along with David Fisher, counsel for the applicant.

*Mr. Miller made a motion for Preliminary and Final approval of Northgate. Mr. Moran seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

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**CONSENT AGENDA**

Chairman Mazzon asked if there were any applications that the Commission wanted removed from the Consent agenda. Hearing non the Chairman asked for a motion.

*Mr. Gladman made a motion for Final approval of Scioto Reserve, Section 4 Phase 2, Tartan Fields, Phase 12B, Highland Lakes East Sec. 14, Phase 2, Eagle Trace Phase 1, Westerville Reserve Phase 1, Grove Subd., Liberty Lakes Phase 3, River Bend Sec. 1, Ph. 1 and River Bend Section 3. Mr. Betz seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

**Final**

**29-98.4.2          Scioto Reserve, Section 4, Phase 2 – Concord Twp. – 54 lots, 18.14 acres**

**Applicant:** Triangle Properties, Inc  
**Subdivision Type:** Single Family Residential  
**Location:** North side of Home Road, east side of South Section Line Rd.  
**Current Land Use:** Open Space  
**Zoned:** PRD (Planned Residential District)  
**Utilities:** DEL-Co. Water, Private Sanitary Sewer  
**School District:** Olentangy  
**Engineer:** R.D. Zande & Associates, Inc.

**Staff Comments**

This section of Scioto Reserve is completely surrounded by other phases of the Scioto Reserve subdivision and consists of the extension of Scioto Chase Boulevard from phase 1 to the south. Extending from Scioto Chase Boulevard towards the west is a long cul-de sac called Seven Lakes Place. An open space reserve lies to the north and the golf course to the west and south. This site, like all of Scioto reserve, will be serviced by an on-site centralized sanitary sewage system dedicated to Delaware County.

This section received Preliminary approval on March 25<sup>th</sup>, 1999 and the final plat was tabled on December 16<sup>th</sup>, 1999 for 30 days.

*The applicant has presented to the RPC Office a Final Plat (mylar) signed by the various County agencies, a requirement for Final approval.*

**Staff Recommendation**

Staff recommends *Final approval* of Scioto Reserve Section 4, Phase 2 to the RPC.

**Commission / Public Comments**

*Mr. Gladman made a motion for Final approval of Scioto Reserve, Section 4 Phase 2. Mr. Betz seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

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**34-98.12B          Tartan Fields, Phase 12B – Concord Twp. – 2 lots, 1.63 acres (CAD)**

**Applicant:** Northwood Land Corporation.  
**Subdivision Type:** Single Family Residential (CAD)  
**Location:** East side of Concord Rd. south of Harriot Road  
**Current Land Use:** Open Space  
**Zoned:** R-2 (Residential District)  
**Utilities:** DEL-Co. Water, Private Sanitary Sewer  
**School District:** Dublin  
**Engineer:** R.D. Zande & Associates, Inc

**Staff Comments**

This proposal is for a two lot CAD in section 12 located on the east side of Concord Road north of Muirfield Village Subdivision. This CAD will be extended to the south from Palmer Court within the Phase 12 plat, which was approved on December 16<sup>th</sup>, 1999. The two lots will be 0.515 and 1.11 acres in size with the larger lot including the CAD acreage. The reason for the CAD is the unique shape of the property in relation to the road alignment. The site is entirely surrounded by residential uses other than the golf course, which will be located to the north as a part of the overall Tartan Fields development.

This phase received preliminary approval as a part of the 191 lots in Tartan Fields approved on December 17<sup>th</sup>, 1998.

*The applicant has presented to the RPC Office a Final Plat (mylar) signed by the various County agencies, a requirement for Final approval.*

**Staff Recommendation**

Staff recommends *Final approval* of Tartan Fields, Phase 12B to the RPC.

**Commission / Public Comments**

*Mr. Gladman made a motion for Final approval of Tartan Fields, Phase 12B. Mr. Betz seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

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**19-98.2 Highland Lakes East, Section 14, Phase 2 – Genoa Twp. – 44 lots, 15.54 acres**

**Applicant:** Dominion Homes

**Subdivision Type:** Single Family Residential

**Location:** North side of Highland Lakes Avenue, west of State Route 3

**Current Land Use:** Open Space

**Zoned:** PD-1 (Planned Residential District)

**Utilities:** DEL-Co. Water, Public Sanitary Sewer

**School District:** Westerville

**Engineer:** EMH&T John Wicks

**Staff Comments**

The applicant is extending Commonwealth Dr., & Hermitage Drive West to connect existing streets as well as a cul-de-sac called Capilano Court. This section is surrounded by Highland lakes Section 6, 10 and 11 to the south, west, and east, with open space to the north. This proposal received preliminary approval on August 26<sup>th</sup>, 1999.

*The applicant has presented to the RPC Office a Final Plat (mylar) signed by the various County agencies, a requirement for Final approval.*

**Staff Recommendation**

Staff recommends *Final approval* of Highland Lakes East, Section 14, Phase 2 to the RPC.

**Commission / Public Comments**

**Mr. Gladman made a motion for Final approval of Highland Lakes East Sec. 14, Phase 2. Mr. Betz seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.**

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**23-97.1 Eagle Trace, Phase 1 – Genoa Twp. – 72 lots, 33.56 acres**

**Applicant:** Romanelli and Hughes Building Co.  
**Subdivision Type:** Single Family Residential  
**Location:** East side of Tussic Street Road, south of Lanetta Lane  
**Current Land Use:** Agriculture  
**Zoned:** PD-1 (Planned Residential District)  
**Utilities:** DEL-Co. Water, Public Sanitary Sewer  
**School District:** Westerville  
**Engineer:** Bischoff and Associates, Inc.

**Staff Comments**

This is the first phase of Eagle Trace located on the east side of Tussic Street road North of Maxtown Road. This 72-lot phase is part of the overall 193 lots that received preliminary approval on March 26<sup>th</sup>, 1998. This Phase has a density of 2.15 Du/acre in the PD-1 District. The site consists of Eagle Trace Drive extending east from Tussic Street Road and Rolling Ridge Way branching to the south and continuing east. Two retention ponds in the eastern portion of the site. There are four stubs leading to future Phase two to the north of the site and one stub to connect Harvest Wind to the south with both Phase 1 and Phase 2 of this subdivision. Both developers have collaborated on the aligning of this connection.

*The applicant has presented to the RPC Office a Final Plat (mylar) signed by the various County agencies, a requirement for Final approval.*

**Staff Recommendation**

Staff recommends *Final approval* of Eagle Trace, Phase 1 to the RPC.

**Commission / Public Comments**

Chairman Mazzon stated that no zoning permits would be issued for Eagle Trace until the landscaping on the adjoining properties is taken care of.

**Mr. Gladman made a motion for Final approval Eagle Trace Phase 1. Mr. Betz seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.**

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**15-98.1 Westerville Reserve, Phase 1 – Genoa Twp. – 58 lots, 23.70 acres**

**Applicant:** Vince Romanelli  
**Subdivision Type:** Single Family Residential  
**Location:** North side of Maxtown Rd., East of Tussic Street  
**Current Land Use:** Open Space/Residential  
**Zoned:** PD-1 (Planned Residential)  
**Utilities:** DEL-Co. Water, Public Sanitary Sewer

**School District:** Westerville  
**Engineer:** RD Zande & Associates

**Staff Comments**

The site is located on the north side of Maxtown Road. The 23.702 acres will have 55 lots and a density of 2.32 Du/acre. The preliminary plan received conditional approval in August of 1998 subject to the road being completely constructed and dedicated for public acceptance. Each lot in the plan will be approx. 14,840 sq. feet in size 70 feet of frontage. There will also be three reserve open space areas, two at the entrance of the site and one in the northern portion of the site. These open space lots will connect to the large park to the east.

The surrounding land use includes single-family residential subdivisions on all sides including Park Bend, part 2 to the north, a park with a creek and Barrington Estates to the east, Hardbarger Subd. to the west, and Lake Forest Estates to the south in the City of Westerville.

*The applicant has presented to the RPC Office a Final Plat (mylar) signed by the various County agencies, a requirement for Final approval.*

**Staff Recommendation**

Staff recommends *Final approval* of Westerville Reserve, Phase 1 to the RPC.

**Commission / Public Comments**

*Mr. Gladman made a motion for Final approval of Westerville Reserve Phase 1. Mr. Betz seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

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**44-99                    Grove Subdivision – Kingston Twp. – 2 lots, 25.15 acres (CAD)**

**Applicant:** James Grove  
**Subdivision Type:** Single Family Residential (CAD)  
**Location:** West side of Carter’s Corner Rd., north of Twig Hupp Rd.  
**Current Land Use:** Residential  
**Zoned:** FR-1  
**Utilities:** DEL-Co. Water, On-Site Septic  
**School District:** Big Walnut  
**Engineer:** Stults and Associates, Inc. (Pat Hubert)

**Staff Comments**

The site is located on the west side of Carters Corner Rd. north of Twigg-Hupp Rd. in Kingston Twp. and is serviced by DEL-Co. Water. This application proposes a split of 25.149 acres into two lots, one being 23.929 acres with an existing residence and the other being 1.22 acres. The lots will both be accessed by a CAD and will have on-site sewage systems.

There are single family residences located to the east and to the southwest while the north is forested and the south is agriculture. The existing and proposed homes on the property are in the eastern-most extent of the property, which avoid the large portion of forested area on the site as well as a tributary of Little Walnut

Creek running north-south in the middle of the property. This proposal received preliminary approval on November 18<sup>th</sup>, 1999.

*The applicant has presented to the RPC Office a Final Plat (mylar) signed by the various County agencies, a requirement for Final approval.*

**Staff Recommendation**

Staff recommends *Final approval* of Grove Subdivision to the RPC.

**Commission / Public Comments**

*Mr. Gladman made a motion for Final approval of Grove Subd. Mr. Betz seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

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**66-93C                    Liberty Lakes, Section 3 – Liberty Twp. – 46 lots, 20.41 acres**

**Applicant:** Boston Development, Co.  
**Subdivision Type:** Single Family Residential  
**Location:** West side of Bretteridge Drive, west of Liberty Road  
**Current Land Use:** Open Space  
**Zoned:** PRD (Planned Residential District)  
**Utilities:** DEL-Co. Water, Public Sanitary Sewer  
**School District:** Olentangy  
**Engineer:** Bird + Bull

**Staff Comments**

Liberty Lakes, Phase 3 is a 46-lot development on 20.405 acres west of Liberty Road north of the Bainbridge subdivision. The site consists of a loop road called Waterbury Lane connecting to Manchester Drive to the North and stubs out to the west towards the Sawmill Baptist church. To the north is section 3 and section 4, both recorded. To the east is the recorded section 2 with Bainbridge subdivision to the south. This Section will have a density of 2.25 Du/acre and have two points of ingress/egress in the future with only one being available now from Manchester Dr. toward the east to the dedicated (but not constructed) Salisbury Drive “T” connection to Liberty Rd. which will be constructed by the Delaware County Engineer in 2000.

This section received Preliminary approval on October 28<sup>th</sup>, 1993.

*The applicant has presented to the RPC Office a Final Plat (mylar) signed by the various County agencies, a requirement for Final approval.*

**Staff Recommendation**

Staff recommends *Final approval* of Liberty Lakes, Section 3 to the RPC.

**Commission / Public Comments**

*Mr. Gladman made a motion for Final approval of Liberty Lakes Phase 3. Mr. Betz seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

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**26-98.1 River Bend, Section 1, Phase 1 – Orange & Liberty Twp.’s – 75 lots, 72.88 acres**

**Applicant:** Planned Communities  
**Subdivision Type:** Single Family Residential  
**Location:** South side of West Orange Rd., west of US 23  
**Current Land Use:** Residential and Vacant  
**Zoned:** FR-1 (LIB) & SFPRD (ORA)  
**Utilities:** DEL-Co. Water, Public Sanitary Sewer  
**School District:** Olentangy  
**Engineer:** Stults and Associates, Inc.

**Staff Comments**

River Bend Section 1, Phase 1 received preliminary approval on November 19, 1998 for 99 lots on 82.51 acres with an overall density of 1.03 Du/acre.. This plan came to the commission for final approval of 100 lots on 84 acres and was extended on November 18<sup>th</sup>, 1999 for 6 months in order to complete construction of the private. The private streets have all been approved by the County Engineer. None of the roads cross the large ravine to the south, which separates this development from the High Meadows subdivision.

The Olentangy River is located along the western boundary of the site. There is a strip of open space along the riparian area of the river. This open space will not have direct access for the public within this design, but the open space off the site to the south will provide for access to the river. There are condos and proposed commercial to the east, proposed single-family residential to the northeast, and scattered single-family residential to the north.

*The applicant has presented to the RPC Office a Final Plat (mylar) signed by the various County agencies, a requirement for Final approval.*

**Staff Recommendation**

Staff recommends *Final approval* of River Bend Section 1, Phase 1 to the RPC.

**Commission / Public Comments**

*Mr. Gladman made a motion for Final approval of River Bend Sec. 1, Ph. 1. Mr. Betz seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

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**04-99 River Bend, Section 3 – Orange Twp. – 41 lots, 24.59 acres**

**Applicant:** Planned Communities  
**Subdivision Type:** Single Family Residential  
**Location:** west side of U.S. 23 south of West Orange Rd.  
**Current Land Use:** Residential and Vacant  
**Zoned:** SFPRD  
**Utilities:** DEL-Co. Water, Public Sanitary Sewer  
**School District:** Olentangy

**Engineer:** Stults and Associates, Inc.

**Staff Comments**

River Bend Section 3 received preliminary approval on February 25<sup>th</sup>, 1999 for 39 lots on 24.63 acres with an overall density in this section of 1.67 Du/acre. This plan is applying for final approval of 41 lots on 24.586 acres (Including open space lots). The private streets have all been approved by the County Engineer. The site is located east of the Olentangy River adjacent to Highmeadows Village Section 5 to the south, River Bend Section 2 to the east (containing condos and commercial development) and Section 4 to the West with open space to the north to be developed by Cardinal Holding company. There is a ravine running through the middle of the site, which is preserved by the design of the open space lot.

*The applicant has presented to the RPC Office a Final Plat (mylar) signed by the various County agencies, a requirement for Final approval.*

**Staff Recommendation**

Staff recommends *Final approval* of River Bend Section 3 to the RPC.

**Commission / Public Comments**

*Mr. Gladman made a motion for Final approval of River Bend Section 3. Mr. Betz seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

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**V. EXTENSIONS** (none)

**VI. OTHER BUSINESS**

- Consideration of approval: Professional Services, Legal – Don Brosius \$2553.66  
*Mr. Miller made a motion to approve the \$2553.66 expenditure for legal fees. Mr. Lehner seconded the motion. VOTE: 21 For, 1 Opposed (Delaware Twp.). Motion carried.*
- Consideration of approval: Year 2000 Property Insurance \$8,427.00  
*Mr. Ward made a motion to approve the \$8427.00 insurance expenditure, seconded by Mr. Lehner. VOTE: Unanimously For, 0 Opposed. Motion carried.*
- Consideration of approval: Unemployment reimbursement \$3,768.00  
*Mr. Gladman made a motion to approve the reimbursement for unemployment expenses. Mr. Schmidt seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*
- Director Evaluation – Chairman Mazzon stated that the Executive Committee recommended a 4% salary increase for Mr. Laurien retroactive to 1/12/00. An evaluation letter was presented to the Committee with goals for the next year for Mr. Laurien.

*Mr. Miller made a motion to increase Mr. Laurien's salary by 4% retroactive to 1/12/00, seconded by Mr. Schmidt. VOTE: Unanimously For, 0 Opposed. Motion carried.*



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

*Having no further business, Mr. Miller made a motion to adjourn the meeting, seconded by Mr. Lehner. VOTE: Unanimously For, 0 Opposed. Motion carried.*

*The next meeting of the Delaware County Regional Planning Commission will be Thursday, February 24, 2000, 7:00PM at the Delaware Joint Vocational School North Campus, 1610 St. Rte. 521, Delaware, Ohio 43015.*

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Mark A. Mazzon, Chairman

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Stephanie J. Johnson, Executive Administrative Assistant