



**DELAWARE COUNTY
REGIONAL PLANNING COMMISSION**

50 Channing Street, Delaware, Ohio, 43015 Phone 740-833-2260 Fax 740-833-2259

Philip C. Laurien, AICP, Executive Director

MINUTES

**Thursday, January 31, 2002 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 20, 2001 RPC Minutes
- Executive Committee Minutes of January 23, 2002
- Statement of Policy

II. VARIANCES (none)

III. ZONING MAP/TEXT AMENDMENTS

- 01-02 ZON Randy Wilgus – Radnor Twp. – 2.0 acres from FR-1 to PC
- 02-02 ZON Jeff Baldauf – Trenton Twp. – 3.2573 acres from FR to RR
- 03-02 ZON Scioto Twp. Zoning Commission – text amendments
- 04-02 ZON Country Mercantile – Orange Twp. – 3.419 acres from C-2 to PCD
- 05-02 ZON Robert Leone – Kingston Twp. – 1.0 acres from FR-1 to PC
- 06-02a ZON Epcon Group – Orange Twp. – 14.39 acres from FR-1 to MFPRD
- 06-02b ZON Epcon Group – Genoa Twp. – 15.65 acres from SR to PD-1
- 07-02 ZON Schumacher Homes, Inc. – Berlin Twp. – 3.67 acres PCD amended zoning request

IV. SUBDIVISION PROJECTS

		Township	Lots/Acres
<u>Preliminary</u>			
20-01	Serenity Woods	Concord	02 lots / 07.47 acres
01-02	W/D Conley Subdivision	Genoa	03 lots / 01.57 acres
43-00.12	Golf Village, Section 12	Liberty	95 lots / 52.73 acres
<u>Preliminary/Final</u>			
30-00	Wedgewood Park	Liberty	92 lots / 73.62 acres
<u>Final</u>			
48-00.2	Genoa Farms, Section 2	Genoa	41 lots / 19.89 acres
16-00.1	Woodland Hall, Section 1	Liberty	39 lots / 94.46 acres

T=TABLED, W/D=WITHDRAWN

V. EXTENSIONS

43-00.5.1	Golf Village, Sec. 5, Ph. 1	Liberty	48 lots / 20.17 acres
23-00	Tall Oaks III	Liberty	10 lots / 27.08 acres

VI. OTHER BUSINESS

- Director Evaluation
- Consideration for approval of up to \$2500.00 for Da-Wei Liou's H-1B extension application
- Access Management Standards – public hearing set for February 28, 2002

VII. POLICY / EDUCATION DISCUSSION (none)

I. ADMINISTRATIVE BUSINESS

■ Call to Order

Chairwoman Foust called the meeting to order at 7:00 p.m.

■ Roll Call

Representatives present: Wayne Lockhart, Don Poland, John Schmidt, Fred Fowler, Jim Ward, Steve Burke, Chad Antle, Tom Hopper, Leslie Warthman, Andrew Brenner, Holly Foust, Dick Gladman, Bill Thurston and Marvin Miller. **Alternates present:** Merlin Sheets and Scott Pike. **Arrived after roll call:** Gary Spanner, Steve Jeffries, Shawn Leininger and Kevin Moran. **Staff present:** Philip Laurien, Scott Sanders, Paul Deel, Da-Wei Liou, Bob Sochor, Andy Videkovich and Stephanie Matlack.

■ Approval of the December 20, 2001 RPC Minutes

Mr. Miller made a motion to approve the minutes from the December 20, 2001 RPC meeting, seconded by Mr. Gladman. VOTE: Unanimously For, 0 Opposed. Motion carried.

■ January 23, 2002 Executive Committee Minutes

1. Call to order

Chairwoman Foust called the meeting to order at 8:30 a.m. Present: Holly Foust, Dick Gladman, Leslie Warthman, Steve Burke, and Jim Ward. Staff present: Phil Laurien and Stephanie Matlack.

2. Approval of Executive Committee Minutes

- a. **December 12, 2001 – Mr. Gladman made a motion to approve the minutes from the December Executive Committee meeting, seconded by Mrs. Warthman. VOTE: Unanimously For, 0 Opposed. Motion carried.**

3. Old Business

- a. **Office Space** – Mr. Laurien presented the Committee with an outline for a lease agreement for 109 N. Sandusky Street between the County Commissioners and the Regional Planning Commission. Mr. Laurien stated that he and Mr. Dave Cannon, County Administrator have agreed on

the terms listed in the outline, but that a formal lease would be written by the County Prosecutor for signatures. Mr. Laurien reminded the Committee that the By-Laws would need to be amended to reflect that the RPC would pay for all utilities. Mr. Ward suggested adding language stating that the RPC has the first right of renewal/purchase at the end of the lease agreement. Chairwoman Foust requested that a reverter clause be put into the By-Laws stating that this agreement (of the RPC paying for all utilities) is only effective as long as the RPC is in 109 N. Sandusky Street building.

4. New Business

a. Financial / Activity Reports for December 2001

The Financial Report for December was presented:

Ending balance as of 11/30/01 \$575,168.35

<u>Receipts</u>	<u>December</u>	<u>YTD</u>
General Fees (NPA)	\$ 1,980.00	\$ 16,850.00
Inspec. Fees (Transfer)	\$ 120.00	\$ 1,820.00
Fees A (Site Review)	\$ 400.00	\$ 3,100.00
Membership Fees	\$	\$122,017.00
Planning Surcharge (Twp. Assist.)	\$ 6,565.97	\$ 45,828.12
Charges for Services A (Prel. Appl.)		\$ 550.00
\$102,003.13		
Charges for Services B (Final Appl.)		\$ 4,950.00
\$161,336.20		
Charges for Services C (Ext. Fees)	\$ 3,900.00	
Charges for Services D (Table Fees)	\$ 600.00	\$
7,600.00		
Charges for Services E (Appeal/Var)	\$ 2,700.00	
General Sales	\$ 644.20	\$ 6,091.74
Health Dept. Fees	\$ 100.00	\$ 11,500.00
Soil & Water Fees	\$ 300.00	\$ 4,075.00
Other Reimbursements	\$	\$
Other Reimbursements A	\$	\$ 34.50
Other Reimbursements B	\$	\$
Canceled Warrants	\$	\$
Inter-fund Revenues	\$	\$
TOTAL	\$16,210.17	\$ 488,855.69

Balance after receipts \$591,378.52

Expenditures \$28,559.23

End of December balance \$522,217.49

Mrs. Warthman made a motion to approve the financial report as presented. Mr. Gladman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

- b. January RPC Preliminary Agenda** – Includes 8 rezonings/text amendments, 4 Preliminary applications, 1 Preliminary & Final combined application, 2 Final applications and 2 extension requests.

Also on the agenda, under other business, will be a discussion regarding the Access Management Standards. The public hearing will be held at the February 28th RPC meeting. A public notice was posted in the Delaware Gazette. Mr. Laurien presented the Committee with the access management section of the 1988 Thoroughfare Plan and the new access management text in the 2001 Thoroughfare Plan. The RPC staff will copy and mail a copy of the appendix to each municipal, township and government representative of the Regional Planning Commission.

- c. Consideration for participation in “A traffic and growth management toolkit for Northern Franklin and Southern Delaware County”.** – This study is being conducted to determine goals for growth for the northern Franklin and Southern Delaware County areas. This study will also help develop a system to monitor the planned provision of infrastructure and services compared to the amount needed as a result of increased traffic and growth.

Mr. Ward made a motion to approve a \$1,000.00 contribution to the study being conducted by MORPC. Mr. Gladman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

5. Other Business

- a. Contract Updates** – see attached “To do list” for 2002.

6. Personnel

- a. **Da-Wei Liou – request for H-1B extension assistance** – a maximum amount of \$2,500.00 was recommended for approval at the December 2001 Exec. Committee meeting. This will be voted on by the entire Commission at the January 31, 2002 meeting.

At 10:40 a.m., Mrs. Warthman made a motion to recess into Executive Session in order to discuss personnel matters. Mr. Burke seconded the motion. Roll call vote: Chairwoman Foust, aye, Mr. Gladman, aye, Mrs. Warthman, aye, Mr. Burke, aye, Mr. Ward, aye. Motion carried.

At 11:30 a.m., Mr. Gladman made a motion to return to regular session, seconded by Mrs. Warthman. VOTE: Unanimously For, 0 Opposed. Motion carried.

- b. **Phil Laurien – Director yearly evaluation –**

Mr. Gladman made a motion to recommend approval of a 5% wage increase for Mr. Laurien’s yearly evaluation. Mr. Ward seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

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

The meeting was adjourned at 11:35 a.m.

The next regular Executive Committee meeting will be Wednesday, February 20, 2002 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 (none)

III. ZONING MAP/TEXT AMENDMENTS

01-02 ZON Randy Wilgus – Radnor Twp. – 2.0 acres from FR-1 to PC

Location: 3769 Warrensburg Road, Radnor Twp.

I. Conditions

Present Zoning: Farm Residential (FR-1)
Proposed Zoning: Planned Commercial (PC)
Present Use: Open agricultural field
Proposed Use:

- Drive through feed supply store

Existing Density: 1 unit/ 1.95 acres in FR-1

School District: Buckeye Valley

Utilities Available- Del Co Water

Soils: BoB Blount Silt Loam 2-4% slope
 GwB Glynwood Silt Loam 2-6% slope

II. Surrounding Land Use

Surrounding property is open agricultural fields to the west and south. Applicant’s barn and house is immediately to the east with other large lot (2.5 - 9 acre) house lots and farms to the north and surrounding the area.

III. General Comments

Applicant is requesting a change in zoning to build a drive-through feed supply store in a lot adjacent to his home and farm. The site is on the south side of Warrensburg Road, slightly more than one mile west of the Delaware City limits. The facility would be a commercial business dealing in the retail sales of agricultural and non-agricultural products and commodities. Although this is a semi-agricultural use in an agricultural area, the nature and extent of this proposal causes it to exceed the allowable use within its current zoning. The Planned Commercial zoning is the most appropriate for this use.

The structure is a 40’ x 60’ pole-barn type building. The plan includes a 20’ gravel circular drive surrounding the structure in addition to a 20’ drive-through. There are three different areas for outdoor storage, with a total of approximately 7600 square feet of storage. A sign is shown at the entrance driveway. The building will not have any sanitary facilities, potable water, sink, or any plumbing facilities and will not require a sewage disposal provision.

Landscaping is noted on the plans, with a line of trees screening the operation from adjacent homes and shrubbery along the front of the building and outdoor storage

areas. The owners do not plan to install fencing on the site.

Criteria for Approval

“1) Consistent in all respects with the purpose, intent and general standards of the Zoning Resolution.”

Due to the nature of the Planned Commercial and Office District, and its intent to promote a variety and flexibility of land development for commercial purposes, this application is consistent with the zoning resolution.

“2) In conformity with the comprehensive plan or portion thereof as it may apply.” Radnor Township does not currently have its own comprehensive plan. However, the countywide plan of 1993 supports “stand-alone” establishments which serve local area residents if they are compatible with adjacent development.

“3) Advances the general welfare of the County and the immediate vicinity.” Due to the loss of agricultural support facilities within the county, the proposal can be said to advance the general welfare of the county and immediate vicinity. However, the city of Delaware is slightly more than one mile away and close enough to serve the needs of the community.

IV. Conformance with Development Standards

The following are concerns within the listed development standards of the Planned Commercial district:

- 1) **Provisions for water and surface drainage** - Del Co water is available to the site. The site is generally flat and the development plan does not show any drainage improvement details.
- 2) **Storage** – the development plan shows the outdoor storage area is 7600-sq. ft., representing twice the square footage of the building itself. This represents a very large area, considering the facility’s location among farm fields and open space. The applicant notes that the total amount of storage is anticipated space, although it may not be fully utilized.

3) Divergences -

- a) Parking standards for retail stores require five spaces plus one for every 400-sq. ft. of floor space. This facility would require 11 spaces. The nature of this project as a drive-through does not require the same number of spaces as a standard retail location. Therefore, the four spaces shown on the development plan should be adequate.
- b) Driveway standards for commercial driveways require a finished “hard” surface of any ODOT approved materials. ODOT defines “Hard surface”

separate from aggregate. Therefore, since the Zoning Code refers to a hard surface, the proposed gravel surface, while acceptable, would require a divergence.

DCRPC Staff Recommendation

Staff recommends *conditional approval* of the zoning change from FR-1 to PC to the DCRPC, the Delaware County Rural Zoning Commission and the Delaware County Commissioners, *subject to addressing the issues in Item IV above.*

Commission / Public Comments

Mr. Scott Miller, attorney for the Wilgus’. The applicants, Randy and Theresa Wilgus, along with Ted Miller, Andrea Oyster (both with Floyd Brown & Associates), Mary Lou and Bud Wilgus were also present. Bud and Mary Lou Wilgus currently own the 2.0-acres being requested for rezoning (along with the 53 adjoining acres.) The larger tract will continue to be farmed and the 2.0-acre tract will be deeded to Randy and Theresa Wilgus. Several neighbors were also present to express their support of this plan. Mr. Miller stated that the items that would be sold, especially those in the outside storage areas, are going to be seen at the farms along this area. Possibly some drain tile and livestock salt blocks. He also requested permission to use a gravel driveway to keep costs down. Due to the low traffic volume, he believes a harder pavement would not be necessary.

Mr. Burke asked how many employees they anticipated working the store? Mr. Miller stated that it would be family run. Mr. Burke asked where they were going to go to the bathroom. Mr. Miller stated that since their houses are so close, they would just go to their homes.

Mr. Miller made a motion to recommend conditional approval of the rezoning request by Mr. and Mrs. Randy Wilgus, subject to staff comments listed in item IV. Mr. Ward seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

02-02 ZON Jeff Baldauf – Trenton Twp. – 3.2573 acres from FR to RR

Location: 15255 E. State Route 37, west of Dent Road by Jeff Baldauf.

I. Conditions

Present Zoning: Farm Residential (FR)

Proposed Zoning: Rural Residential (RR)

Present Use: Existing house and two garages on an open lot.

Proposed Uses:

- No change in use

Existing Density: 1 unit/ 5 acres in FR

Proposed Density: 1 unit/ 3 acres in RR

School District: Big Walnut

Utilities Available- Del Co Water on-site septic

Soils: BeA Bennington 0-2 % slope

BeB Bennington 2-4% slope

CeC2 Centerburg, 6-12% eroded

*zoning change requested by Mr. Baldauf, seconded by Mr. John Schmidt.
VOTE: Unanimously For, 0 Opposed. Motion carried.*

03-02 ZON Scioto Twp. Zoning Commission – text amendments

Applicant: Scioto Township Zoning Commission

Request: Text Amendments to Section 602,7.03, 8.03 and Article X for the purposes of general clarification and/or elimination of archaic language

I. General

The Scioto Township Zoning Commission has initiated various “housekeeping” revisions to their zoning text. These zoning amendments create no new map changes.

II. Amendments

- 1. Section 6.02-** changes the treatment of agricultural uses to conform to Ohio Revised Code Section 519.21.

DCRPC Staff Comments- None, change is appropriate.

- 2. Section 7.03, e) 1) and Section 8.03, d) 1)-** changes the treatment of agricultural animal husbandry in FR-1 and R-2 zones to comport with Ohio Revised Code 519.21, and clarifies setbacks for agricultural structures on less than 5 acres.

DCRPC Staff Comments- None, change is appropriate.

- 3. Article X, Planned Residential Development - Section 10.01,** add the following sentence: This district and all tracts of land within it shall be served by central water and sewer systems.

DCRPC Staff Comments- OK, but suggest a definition for central water and sewer systems be included.

II. Conformance with Local Comprehensive Plans

Trenton Township does not currently have a comprehensive plan.

III. Conformance with Development Standards

- 1.) Lot size meets the 3-acre minimum, with approximately 375 feet of frontage. Two existing lots to the west are 2.26 acres and 1.55 acres. Two lots to the east are both over 5 acres.
- 2.) Provisions for water and surface drainage: Del Co water is available to the site. There is adequate drainage from the site.

IV. Issues

- 1.) The tract is already in use as a single-family lot with home and garages.
- 2.) Existing driveway is approx. 340 feet from the closest driveway to the west.
- 3.) Lot to the west is developed and two lots to the east are for sale as single family lots. A foundation has been started in the adjacent lot to the east.

V. DCRPC Staff Recommendation

Staff recommends approval of the zoning change from FR to RR to the DCRPC, the Trenton Township Zoning Commission and the Trenton Township Trustees.

Commission / Public Comments

No one was present to present the applicant.

Having no questions, *Mr. Gladman made a motion to recommend approval of the*

4. Section 10.02, 10.06 b), 11)- delete references to Article IX (R-3 district)

DCRPC Staff Comments- None. Deletes reference to R-3 for density.

III. DCRPC Staff Recommendation

Staff recommends *approval* of the proposed changes to the RPC, Scioto Twp. Zoning Commission and the Scioto Twp. Trustees, *subject to the recommendations in Item II.*

Commission / Public Comments

Mr. Spanner asked if the Township has been contacted regarding the on-site application systems definitions. Mr. Laurien stated that he has talked to Ed Roberts, Chairman of the Zoning Commission. Mr. Roberts stated they have had a brief discussion with the County Prosecutor who did not like the definition the Zoning Commission was proposing. The Zoning Commission wanted it restricted to the Ostrander sewer system. Mr. Laurien stated that the RPC has some language that the prosecutor has approved.

Mr. Ward made a motion to recommend conditional approval of the Scioto Township zoning text amendments, subject to staff recommendations in Item II. Mr. Spanner seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

04-02 ZON Country Mercantile – Orange Twp. – 3.419 acres from C-2 to PCD

Location: East side of Conrail tracks, north of Lewis Center Road, Orange Township, by Frank Clay and Sherri Rivera.

I. Conditions

Present Zoning: Neighborhood Commercial (C-2)

Proposed Zoning: PC

Present Use: Vacant.

Proposed Uses: Planned offices (6 units in two 11,000 square foot buildings). Each office is 60' x 60', one half is finished office and half is storage.

School District: Olentangy

Utilities Available- Del Co Water, electric, gas.

Soils: Blount silt loam 0-2 % slope
Glynwood Silt Loam 2-6% slope
Pewamo 0-2 % slope

II. Conformance with Local Comprehensive Plans

1.) The 2001 Orange Township Comprehensive Plan map recommends Planned Commercial, with a proposed Park & Ride lot for possible light-rail commuter service. In Chapter 13, goal number 6, d.) and sub area 14 respectively recommend:

- **Goal 6. d.)** Encourage a historic looking storefront commercial as part of the redevelopment of Lewis Center between the railroad and the northerly extension of 4th street on the north side of Lewis Center Road.
- **Sub Area 14.** Develop a traditional downtown with 0-foot setbacks, shops and stores on the sidewalks, and angle parking in front on the north side of Lewis Center Road, east of the railroad tracks. Develop a new text for this mixed use district with decorative street lighting, restrictive sign code, architectural standards for materials, scale and mass.

The Clay and Riviera zoning request would generally conform to the Orange Township Comprehensive Plan, if the development plan were amended to address this language. The township must determine what architectural standards are intended for the Lewis Center Downtown.

2.) Regarding the Park and Ride lot, the Home-Lewis Center bypass (as shown on the Orange Township Comprehensive Plan and the adopted Delaware County Thoroughfare Plan) will leave several odd shaped scraps of land on the Del-Co (formerly Van Hoose) land south of Lewis Center Road. If not provided for as part of this application, the Park and Ride lot could be located south of Lewis Center, either on the east or west side of the tracks as part of the future acquisition of the Home Road extension right of way.

III. Conformance with Development Standards – following items may need further information.

- 1.) Landscaping plan; none submitted.
- 2.) Sign plan; none submitted.
- 3.) No sanitary sewer is available, but is planned for future service. The soils are generally not suitable for soil based treatment of wastewater. Check

with then OEPA on the temporary use of mounds.

- 4.) A detention pond is drawn on development plan, but no outlet is shown.
- 5.) Proposed Traffic Patterns and their relationship to existing conditions- the zoning application did not include a traffic study, but the impact of six small offices is minor. The plan should be modified to provide joint future access to the Evans tract. The driveway should abut the eastern property line with Evans Adhesives (Evans is recommended for PC on the Comprehensive Plan). The driveway should be wider than 20 feet for backing, especially when future development (facing) is constructed on the Evans tract, making this a “downtown” block. This access might best be platted as a private street. The rear access drive should be continuous along the railroad for fire protection; it is shown divided by the detention pond.
- 6.) No sidewalks are shown on the development plan. If this were to someday become a small downtown as part of the redeveloped Lewis Center, sidewalks along the drive/street would be desirable with other street amenities such as street lamps, street trees, etc. If these amenities are not added this will look like a stand-alone small office strip center.
- 7.) Architectural renderings are submitted. The proposed building is office/warehouse, with an “A” roof and split-face block façade. The Zoning Commission should address the architecture for appropriateness in the context of the Lewis Center downtown.
- 8.) Variances from standards- The application requests that the 100 foot setback to FR-1 zoning on the east side be reduced per plan, since the Evans lot is expected to become Planned Commercial. Staff supports the variance. The request for 56 parking spaces is also reasonable for this use.

IV. Required Findings for PC

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

DCRPC Staff Finding: Yes, subject to amendments to the development plan as noted in III, above.

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

DCRPC Staff Finding: Yes, *but architectural standards needs to be resolved.*

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

DCRPC Staff Finding: Yes.

V. DCRPC Staff Recommendation

Staff recommends conditional approval of the zoning change from C-2 to PC for case 04-02 ZON, subject to staff comments in II, 1.) & 2.) and III, 1.)- 7.) above.

Commission / Public Comments

Ms. Sherri Rivera was present. She stated that they purchased the property in 1975. They are now in need of expanding their business and would like to remain in the Lewis Center area.

Mr. Gladman stated that at the preliminary meeting with two members of the zoning commission and the applicant, this proposal was presented as single story, ranch type buildings with all brick exterior. With that, they were encouraged to proceed. What they have submitted now (2 story, split face block office/warehouse), does not resemble what the Township had anticipated. Ms. Rivera stated that the changes cut the cost in half.

Mr. Burke expressed his concern for the mound area. Mr. Gladman stated that the applicant would need to get approval from the EPA prior to any zoning permits issued.

Ms. Rivera stated that the first building would be constructed, then the second one would be constructed after sewer was there.

Mr. Miller made a motion to recommend conditional approval of the zoning request for Country Mercantile subject to staff comments in Items II, 1.) and 2.) and III, 1.) – 7.). Mr. Gladman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

05-02 ZON Robert Leone – Kingston Twp. – 1.0 acres from FR-1 to PC

This rezoning application is submitted by Robert Leone for a Planned Commercial and Office District for general business offices including an insurance office at

7465 State Route 521 in Kingston Township.

Conditions

- Present Zoning:** Farm Residence District (FR-1)
- Proposed Zoning:** Planned Commercial and Office District (PC)
- Present Use:** Vacant building
- Proposed Use:** General business offices including an insurance office
- Existing Density:** 1 unit / 1.95 acres
- Proposed Density:** N/A
- School District:** Buckeye Valley
- Utilities Available:** Del Co Water and on-site septic
- Soils:** BeA – Bennington silt loam, 0-2% slopes

Map Amendment

The applicant wishes to change the zoning map from Farm Residence (FR-1) to Planned Commercial and Office District (PC) to allow an existing masonry block building (vacant) to be used for general offices including an insurance office. The building is approximately 3,456 sq. ft. (48' X 72') and according to the applicant, was constructed in the early 1950's. There are 2 access points off S. R. 521 with the gravel driveway looping around the rear of the building.

The property is located on the north side of S. R. 521 approximately 2,000 feet east of 3 B's and K Road. There are large lot single-family and farm residences along S. R. 521. The nearest residence is approximately 50' east of the property, according to the application. Much of the surrounding area is in agricultural production. All of the surrounding area is zoned FR-1.

Requirements for approval per the Kingston Township Zoning Resolution

When applying for a Planned Commercial Development, the applicant must submit a development plan. The development plan is the expectation of what can, and would be built if the PC 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 must submit a subdivision plat that conforms to the development plan prior to commencing the development.

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.

The applicant has not submitted a development plan.

Required Findings for PC

The Zoning Commission and Trustees may approve PC zoning 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: No. A development plan has not been submitted, nor has engineering feasibility been shown. The Kingston Zoning Resolution also requires a minimum of 20 acres for PC zoning with a minimum lot size of 3 acres.

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

DCRPC Staff Finding: Kingston Township is in the process of creating a Comprehensive Plan that could be completed by the end of the year. Specific land use recommendations have not yet been discussed.

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

DCRPC Staff Finding: Absent a development plan, and an application that provides a vague description of the proposed use, the proposed zoning to PC for general business offices would not advance the general welfare of the township and the immediate vicinity. If the applicant can provide more details and submit a complete development plan, a low traffic generating business use such as an insurance office may be an appropriate use for the existing structure, and could advance the general welfare of the township and immediate vicinity.

Findings:

- 1.) A development plan has not been submitted, therefore this application is incomplete and premature.
- 2.) The application is vague regarding the use and the controls to be

placed on the development.

- 3.) A survey and legal description was not included with the application.

Staff Recommendation

The *staff recommends* to the Regional Planning Commission, the Kingston Township Zoning Commission, and the Kingston Township Trustees that the application by Robert Leone, for rezoning 1.00 acres on S. R. 521 from FR-1 to PC be *denied*.

Commission / Public Comments

No one was present to represent the applicant.

Mr. Laurien stated that he has spoken to Bill Shively, Kingston Twp. Trustee. This is the first application under their new zoning and no development plan was submitted. If the applicant did not wish to submit a development plan. Mr. Laurien stated that perhaps a variance could be requested if there is a legal non-conforming use. The Board of Zoning Appeals could set restrictions for use, signs, parking, etc. In a rezoning, ultimately the rezoning gets approved by the Trustees, who own the building. [If the building has been vacant for 2 years the non conforming use is lost and must be rezoned.]

Mr. Miller made a motion to recommend denial of the rezoning request by Mr. Leone based on staff comments, seconded by Mr. Spanner. VOTE: Majority For, 0 Opposed, 1 Abstained (Mr. Ward).

06-02a ZON Epcon Group – Orange Twp. – 14.39 acres from FR-1 to MFPRD
06-02b ZON Epcon Group – Genoa Twp. – 15.65 acres from SR to PD-1

DCRPC Case 06-02a ZON; request to rezone 14.39 acres from FR-1 to MFPRD, Orange Township, 68 units of multi family housing.

DCRPC Case 06-02b ZON; request to rezone 15.65 acres from SR to PD-1, Genoa Township, 44 units of multi family housing (Phase 1). 7 acres proposed for Phase 2 zoning would make a total of 22.65 acres in Genoa Township, and 84 total units.

Location: East side of Worthington Road, north of Alum Creek, west side of Africa Road, in Orange and Genoa Townships, by the Epcon Group.

I. Conditions

Present Zoning: Farm Residence (FR-1), Orange Twp; SR-1 Genoa Twp.

Proposed Zoning: MFPRD, Orange; PD-1, Genoa.

Present Use: Single family house(s), barns, woods and open land.

Proposed Use: 112 attached (4 units in pinwheel) ranch condominiums total 30.4 acres. Future addition of 7 acres in Genoa Township could add 40 more units for a total of 37.4 acres and 152 units.

Existing Density: 1 unit/acre in FR-1; 2 units per acre in SR (20,000 S.F. lot)

Proposed Density: Orange Township- 4.72 units/acre

Proposed Density: Genoa Township- 2.81 units/acre, phase 1 (15.65 acres); 3.7 units per acre, phase 1 and 2)

School District: Olentangy (Orange Twp.), Westerville (Genoa Twp.)

Utilities Available- Del Co Water, Delaware County sanitary sewer.

Soils: AmE Amanda silt loam 18-25 % slope

BeA Bennington 0-2 % slope

BeB Bennington 2-4 % slope

Cab Cardington 2-6%

Cac2 Cardington 6-12 %

GbA Gallman silt loam 0-2 %

II. Issues

- 1.) **Surrounding Land Use:** This is a redevelopment proposal for a Llama farm and two single family homes in southern Orange and Genoa Townships, near the Westerville city limits. Polaris Parkway, with office, potential multi-family and retail development are one half mile to the south. This area is still rural in character, with primarily large acreage lots on township roads.
 - ❖ To the southeast, single family homes on one-acre lots on Share Lane.
 - ❖ To the east, single family development, approximately 1.6 units/acre, Highland Lakes subdivision.
 - ❖ To the west, single family development in Hoover’s Africa Road subdivision, one-acre lots.
 - ❖ To the north, single family homes on large acreage lots.
 - ❖ To the southwest, Acorn Farms (commercial agriculture).
- 2.) **Annexation-** Annexation papers to Westerville have been filed. These tracts (14.39 and 15.65 acres) are part of a 49 acre proposed annexation. The annexation has been tabled while the applicant, as optionee, seeks multi family zoning for condominiums from the townships. The implication is that if the land is not zoned as requested, the developer will annex to Westerville.

Alternatively, if the developer does *not* receive his desired zoning from either the townships *or* the city, he does *not* have to buy the property. Westerville planning officials say there have been no promises made as to potential zoning, and that the city is not necessarily seeking any more multi family. If the 37.4 total acres were annexed, a potential zoning might be Planned Neighborhood Development, which allows residential development, at up to 5 units per acre. The city's density, however, would be dependent on the city's political will, and obtaining county sewer service.

- 3.) **Sewer-** This area is currently an exclusive Delaware County sewer service area. If this land annexes into Westerville, city sewer will not serve it . It *could* be served by Delaware County sewer in Westerville, *if* the sanitary sewer contract with Westerville were amended. The developer applicant asked the Delaware County sanitary engineer if there were pipe capacity for 156 units of multi family housing. There is. This would be a density of 4.1 units per gross acre. The original design capacity for this area was 4 *persons* per acre, or roughly 1.3 dwelling units per acre (Exhibit 6, 1974 Delaware County Sewer Plan). According to information submitted by consultant EMH&T, the Indian Run interceptor that services this site was designed for 2 units per acre. The consultant goes on to show that population density in the Epcon communities is less than in standard single family homes, and argues that this should result in allowable higher densities. Only zoning can make that determination.
- 4.) **Comprehensive Plan: Orange-** The 2001 Plan recommends single-family homes at 2 units per acre with sewer service for this site. The proposed zoning exceeds the density and does not conform to the land use.
- 5.) **Comprehensive Plan: Genoa-**The 1999 Plan for sub area I recommends single family homes at 1.8 units per acre, or 2.2 units per acre with 50% open space, or the design capacity of the sewer system, whichever is less. The original design capacity (Exhibit 6, 1974 Delaware County Sewer Plan) was 4 persons per acre, or about 1.3 units per acre. The Indian Run interceptor was designed for 2 units per acre. Even with adjustments for usage by condos versus single family homes, the proposed rezoning exceeds the density and does not conform to land use.
- 6.) **Thoroughfare Plan-** The adopted 2001 Delaware County Thoroughfare Plan recommends Alternative R, an extension of Cleveland Avenue from Polaris Parkway to Worthington Road south of Africa Road. Cleveland Avenue has been extended 900 feet north of Polaris Parkway in Westerville. These 30.4 acres *could* be in the potential path of Cleveland Avenue, however, the

topography, sight distance and proximity to the Africa/Worthington intersection suggests that Cleveland Avenue should extend north across the creek into Acorn Farms, turn northwest and terminate at Worthington Road generally north of the Delaware County sewer lift station (above elevation 820', the 100 year flood plain elevation). Such alignment would not touch the 30.4 acres in question.

- 7.) **Traffic-** The 30.4 (37.4, ultimately) acres have access to both Worthington and Africa Roads. 152 total condominiums will generate 7-10 trips per unit per day, or 1064-1520 new trips per day. A public street connection from Africa to Cleveland Ave./ Worthington Roads aligned with St. Andrews Drive is desirable regardless of the type of development and should be captured in any zoning or platting.

III. Conformance with Development Standards

- 1.) A very basic development and landscaping plan is submitted. Entrance and sign details are not included. The townships may wish to see more detail.
- 2.) General development character- renderings of proposed structures and general architectural design criteria are included. Epcon has previously built in both townships, they know what to expect.
- 3.) Provisions for water, sanitary sewer and surface drainage. Letters have been included that indicate county sanitary sewer and Del-Co Water can service the site at the density proposed. The sewer letter does not promise that this proposed density may be served without taking sewer service from some remaining vacant lands, since this is "first-come, first-served." Townships must consider the potential zoning of increased density to create impact "holes" in the sewer service area. There should be good drainage with on site topography. Off stream retention is shown on the plan. Additional retention is likely needed in Orange Township.
- 4.) No sidewalks are shown. Sidewalks are required in Orange and Genoa Townships for Planned Districts.
- 5.) Open space-1.44 acres required, 2.6 acres provided in Orange Township. 6.5 acres of common open space in Genoa Township.

IV. Required Findings for MFPRD, Orange Township

- 1.) That the proposed development is consistent in all respects

with the purpose, intent, and general standards of this zoning resolution.

DCRPC Staff Finding: Yes, but the development plan is a work in progress and needs minor amendment: see above.

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

DCRPC Staff Finding: No. The proposal does not conform to use or density.

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

DCRPC Staff Finding: No, the development plan does not advance the general welfare of the township and the immediate vicinity, which are single family homes at much lower densities than proposed.

V. Section 524.23 - Required findings for Approval of a Planned Development, Genoa Township

The Final Development Plan must “support the following requirements”:

- a.) The physical character of the site shall be suitable for development in the manner proposed without hazards to persons or property, on or off the site from probability of flooding, erosion, subsidence, or slipping of the soil or other dangers, annoyances or inconveniences.

DCRPC Staff Finding: Generally complies.

- b.) Any Exception from the zoning resolution requirements is warranted by the design and amenities incorporated in the development plan.

DCRPC Staff Finding: No exceptions requested. Complies.

- c.) Land surrounding the proposed development can be

planned in coordination with the proposed development and that it be compatible in use.

DCRPC Staff Finding: Does not comply. The site ignores the future development of the Acorn Farms, the future extension of Cleveland Avenue per the adopted Delaware County Thoroughfare Plan and a needed public street link from Africa to Worthington Road.

- d.) The proposed change to a planned development district is in conformance with the standards, objectives and policies of the Genoa Township Land Use Policy Statements.

DCRPC Staff Finding: No, does not comply with the Genoa Comprehensive Plan for sub area I.

- e.) The site must have direct access to a major street without creating traffic on minor residential streets outside the district.

DCRPC Staff Finding: Complies.

- f.) Existing and proposed utility services are adequate for the proposed development.

DCRPC Staff Finding: Complies, but the overall density requested (4.1 units per acre) may create “holes” in the sewer service area.

- g.) Each phase of the development as it is proposed to be completed contains the required parking spaces, landscape and utility areas necessary for creating and sustaining a desirable and suitable environment.

DCRPC Finding: Partly complies. No entrance landscaping or sign details.

VI. DCRPC Staff Recommendation- Orange Township case 06-02a-ZON

Staff recommends *denial* of zoning change from FR-1 to MFPRD, for 68 units of condominiums on 14.39 acres because the proposed use does not conform to single family use or density as proposed on the 2001 Orange Township Comprehensive

Plan, to the RPC, Orange Twp. Zoning Commission and Orange Twp. Trustees.

VII. DCRPC Staff Recommendation- Genoa Township case 06-02b-ZON

DCRPC staff recommends that the application for PD-1 zoning on 15.65 acres for 44 units of multi family condominiums be *denied* because the proposed use does not conform to single family use or density as proposed on the 1999 Genoa Township Comprehensive Plan, to the RPC, Genoa Twp. Zoning Commission. Genoa Twp. Trustees.

Commission / Public Comments

Mr. Joel Rhoades of The Epcon Group was present. He stated that the sewer system was designed for 2 units per acre with an assumption of 2.9 people per unit for a total of 5.8 people per acre. That has been a standard used throughout the County for past and current developments. Epcon limits their projects to ranch style development. Epcon has approximately 28 communities like this and is in their 29th year of business. Based on surveys, the typical Epcon community has about 1.46 people per unit (less than 1 ½ people in each home). Within the 3700 acre tributary area about 2300 acres have already been developed. Some at less than the design capacity, including Medallion Estates which has only used about 45% of the taps at the rate of 2 units /acre. In addition, within that same tributary area there is approximately 737 acres that are undevelopable such as wetlands, flood plains and public rights-of-way. That area has about 1400 sewer taps that are going unused. The topography, site distance and the proximity to the Africa / Worthington intersection clearly suggest that Cleveland Ave., if it's extended, it should go south of this site. A traffic study at a similar Epcon community concluded that there would be an average of about 4.9 trips per unit per day, which is about half of the maximum suggested. He doesn't feel a connector street from St. Andrews would be appropriate here. This plan preserves the rural character by maintaining existing trees, existing grade and large setbacks on Worthington and Africa Roads. Based on the 2000 census, households headed by individuals over age 60 are growing faster than any other segment of the population in both Orange and Genoa Townships. In the last ten years in Orange Twp., households headed by people over age 60 increased 233%. In Genoa Twp. it was 131%. There are over 2200 families in those two Townships that fall under that age category. This development upon completion will generate about \$450,000 each year in real estate tax revenue.

Mr. Rod Chambers (adjacent land owner to the west side of the proposed tract) stated it seems that Epcon wants to throw out all the zoning issues and plans and feel that they have a better plan. He also stated that if this plan was a good plan, there wouldn't have to be the threat of annexation to Westerville. He also agrees with staff comments.

Mr. Paul Reiner, president of Acorn Farms and Oakland Nursery stated that he agrees with Mr. Chambers. He stated his concerns with the densities being proposed, sewer availability, and the character of the community.

Mr. Ward asked what the units would sell for. Mr. Rhoades stated \$130,000 - \$180,000.

Chairwoman Foust asked if there was a possibility that the proposed extension of Cleveland Ave. would not go through the farm. Mr. Laurien stated that it is possible the extension could go north and follow the Township line then turn abruptly and go over. The problem with that is it puts the road in close proximity to the intersection of Africa and Worthington Roads. Mr. Pike (Deputy County Engineer) agreed that a five-leg intersection would be a "bottle-neck waiting to happen". This extension was not a high priority of the Thoroughfare Plan. If Acorn Farms changes to a different use, then it would be looked at more closely.

Mr. Miller made a motion to recommend denial of the zoning request in Orange Twp. by the Epcon Group, based on staff comments. Mr. Thurston seconded the motion. VOTE: Majority For, 0 Opposed, 2 Abstained (Orange & Genoa Twp.'s). Motion carried.

Mr. Miller made a motion to recommend denial of the zoning request in Genoa Twp. by the Epcon Group, based on staff comments. Mr. Thurston seconded the motion. VOTE: Majority For, 0 Opposed, 2 Abstained (Orange & Genoa Twp.'s). Motion carried.

07-02 ZON Schumacher Homes, Inc. – Berlin Twp. – 3.67 acres PCD amended zoning request

Requesting to amend approved Planned Development zoned Planned Commercial (PC), 5079 Columbus Pike, east side of US Route 23, south of Peachblow Road.

Conditions

Present Zoning: Planned Commercial and Office District (PCD), sale of garden sheds

Proposed Zoning: Planned Commercial and Office District (PCD), model home and sales office

Present Use: Vacant commercial lot, two metal pole buildings, old brick residence, gravel parking areas.

Proposed Use: Model home and sales office

School District: Olentangy

Utilities Available- Del Co Water, on-site septic

Soils: Pewamo; Blount and Glynwood 2- 4 and 4-6% slope

Surrounding Land Uses: East- farmland; South, vacant agricultural and commercial ground, West, US 23 and Greif Bros. office park; North, Fairview cemetery.

General Background

Schumacher Homes, Inc. is proposing to build 3 model homes for sales display and a construction manager's office. The proposed homes will be 4,337 sq. ft., 3,147-sq. ft., and 2,282 sq. ft. The existing buildings will be razed. Access from US 23 is proposed at the southwest corner of the property just south of the existing driveway (approximately 250' north of the Greif Brothers/GUBS intersection). The median crossover has been eliminated, so access will be right in/right out only. A 30' right of way dedication is shown along the rear of the property for a future backage road. A detention pond is proposed for stormwater management. The plan also provides 30 parking spaces.

Although a model home and sales office is not a stated permitted use in the PC zone, the resolution permits "commercial and office establishments of all types" and "other commercial ventures not provided by other sections of this resolution if approved as part of the plan".

The 3.67 acres was previously zoned in 1991 for boat sales. The township amended this administratively for garden shed sales in 1993. Used car sales was proposed in 2001. None of those zoning cases were completed by the recording of a subdivision plat.

The Township denied the request for development plan amendment (RPC #15-01 / March 2001) for used car sales due to its incompleteness and other development issues. The current plan has addressed those issues as follows (*items in bold italic still need to be addressed*):

1. The development plan dedicates half of the 60' wide easement for the backage road "C" as recommended on the Berlin Township 2000 Comprehensive Plan, and the ODOT US 23 Access Management Plan.
2. A ground sign exhibit has been provided. The 2000 Berlin Comprehensive Plan recommends only ground signs on US 23. ***Additional details must be provided since it is difficult to determine by the development plan and sign exhibit whether all of the sign standards can be met.***

3. Landscaping is shown on the plan ***but not adequately described in the text. Additional landscaping may be needed around the parking areas.***
4. Building renderings have been provided, ***but a description of the material is needed.***
5. Drainage will be controlled by a proposed detention pond
6. ODOT will allow a right-in/right-out only for this site. The crossover median has been closed. ODOT has stated (by letter) that a traffic study will not be required. ***Staff recommends that the access be shifted to the northwest corner of the property and that a deceleration lane be provided. When the Greif Brothers/GUBS intersection is signalized and the backage road constructed to the property, full access to US 23 can be accomplished at the Greif Brothers/GUBS signal.***
7. A Permit to Install (PTI) has been applied for through the Ohio EPA for a private commercial sewerage system. ***A letter from the OEPA must be submitted showing feasibility.***

Required Findings for PCD

The Zoning Commission and Trustees may approve a PCD zoning 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: Yes, if the development plan addresses the bold italic items above.

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

DCRPC Staff Finding: The development plan conforms to the proposed commercial use of this property on the 2000 Berlin Township Comprehensive Plan. It also provides a dedication of 30 feet across the east side of the lot for future backage road "C" as shown in the 2000 Township Comprehensive Plan and the US 23 Access Management Plan.

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

DCRPC Staff Finding: The proposed zoning to PC for a model home sales office as proposed could advance the general welfare of the township and the immediate vicinity, if issues noted are resolved.

DCRPC Staff Recommendation

Staff recommends to the DCRPC, the Berlin Township Zoning Commission and the Berlin Township Trustees that the request for an amended development plan (as submitted) for 3.67 acres on US 23 in Berlin Township *be approved subject to:*

- 1.) The access should be shifted to the northwest corner of the property and a deceleration lane should be provided.
- 2.) Provide additional sign, landscaping, and building details.
- 3.) Provide a letter from the OEPA showing septic feasibility.
- 4.) Development plan must be recorded as a subdivision plat if required by the Township.

Commission / Public Comments

Mr. Rick Miller with Peterman Assoc., Inc. was present to represent Schumacher Homes. Mr. Paul Schumacher, Mr. Ben Kelp, Mr. John Schumacher and Mr. Bill Schumacher were all present in the audience. Mr. Miller stated that some of the trees would be removed but landscaping would be provided. The three buildings would be razed. The chain link fence and wood fence will be removed. The applicant has had discussion with the OEPA and the sewage system will be mound type, trans- evaporation systems. The flows (as calculated by the number of employees and traffic this project will generate) for each mound system would typically require about 100' of leaching pipe, however, OEPA has a minimum of 400'. Each building will have its own separate system. The OEPA has allowed the curtain drain from the north two fields to be continuous curtain drains to take ground water away. To meet staff comments from the report, the applicant could flip the plan layout to move the entrance to the north. The landscape plan will be presented to the Township meeting. Mr. Schmidt stated that there have been many problems with detention ponds in the area. He asked what could the Township do to assure that the County Engineer reviews the size of the pipes. Mr. Gladman stated that Orange Twp. requires a letter from the County Engineer with their approval prior to issuing zoning permits. Mr. Pike agreed with Mr. Gladman. Staff noted that a plat is require to assure the County Engineer's review.

Mr. Gladman made a motion to recommend conditional approval of the zoning request by Schumacher Homes, subject to staff comments. Mr. Miller seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Berlin Twp.). Motion carried.

IV. SUBDIVISION PROJECTS

Preliminary

20-01 Serenity Woods – Concord Twp. - 02 lots / 07.47 acres

Applicant: Elizabeth Essig

Subdivision Type: Residential (CAD)

Location: East end of Serenity Drive about 630' East of Sylvian Drive

Current Land Use: Vacant

Zoned: FR-1

Utilities: Del-Co Water, Union County Rural Electric, Columbia Gas, No public sewer

School District: Dublin

Engineer: Scioto Land Surveying Service

Staff Comments

Serenity Woods is a two-lot CAD at the end of Serenity Drive. The site is wooded with a deep ravine running south to north through the property. The center of the lot is being conveyed to the adjacent lot to the west, leaving one lot on the north and one flag lot to the south. These lots are 3.115 acres and 4.353 acres, respectively. The CAD is a 60' x 60' access point at the edge of the property. Private driveways will extend into each property from that point. Homes will be served by individual septic systems.

A technical review was held on November 20th, 2001, after which the applicant has addressed all of the concerns.

Staff Recommendations

Staff recommends *Preliminary approval* of **Serenity Woods** to the RPC.

Commission / Public Comments

Mr. Frank Celio of Scioto Land Surveying Service was present to answer any questions.

Mr. Miller made a motion for Preliminary approval of Serenity Woods, seconded by Mr. John Schmidt. VOTE: Unanimously For, 0 Opposed. Motion carried.

01-02 W/D Conley Subdivision – Genoa Twp. - 03 lots / 01.57 acres

This application was withdrawn at the request of the applicant, therefore will not be presented.

43-00.12 Golf Village, Section 12 – Liberty Twp. - 92 lots / 52.41 acres

Applicant: Triangle Real Estate
Subdivision Type: Residential (private)
Location: South side of Rutherford Road about 3800' East of Steitz Road
Current Land Use: Agriculture
Zoned: Planned Residential
Utilities: Del-Co Water, public sanitary sewer, Columbia Gas, AEP Electric
School District: Olentangy
Engineer: ADR & Associates, LTD.

Surrounding Land Use

North: Golf Village Condominiums (future)
West: Woods on Seldom Seen, Part 3 (under construction)
East: Sawmill Parkway and Golf Village Sec. 2B (future)
South: Golf Village Section 1 (future)

Staff Comments

The site is open agricultural land with three existing ponds and tree lines along property boundaries. One large estate home, barn and ancillary buildings exist on the northeastern corner of the property. The ancillary buildings, a pole barn and a utility building, will both be razed when the golf course is built.

Golf Village Section 12 is a development including 88 fee simple lots for single family detached condominiums and one estate lot, representing an overall density of 1.68 units/acre. All streets in this section are private and the condominiums will be gated. The design includes Blue Water Drive, entering the site from Rutherford Road and going south. The configuration preserves two existing tree lines and all existing ponds. The road curves to the east and terminates after three small loops; Blue Water Loop, Blue Water Court, and Blue Water Drive itself. Coldwater Drive is a second road turning west from Blue Water and continuing south. This road also includes a small loop street (Coldwater Loop) before stubbing into a future Golf Village Phase to the east. The condominium portion of the plan wraps around a portion of the future golf course. Coldwater Loop will surround a Reserve that will serve as a detention pond.

The plan indicates future subdivision of the estate lot into four lots with a new private street, Cedar Place. The road and lots are not being platted at this time.

(For reference, Section 12 is a combination of former Sections 12 and 14.)

A technical review was held on January 17th, 2002, after which the applicant has addressed all of the required changes, except for the following:

- Old spelling of “Cedar” still shown on cover sheet.
- Finish grade elevations must be shown for the entire project.
- A “T” turnaround must be provided at the terminus of Coldwater Drive.

Staff Recommendation

Staff *recommends conditional Preliminary approval* of **Golf Village, Section 12**, subject to staff comments to the RPC.

Commission / Public Comments

Mr. Dave Krock with ADR & Associates was present. He agreed with staff comments and stated that he has been working with the County Engineer on the project.

Chairwoman Foust stated that there were a few issues that need to be resolved prior to final platting. As follows:

- Make proper designation of the permanent green space as far as acreage, ownership and maintenance (there won't be any of the golf course areas or any other green space that will be omitted or landlocked with any plat)
- Resolve some of the turning radius issues with the Liberty Twp. Fire Dept.
- Have all structures except the house removed before the final plat will be signed (per the development plan)
- As far as the Estate lots go, in the Planned District this must be developed and platted strictly in compliance with the approved development plan. It is approved as four lots; therefore you could plat 1,2,3 or 4 lots but not all four lots as one.

Mr. Krock apologized for all of the changes in the plan. He said there have been many.

Mr. Miller made a motion for conditional Preliminary approval, subject to

staff comments and those made by Chairwoman Foust. Mr. Gladman seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (City of Powell). Motion carried.

Preliminary/Final

30-00 Wedgewood Park – Liberty Twp. - 92 lots / 73.62 acres

- Applicant:** Virginia Homes, LTD.
- Subdivision Type:** Single family residential
- Location:** North side of Powell Road, about 1,500 feet east of Riverside Drive, Liberty Twp.
- Current Land Use:** Agriculture and woods
- Zoned:** Planned Residence District (PR)
- Utilities:** Del Co Water, Delaware County sanitary sewer
- School District:** Olentangy
- Engineer:** C.F. Bird & R.J. Bull, Inc.

Existing Land Use:

To the west are the lands of the Columbus Zoo.
 To the north are the large single-family house lots (2 acres) on Seldom Seen Road.
 To the south is open land owned by Violet Gibson.
 To the east is the Shamrock golf course.

Staff Comments

Wedgewood Park is a proposed single-family residential subdivision containing 92 lots on 73.62 acres on the north side of Powell Road just west of the Shamrock golf course. The density will be 1.25 du/acre. Del-Co water and County sanitary sewer will be utilized. The developer has provided 19.47 acres of open space in 4 reserve lots (26.4%) one of which will be a 12.96-acre park (Lot 3819/Reserve D). A 75' natural green space/no build zone easement is included along the north boundary. Three detention ponds are proposed for stormwater management on reserve lots A, B, and D. The lots are typically 0.4 to 0.5 acres in size. Only one access is proposed off Powell Road (Gibson Drive) and will include a boulevard entrance. Creighton Drive branches off Gibson Drive to the east and loops back to the northwest corner of the development where it stubs to the west property line. Emerson Lane is a loop street forming the west boundary of the park and connecting Gibson Drive to Creighton Drive. The "eyebrow" on Emerson Lane has been approved by Liberty Township. This project will be developed in 1 phase.

Wedgewood Park was rezoned to Planned Residence District in 2000 (RPC # 57-99 ZON). The subdivision received conditional preliminary approval in August 2000 but expired in August 2001. The condition was that all grading concerns be addressed prior to final plat approval. The final grading plans have since been approved.

The application received a technical review on August 22nd, 2000 after which the applicant has addressed all of the concerns. The applicant has also 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 the **Wedgewood Park** Subdivision to the RPC.

Commission / Public Comments

No one was present to represent the applicant.

Mr. Spanner asked if accel./ decel. lanes on Powell Road were required? Chairwoman Foust stated that there are future plans to re-route Powell Road by the Columbus Zoo with ODOT's approval. She was not sure if they would require any other lanes right now. Mr. Pike stated that there are no accel. or decel. anes required. There is a small decel. lane that is heading west into the subdivision. Glick Road would be extended at the dam, south of the Zoo, through the golf course. The Zoo has acquired some additional property to the east.

Mr. Miller made a motion for Preliminary and Final approval of the Wedgewood Park subdivision. Mr. Gladman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

CONSENT AGENDA

The final subdivisions were presented separately, not as a consent agenda.

Final

48-00.2 Genoa Farms, Section 2 – Genoa Twp. - 41 lots / 19.89 acres

Applicant: Dominion Homes
Subdivision Type: Single Family Residential
Location: West side of Old 3C Highway about 1,300 feet north of Freeman Road
Current Land Use: Agricultural
Zoned: PD-1 Planned Residential with conservative standards
Utilities: Del-Co water and Delaware County Sanitary Sewer
School District: Westerville
Engineer: R.D. Zande & Associates, Inc.

Adjacent Existing Land Use:

West: Single family development west of State Route 3.
North: Genoa Farms, Section 1; Large (2-6 acre) single-family house lots with frontage on Big Walnut Road.
South: Future Genoa Farms, Section 3; Presbyterian Church and one large lot single family home along Freeman Road.
East: East side of Old 3C Highway is Covington Meadows, a PD-1 subdivision with conservation standards (under construction) with densities of 1.98 units per acre.

Staff Comments

Genoa Farms is a proposed 151-lot subdivision on 73.92 acres, located west of Covington Meadows along Old 3C Highway. It is the Townships' second proposed subdivision utilizing conservation standards (Covington Meadows was the first). The development has 52.9% (39.08 acres) open space and a density of 1.98 du/acre. The design consists of a large loop street called Genoa Farms Boulevard with a smaller loop called Laver Lane. Streets will have sidewalks on both sides. The overall preliminary was approved in December 2000 with Section 1 receiving final plat approval in November 2001.

Section 2 includes the interior loop street (Laver Lane) with 11.64 acres of open space in 2 reserves (58.5%). The large 10.36-acre Reserve C (Lot 6403) wraps around the lots in this section and includes a large retention pond and several agricultural buildings that are to be preserved. The structures will be owned and maintained by the homeowners association. A 6' mulch path will also be constructed by the developer throughout this and other sections of Genoa Farms. The gross density of Section 2 is 1.96 acres (39 lots/19.89 acres).

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 **Genoa Farms, Section 2** to the RPC.

Commission / Public Comments

Mr. Miller made a motion for Final approval of Genoa Farms, Section 2. Mr. Gladman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

16-00.1 Woodland Hall, Section 1 – Liberty Twp. - 39 lots / 94.46 acres

Applicant: The Isaac Group
Subdivision Type: Single Family Residential
Location: West side of SR 315, south of Home Road
Current Land Use: Agricultural/Open space
Zoned: FR-1 (Farm Residential)
Utilities: Del-Co Water, Public sanitary sewer
School District: Olentangy
Engineer: ME Companies

Staff Comments

Woodland Hall is a 49-lot subdivision of 127.71 acres in Liberty Twp. containing two Phases north of Carriage Road on the west side of SR 315. The present land use of the site is a vacant horse farm previously known as "Knowlton Farms". There is open space to the north and the west, with the Olentangy River to the east and the Wingate Farms subdivision to the south. The site and surrounding area is zoned FR-1 with a minimum lot size of one acre. The applicant for this development plans lots between approx. 1.5 and 2.5 acres. The site is rolling with a tributary of the Olentangy River called Lick Run running west to east across the southern portion of Section 1. There are many existing barns and out buildings, some of which are to remain in the subdivision to maintain rural character. In addition, the site will have three open space lots and a walking path throughout.

Section 1 consists of 39 lots on 94.46 acres and includes 4.6 acres of open space in 2 reserve lots. Woodland Hall Drive is the main street, extending from S. R. 315 to the northwestern boundary. It will be extended in the future Section 2 to the west. Riverstone Drive extends from Woodland Hall Drive toward the southwest and ends in a cul-de-sac at the west property line. Riverstone Drive will extend westerly into the adjacent tract and eventually connect to Liberty Road. If Riverstone is not extended, then Woodland Hall Drive will be required to extend to adjacent lands and become the through

street to Liberty Road. Pillion Way is a cul-de-sac to the north property line and will be extended into the adjacent Emerald Farms Land to the north. There is also a CAD on the north side of Woodland Hall Drive near the front of the development. The lots will be served by Del-Co water and County sewer.

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 **Woodland Hall, Section 1** to the RPC.

Commission / Public Comments

Mr. Laurien stated that in the last day staff realized that the plan did not show the left turn storage lane for northbound traffic off of Route 315, that was part of the preliminary approval for this project. This is probably the most dangerous curve on Route 315. Mr. Laurien stated that according to Mr. Dick Burnett of the County Engineers “it is a simultaneous vertical and horizontal curve.” The driveway for the subdivision was placed in the best location it could be but staff’s concern was that without a left turn storage lane there is a danger of north-bound rear-end accidents. Although a variance for that left turn storage lane was denied by the County Engineer (the applicant requested that the left turn storage lane not be required), it was approved by ODOT. The RPC approved a preliminary plan for this subdivision with the understanding there would be a left turn lane and now there isn’t one. Mr. Laurien stated that he is very concerned about the letter the ODOT official wrote. That letter states that they are concerned about the hazard of rear end collisions and that if they find that this is a hazardous location they will then close left turn movements. It would then be right turn in / right turn out only.

Mr. Tony Eyerman was present to represent Highland Management Group. Through several months of coordination/cooperation with the County Engineers office, plans were drawn up for a left turn lane. They met with Mr. Channel, Mr. Bauserman, Mr. Pike and Mr. Larello on several occasions, ultimately ODOT refused to allow a left turn lane in that area. In lieu of that, ODOT gave certain conditions that have been met in regards to clearing some of the right-of-way from brush. The new road entrance location was determined by ODOT and built according to their plan and location.

Chairwoman Foust asked if the denial of the left turn lane happened after ODOT said to move the entrance north? Mr. Eyerman said yes. They had plans drawn north including a left turn lane. Chairwoman Foust asked if the southern plan had the left turn lane. Mr. Eyerman stated that every plan they had showed the left turn lane. ODOT came back in a series of two meetings and said that they would not

allow a left turn lane.

Mr. Pike (Deputy County Engineer) stated that the developer has been very willing to construct the left turn lane. They have done several revisions to the plan including moving the driveway. He stated that the last meeting he attended with ODOT at their offices, they had done a video of that portion of the road looking at site distance issues and determined that it met their safety standard. They basically said there was no need for the left turn. There are some environmental issues to the south that the developer was willing to work with but ODOT said it was not necessary. Mr. Pike stated that he feels the developer made all the attempts to put the left turn lane in.

Mr. Ward read a part of the letter from the ODOT official, “The Ohio Department of Transportation can not require the acquisition of private property in order to construct the proper standards for roadway widening. We therefore will waive the requirement of turn lane on State Route 315. We would like to offer our opinion on safety matters at this location. Site distance is probably adequate for a driveway use. Meaning the person exiting the drive has adequate time to make a decision to enter the highway. Our fear pertains to the back up of traffic that may occur because of egress. The northbound traffic at this location travels through a set of curves before the driveway is visible. If there is a back up to turn into the driveway northbound, the trailing vehicles may not have the proper spacing to stop in time. The Ohio Department of Transportation will monitor the driveway entrance for accident history. If the driveway becomes a hazard location, we will enforce our right to limit the access to a right in / right out at the developer’s construction expense. When the driveway plans are completed, please submit five sets of engineering drawings along with hydraulic calculations and permit application to Mr. Charles Dursen at the above address.” Mr. Ward stated that there have been numerous accidents at these curves and for ODOT to wait until someone is killed is ridiculous. He would like to have the opportunity to go to Mr. Marchbanks and whoever else in the House of Representatives, Senate, wherever, and take this letter. This letter is from an access management coordinator. Mr. Ward said if this could be continued until next month he could go to ODOT and discuss this letter.

Mr. Spanner said that the letter did not say that they (developer) couldn’t do it, what ODOT was saying is “We can’t take the ground that would then allow for this road to be widened. The developer had the option of going to the landowners themselves and trying to acquire to do that. Mr. Eyerman stated that they illustrated to ODOT that they could meet the left turn lane design within the right-of-way. Mr. Eyerman stated that he also brought copies of the permit that was approved by Mr. Marchbanks who is deputy director for District 6. They directed the applicant where to make the curb cut.

Chairwoman Foust asked if they understood that this is a public road. She stated that the letter kept referring to a “driveway”. Mr. Eyerman said they understand very clearly. They were shown the preliminary plat.

Chairwoman Foust asked if the developer is willing to put in a left turn lane on their property. Mr. Eyerman stated that they have been willing from the beginning.

Mr. Gladman made a motion for Final approval. Mr. Miller seconded the motion. VOTE: 12 For, 6 Opposed. Motion carried.

V. EXTENSIONS

43-00.5.1 Golf Village, Sec. 5, Ph. 1 – Liberty Twp. - 48 lots / 20.17 acres

Applicant: Triangle Real Estate
Consultant: RD Zande

Staff Comments

Golf Village, Section 5, Phase 1 received preliminary approval on January 25, 2001. The applicant has requested a 6-month extension. The reason stated is the proposed construction schedule for this site will not allow for recording of the final plat within one year of the original Preliminary Plan approval date.

Staff Recommendations

Staff recommends approval of the 6-month extension of Golf Village, Section 5, Phase 1 to the RPC.

Commission / Public Comments

Mr. Miller made a motion to approve the 6-month extension of Golf Village, Section 5, Phase 1. Mr. Gladman seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained. Motion carried.

23-00 Tall Oaks III – Liberty Twp. - 10 lots / 27.08 acres

Applicant: Bruce Davidson LIB
Consultant: Floyd Brown Assoc. and Attorney James Dietz

Staff Comments

Tall Oaks III received preliminary approval on July 27, 2000. A 6-month extension was granted on July 26, 2001. The applicant has requested a second 6-month extension to allow the surveyor time to finish the final plat plan

Staff Recommendations

Staff recommends approval of the 6-month extension of Tall Oaks III to the RPC.

Commission / Public Comments

Mr. Miller made a motion to approve the 6-month extension of Tall Oaks III. Mr. Gladman seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained. Motion carried.

VI. OTHER BUSINESS

• Director Evaluation

Chairwoman Foust stated that the Executive Committee compiled an evaluation for Mr. Laurien. Overall comments included that Mr. Laurien has completed another exceptional and highly productive year as Executive Director of the DCRPC. In addition to updating Comprehensive Plan and Zoning Codes as contracted work for RPC members, he continues to bring professionalism and respect to the entire Commission and staff. Mr. Laurien has assembled a team-oriented staff of skillful, knowledgeable and cooperative professionals. He eagerly continues to educate himself and Delaware County. He presents new planning concepts in a manner that is understandable while maintaining the ability to listen to and incorporate new ideas. His professional skills, abilities and dedication are greatly appreciated. The Executive Committee recommends a 5% salary increase effective 1/7/02.

Mr. Miller made a motion to approve the 5% salary increase for Mr. Laurien, effective 1/7/02. Mr. Spanner seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

- Consideration for approval of up to \$2500.00 for Da-Wei Liou’s H-1B extension application (required prior to obtaining his greencard)**

Mr. Miller made a motion to approve up to \$2500.00 for Mr. Liou’s H-1-B extension application fees. Mr. Thurston seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

- Access Management Standards – Public hearing set**

Mr. Laurien stated that the public hearing is set for February 28, 2002. There are some things in the table that will create situations for us that will be difficult. Most noticeably, the driveway spacing standards for No-Plat subdivisions. If you are on a road frontage lot on an existing Township road, it may be possible to meet zoning standards and not meet the driveway spacing standards. There may need to be modification and we need public input.

Mr. Ward asked if it would be a hearing separate from our regular meeting. Mr. Laurien stated that it would be at the end of our regular meeting but no action has to be taken that night. But we would like public input. Chairwoman Foust asked if the consultants would be attending. Mr. Laurien stated that they would be asked to present it. Chairwoman Foust stated that a time limit should be set for public comments. It was suggested to have the February 28th meeting as an introductory meeting and set a separate date then for a special meeting for public input.

VII. POLICY / EDUCATION DISCUSSION (*none*)

*Mr. Miller made a motion to adjourn the meeting, seconded by Mr. Gladman.
VOTE: Unanimously For, 0 Opposed. Motion carried.*

Meeting adjourned at 9:40 p.m.

*The next meeting of the Delaware County Regional Planning Commission
will be Thursday, February 28, 2002 7:00PM at the Delaware Joint
Vocational School North Campus, 1610 St. Rte. 521, Delaware, Ohio 43015.*