



**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, February 22, 2001 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 January 25, 2001 RPC Minutes
- Executive Committee Minutes of February 14, 2001
- Statement of Policy

**II. VARIANCES**

12-00.2.V Double N No. 2 – Lib.Twp.–reduction of tree removal to 10’ of centerline  
 25-99.V Twin Hickory Farms – Berlin Twp. – access of CAD from a private roadway  
 34-98.12B.V Tartan Fields,Ph.12B–Con.Twp.–reduction of tree removal to 12’ of centerline

**III. ZONING MAP/TEXT AMENDMENTS**

04-01 ZON W/D Klaus Gossing – Berkshire Twp. – 5.927 acres from FR-1, A-1 to PCD  
 05-01 ZON Dalcoma Ltd. Prtnrshp One – Ora. Twp. – 1.035 acres from PC to PC  
 06-01 ZON Berkshire Twp. Trustees – Berkshire Twp. Comprehensive Plan review  
 07-01 ZON Lenard Mathews – Radnor Twp. – 2.344 acres – from FR-1 to I  
 08-01 ZON Jeffrey Yocca – Concord Twp. - 39.38 acres from FR-1 to R-2  
 09-01 ZON Troy Twp. Zoning Commission – text amendments  
 10-01 ZON Vincent Romanelli – Genoa Twp. – 49.551 acres from RR to PD-1  
 11-01 ZON Vinmar Investments, Ltd. – Genoa Twp. – 87.2 acres from RR to PD-1  
 12-01 ZON Charlie Vince,Golf Village II – Lib.Twp. – 25.98 acres from FR-1 to PR

W/D = withdrawn by Township

**IV. SUBDIVISION PROJECTS**

			Township	Lots/Acres
<u>Preliminary</u>				
04-01	Summerwood, Sec.2	Berlin		12 lots / 16.46 acres
07-01	The Pines	Delaware		05 lots / 12.44 acres
03-01	T Big Oak	Genoa		130 lots /145.20 acres
06-01	T Willow Bend	Genoa		123 lots / 87.60 acres
05-01	T Willow Springs North, Sec.2	Orange		61 lots / 40.90 acres
<u>Preliminary/Final</u>				
<u>Final</u>				
25-00	Big Daddy Farms	Berkshire		02 lots / 14.58 acres

25-99	Twin Hickory Farms	Berlin	07 lots / 62.68 acres
18-99	JASA	Delaware	03 lots / 06.94 acres
15-00	Highland Lakes North, Sec.7	Genoa	19 lots / 09.70 acres
05-00.2	Highland Hills at the Lakes, Sec.2	Gen/ Ora	50 lots / 22.06 acres

**T=TABLED**

**V. EXTENSIONS**

20-99	Wedgewood, Section 10	Liberty	24 lots / 25.40 acres
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**VI. OTHER BUSINESS**

- Consideration for Expenditure: ESRI \$5058.00 (maintenance fees for GIS software)
- Form Nominating Committee for Executive Committee members (Voting to take place at the March RPC meeting)

**VII. POLICY / EDUCATION DISCUSSION**

\*\*\*\*\*I.

**ADMINISTRATIVE BUSINESS**

■ **Call to Order**

Chairwoman Foust called the meeting to order at 7:02 p.m.

■ **Roll Call**

Representatives present: Don Poland, John Schmidt, Robert Hedrick, Fred Fowler, Loretta Firis, Chad Antle, Dale Simpkins, Tom Hopper, Leslie Warthman, Cy Schmidt, Holly Foust, Charles Heimlich, Dick Gladman, Yvonne Ball, Bill Thurston, Marvin Miller, Hansel Waugh, Bev Alltop, Jeannette Curren, Bonnie Newland, and Kevin Moran. Alternates present: Scott Pike and Ken Baker. Arrived after roll call: Gary Spanner (Rep.).  
 Staff present: Phil Laurien, Paul Deel, Mike Bissett, Jiyeong Lee, Da-Wei Liou and Stephanie Matlack.

■ **Approval of the January 25, 2001 RPC Minutes**

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

■ **February 14, 2001 Executive Committee Minutes**

1. **Call to order**

*Chairwoman Foust called the meeting to order at 8:30 a.m. Present: Holly Foust, Dick Gladman, Loretta Firis, Commissioner Jim Ward, and Larry Starling. Staff present: Philip Laurien and Stephanie Matlack.*

2. **Approval of Executive Committee Minutes**

a. **January 17, 2001 – Mr. Starling made a motion to approve the minutes of the January meeting, seconded by Miss Firis. VOTE: 4 For, 0 Opposed, 1 Abstained (Dick Gladman). Motion carried.**



Mrs. Matlack explained that the Nominating Committee must consist of 3 voting members of the Commission. Chairwoman Foust said that she would announce the Committee at the February 22<sup>nd</sup> RPC meeting.

Anyone interested in serving on the Executive Committee could contact one of the Nominating Committee members. The voting for the four members will take place at the March 29<sup>th</sup> RPC meeting. Those four members will organize positions at the April 18<sup>th</sup> Executive Committee meeting.

- c. **Consideration for a Planning Advisory Service membership with the APA (\$605.00)** – Mr. Laurien stated that he is interested in having the RPC join the Planning Advisory Service (PAS) for \$590 per year (\$15 for a report storage binder). This membership entitles you to sample ordinances, specialized periodicals, research documents (etc.) through an Internet search or with the aid of the PAS staff.

**Mr. Gladman made a motion to approve the PAS membership, seconded by Mr. Starling. VOTE: Unanimously For, 0 Opposed. Motion carried.**

- d. **Expenditure recommendation: Maintenance Fees ESRI (GIS software provider) \$5058.00** – Mr. Starling made a motion to recommend approval of the maintenance fees for ESRI, seconded by Mr. Gladman. **VOTE: Unanimously For, 0 Opposed. Motion carried.**
- e. **OSU Study** – Mr. Laurien explained that the OSU Fiscal Impact study has yet to be completed. He met with Dr. Kraybill in late September 2000 and was told that the study should be completed in about 2 weeks. As of today (2/14/01) the study has not been submitted to the RPC. Attorney Don Brosius advised Mr. Laurien to send Dr. Kraybill a letter of notice of the RPC's intent to terminate the contract unless the RPC received a completed/useable study within 2 weeks (of receipt of notice).
- f. Commissioner Ward stated that there is a company that will be creating a CD of points of interest of Delaware County and would like some input from the RPC for its contents. The proposed CD's would contain information from the Visitors Bureau, Historic information (landmarks), recreation facilities/areas, housing availability. The CD will be prepared at no cost and can be distributed to persons seeking

information about Delaware as a possible vacation destination, home relocation, etc. The CD will feature photographs, charts/tables and be narrated. Mr. Laurien suggested an area on the CD for links to the RPC and other agencies. The RPC data contains very large files and would take up too much CD space, but a link would allow the viewer to see the comprehensive plans, zoning maps, and current planning issues.

6. **Personnel** (none)

7. **Adjourn** –

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

The meeting adjourned at 10:10 a.m.

**The next Executive Committee meeting will be Wednesday, March 21, 2001 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**

**12-00.2.V Richard Miller requests a variance from the 16' to 10' as clear-cut area from the centerline of the surface of a Common Access Drive requirement, for the Double N Subdivision, No. 2, west side of Steitz Road north of Rutherford Road, Liberty Township**

**I. Request**

The applicant has a CAD subdivision, which received final approval in June of 2000. There is one large pine tree within the required 16-foot wide clear area along the CAD. The request is to vary the requirement for tree removal in the area adjacent to the CAD from 16' to 10' from the centerline of the CAD for the preservation of one tree.

**II. 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 is one tree within the 16’ clear-cut area from the centerline of the CAD.
2. The CAD bypass is directly opposite the pine tree, which effectively makes a wide spot in the road, provides adequate clearance.
3. The Fire Chief and EMS for Liberty Township have provided a letter regarding safety issues.
4. The tree can be limbed up to further improve safety.

**III. Criteria For a Variance**

The burden is on the applicant to demonstrate in writing, each of the following:

- 1) The granting of this variance request shall not be detrimental to the public health, safety and welfare and not injurious to other property.
- 2) The conditions, upon which this variance request is based, are unique to the property for which this variance is sought.
- 3) Due to the physical surroundings, shape, or characteristics of the property, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of the Delaware County Subdivision Regulations were carried out.
- 4.) The granting of this variance will not vary the provisions of the applicable zoning regulations, comprehensive plans, or other existing development guidelines and regulations, nor shall it otherwise impair the intent and purpose of these regulations, or the desirable development of the neighborhood and community.

**Staff Recommendation**

DCRPC staff recommends that the variance for tree and shrub clearance be granted from sixteen feet (16’) to 10 feet (10’) from the centerline of the common access driveway (including pull-off areas). The approval is only for the one pine tree. No other trees are within the 16’. Overhead branches shall be trimmed within this 10-foot setback / clear area prior to RPC Director’s signature on the plat.

**Commission / Public Comments**

Mr. Frank Celio of Scioto Land Surveying Service was present to represent the applicant. He stated that trimming the tree to the 10’ variance will save the tree, going 16’ would kill the tree. He stated that he did get a 10’ variance for the CAD

to the north.

*Mr. Miller made a motion to approve the variance for tree and shrub clearance from 16’ to 10’ from the centerline of the common access driveway (including all pull-off areas) in Double N No. 2 subdivision. Mr. Moran seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

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**25-99.V                      Twin Hickory Farms – Berlin Twp. – request for access of CAD from a private roadway**

**Applicant:** Rodd and Linda Lawrence

**Request**

Twin Hickory Farms is a new subdivision on the west side of 3 B’s and K Road, north of US 36/37 in Berlin Township. It includes 17 lots on 62.68 acres. The 1500’ proposed public cul-de-sac street extends westerly from 3 B’s and K serving 13 lots with a 4 lot CAD near the entrance. The subdivision received final approval in October 1999 but was not recorded. All improvements are constructed. The applicant desires to convert the public street to a private street.

Section 306.02 of the Subdivision Regulations states that “The CAD shall access directly onto a public roadway.” The applicant has requested a variance to allow a CAD to access a private street. His reasons are to improve the marketing of the lots, and to post a “private” sign at the entrance of the road.

**Criteria for a variance**

Section 209.01 states that “Specific cases may occur whereby extraordinary and unnecessary hardship may result from strict compliance with these Regulations, due to exceptional topographical or other physical conditions, in which case, the Commission may vary the Regulations so as to relieve such hardship.”

The burden is on the applicant to demonstrate in writing, each of the following:

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

**Findings:** There is no injury to adjacent properties.

- 2) The conditions upon which this variance request is based are unique to the property for which this variance is sought.

**Findings:** The property is flat and does not contain any natural features that would be worth preserving, except for some woods to the north and west. There is nothing unique about this site that warrants a variance.

- 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.

**Findings:** The CAD is not protecting any environmentally sensitive areas nor is there extreme topography on the property. The parcel boundary is neither shallow nor narrow. There are no adverse conditions that would prevent the CAD from being upgraded to a private street.

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

**Findings:** The subdivision conforms to both the Berlin Township Zoning Resolution and Comprehensive Plan. However, allowing a CAD to access a private street without the applicant demonstrating a hardship would compromise the intent and purpose of the Subdivision Regulations.

#### **Staff Findings**

The standard requiring CAD's access only to a public roadway has been in effect prior to the applicants' subdivision proposal. The desire to change a public street to a private street is one issue; the subsequent variance for a CAD on the proposed private street is a second issue. The CAD is not providing relief from any environmentally sensitive areas or extreme topography. This is a self-imposed hardship and not a valid reason to vary the standards of the Subdivision Regulations. The applicant can record the plat as it was originally laid out and suffer no hardship.

#### **Staff Recommendation**

Staff recommends to the RPC that the request by Rodd and Linda Lawrence for a variance to allow a CAD to access a private street be denied.

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

Mr. Rodd Lawrence, the applicant, stated that he currently lives on N. 3 B's and K Road. His current home site is across the street from Heverlo Road that extends off N. 3 B's & K Rd. to the west. It ends at the edge of Alum Creek State Park. There are some problems on Heverlo Rd. that he believes he will encounter in Twin Hickory Farms. The west end of Twin Hickory Farms abuts into Alum Creek State Park. He is concerned with non-residents parking on this road and walking into (across private property) the State Park. The construction of the proposed private 1500' road is completed along with the CAD, which is also paved. The Commission previously approved a CAD off a private road in the Sage Creek subdivision in Genoa Twp. They have 5 CAD's off the main spine of the private road.

Mr. Schmidt said that Heverlo Road used to go through prior to the dam being built. Approximately 5-10 years ago the Township stubbed it off. He doesn't feel that this will be a problem for Twin Hickory Farms because it's a new subdivision and there will be homes developed at the end of a cul-de-sac. Mr. Lawrence stated that residents at the end of Heverlo are still having a problem with people crossing their private lots to get to the park.

Mr. Gladman made a motion to deny the variance request for Twin Hickory Farms.

Mrs. Warthman asked if there would be a gate. What is the difference between public and private? Mr. Lawrence stated that he would like to avoid a gate but would like to put a sign up stating the private road with no entry, similar to Lake of the Woods. He said if necessary a gate could be constructed.

Chairwoman Foust stated that a great deal of thought goes into the subdivision regulations and their adoption with many public meetings. They are adopted by the RPC and the Commissioners. Approving this CAD on a private road would create a hardship for the lot owners on the CAD. They would have two maintenance agreements (one for the private road and one for the CAD). Preliminary approval of a plat not only provides the developer with assurance that he can continue with this project, but it provides the Commission and the County and Twp. residents that this is what we expect to happen. If this is a problem developing this with a CAD, maybe the lots need to be reconfigured and a new preliminary plan needs to be submitted.

***Mr. Gladman made a motion to deny the variance for Twin Hickory Farms to have a CAD access from a private road. Mr. Schmidt seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.***

**34-98.12B.V The Northwood Land Corporation requests a variance from the tree removal requirement 16’ from center of the CAD to preserve 4 trees; Tartan Fields Section 12 B, south side of Palmer Court, Concord Township**

**I. Request**

The applicant has a CAD subdivision that received final approval in January of 2000. There are four newly planted trees within the required 10-foot wide clear area along the proposed CAD location. The request is to vary the requirement for tree removal in the area adjacent to the CAD from 16’ to 12’ from the centerline of the CAD for the preservation of four trees.

**II. 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 were four trees planted within the 16’ clear-cut area from the centerline of the CAD after the subdivision was approved.
2. The Fire Chief and EMS of Concord Township have provided a letter stating no safety issues with the request and support the variance request.
3. The CAD is paved with an asphalt surface; the trees are adjacent to the asphalt, approximately 4’ off the asphalt pavement.
4. The CAD is 16’ wide where only 12’ is required, so there is extra width for clearance.

**III. Criteria For a Variance**

The burden is on the applicant to demonstrate in writing, each of the following:

- 1) The granting of this variance request shall not be detrimental to the public health, safety and welfare and not injurious to other property.
- 2) The conditions, upon which this variance request is based, are unique to the property for which this variance is sought.
- 3) Due to the physical surroundings, shape, or characteristics of the property, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of the Delaware County Subdivision Regulations were carried out.
- 4) The granting of this variance will not vary the provisions of

the applicable zoning regulations, comprehensive plans, or other existing development guidelines and regulations, nor shall it otherwise impair the intent and purpose of these regulations, or the desirable development of the neighborhood and community.

**Staff Findings**

1. The new trees are small caliper and currently do not present a significant safety issue being located 4’ from edge of pavement.
2. The CAD is paved with asphalt, which distinctly marks the edge of road to the motorist.
3. The CAD is 4’ over-width (16’ wide where only 12’ is required) so the motorist has additional clearance.
4. The trees are 12’ from centerline of the CAD; there is no problem for fire equipment to pass.
5. The CADD owners agree to trim limbs as the trees grow.

**Staff Recommendation**

DCRPC staff recommends that the variance for tree and shrub clearance be granted from sixteen feet (16’) to twelve feet (12’) from the centerline of the common access driveway (including pull-off areas.) Overhead branches shall be trimmed within this 12-foot setback / clear area prior to RPC Director’s signature on the plat.

**Commission / Public Comments**

Mr. Kevin Kershner with RD Zande was present to represent the applicant. The trees were planted within the past year. The developer wanted to maintain the streetscape on this CAD as the public streets in the subdivision. Also, there is a very large drainage ditch on the other side of the trees. If the trees were on the other side of the ditch it would impact the buildable area.

***Mr. Poland made a motion to deny the variance for tree and shrub clearance from 16’ to 12’ from the centerline of the CAD. Mr. Simpkins seconded the motion. HAND VOTE: 21 for denial, 3 Opposed to denial. Motion carried.***

**III. ZONING MAP/TEXT AMENDMENTS**

**04-01 ZON W/D Klaus Gossing – Berkshire Twp. – 5.927 acres from FR-1, A-1 to PCD**

**\*\*This application was withdrawn by the Township Zoning Officer.\*\***

site was previously rezoned in 1995 (20-95ZON) listing car washes as a prohibited use. The site is lot 3449 of the “Resubdivision of lot 1602 of 9030 Columbus Pike” subdivision. This request includes a development plan for a 12 bay self-serve car wash as a permitted use.

The site has Del-Co and sanitary service available and all street improvements are existing. The site will have two accesses from the existing Neverland Drive with a 2-foot high sign on the northwest corner. The one story (22 ft high) structure will be of an earth tone brick and will have screening for all exposed equipment and garbage disposal areas. There will be landscaping along Neverland Drive.

The applicant meets the 25% green space requirement.

**Criteria for Approval**

*“In approving an application for a Planned Commercial 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.

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

**1. Compliance with local zoning**

The development plan is consistent with the standards of the Planned Commercial District.

**2. Compliance with the Comprehensive Plan**

- a.) The Delaware County 1993 Regional Land Use Plan for this area shows the land as commercial. The development plan is consistent with the 1993 County Plan.
- b.) The 1991 Orange Township Master Plan shows the site as Planned Mixed Use and the 2001 draft Comprehensive Plan shows the site as an existing Planned Commercial District (rezoned to PC in 1995).

**05-01 ZON                      Dalcoma Ltd. Partnership One – Orange Twp. – 1.035 acres from PC to PC (car wash)**

The applicant is requesting to rezone 1.035 acres to amend the development plan text (RPC#20-95 ZON) to permit a car wash in the PC District.

**Conditions**

- Location:** West side of US 23 north of Powell Road
- Present Zoning:** (PC) Planned Commercial and Office
- Proposed Zoning:** (PC) Planned Commercial and Office
- Present Use:** Vacant
- Proposed Use:** Car wash
- Existing Density:** N/A.
- Proposed Density:** N/A
- School District:** Olentangy
- Utilities Available:** Public sewer and Del-Co water
- Soils:** UdB – Udorthents (Clayey - Urban Land Complex, Undulating)

**Surrounding Land Use**

- West:** Owenfield Drive and the Burn Brae residential subdivision.
- South:** Schlotzky’s Deli and Skyline Chili
- East:** Bank One, UDF and BP gas station/Car wash across US 23
- North:** Kinder Care, Fazzoli’s Restaurant, Tim Horton’s and Meijer’s

**General comments**

The applicant is requesting a Planned Commercial development of a car wash. The





- need protection.
9. There is a variety of housing for different income level families in the township. 96% of all housing is new, or in very good condition.
  10. There are 689 housing units within Berkshire Township. 683 or 99% are single family homes. Two family and multi-family housing units comprise less than 1% of the housing stock.
  11. Delaware County is in good economic condition. The current unemployment rate is 1.7- 1.9%. The current inflation rate is less than 2%. If anything, economists analysts worry that the low unemployment rate may deter new industry from locating in the county.
  12. The Polaris area eight miles south of US 36 has been a huge job and traffic generator for Delaware County. As land becomes more scarce and expensive there, northerly commercial expansion up the US 23 corridor, along the US 36 corridor, and at the US 36/ I-71 interchange becomes more viable.
  13. US 36 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.
  14. There is adequate potable water supplied by the Del Co Water Company, but summertime lawn watering taxes their ability to maintain treatment and pressure. A year round alternate-day watering ban was instituted in July 1999.
  15. Delaware County provides sanitary sewer service to limited areas of the township. A new 10 million-gallon per day treatment plan under construction in Orange Township will serve the east-side of the county, and a portion of Berkshire Township. If all the subdivisions and commercial uses in the county that have been zoned since 1987 get built, there will be little reserve design capacity left in the new treatment plant. The majority of Berkshire Township may not receive sanitary sewer service in the scope of this plan 2000-2010.
  16. The area around the I-71 interchange is served by the Olentangy School District. 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 strain on the schools. Buckeye Valley Schools, which serves most of the township, has experienced modest growth in its student population
  17. Fire protection is provided by the Berkshire, Sunbury, Trenton and Galena Fire District, staffed by on-call paid volunteers. Long range plans call for full time staff during daytime hours, and two new substations.
  18. Berkshire Township generated 874 of 15,052 or 5.8% of the Sheriff's complaints in 1998..
  19. There are no township parks, but Alum Creek State Park provides passive

open space and recreation. There is a need for active recreation such as baseball and soccer fields, tennis and basketball courts and public swimming pool.

### **Vision Statement**

When Berkshire Township is all built out, we would like it to be a community that has large lots, generally 1 acre or greater, or an equivalent density with cluster housing and significant open space. The rural character of the township will be maintained via a network of green space and/or parks. Rural roads would have a rough edge, with fencing that reminds us of the rural past, and mature landscaping to replace fence/tree rows if they are removed. We would like to preserve the sensitive environmental aspects (ravines, floodplains, jurisdictional wetlands, waterways, etc.) as the township develops.

We would like to preserve the special places such as forested lands, open meadows and creek-side trails, and retain historic and/or significant agricultural structures that give a sense of our farming heritage. Commerce and industry should be developed for a broader tax base. These uses should be *concentrated, together, yet separated and buffered from exclusively residential areas. There should be a diversity of housing types to meet different housing needs (i.e., older adults, empty nesters, individuals and families).* We would like to improve major thoroughfares and use access management policies to prevent congestion and dangerous road conditions. We would like to see improved rural/suburban services offered at reasonable costs.

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

#### **Natural Resources**

##### **Goals**

1. To preserve the rural character of Berkshire Township as expressed in its openness, green areas, farms, natural resources (floodplains, wetlands, slopes > 20%, ravines, creeks and rivers).
2. To retain wildlife cover and corridors where feasible.
3. To preserve the rural "look" along township roads via fencing and landscaping.
4. To retain historic and agricultural structures, where feasible.
5. To preserve scenic views, where feasible, as open space within Planned Residential Developments.
6. To preserve a high degree of environmental quality.
7. To link Planned Developments with green spaces and paths.
8. To conserve surface and ground water quality around Big and Little Walnut

Creeks and the Hoover Reservoir.

**Objectives**

1. Require the linkage of subdivisions by streets, bike paths, or green way trails so neighborhoods are pedestrian oriented. Create a landscape detail for green way trails.
2. Retain wooded green ways along ravines, waterways and project perimeters.
3. Amend the zoning resolution to increase the dedication of useable open space in PRDs.
4. Amend the zoning resolution to identify and protect floodplains, jurisdictional wetlands, and steep slopes.
5. Permit Conservation subdivisions in all residential zones as a permitted use.
6. Support amendment of county subdivision regulations to include Conservation Subdivision criteria.
7. Support amendment of county subdivision regulations to protect 100-year floodplains.
8. Set landscape and architectural design standards for planned developments. Encourage centralized green spaces.
9. Create a rural landscape detail for planned developments that front on township roads.
10. Amend the zoning text to require the appropriate landscaping buffer detail between residential and non-residential land uses. Retain natural vegetation and use existing topography as buffers.
11. Prohibit on stream storm water detention as open space in planned development tributary to the Hoover Reservoir.
12. Retain natural ravines and their vegetation as filter strips for surface water.
13. Use densities of one unit per 2 acres to one unit per five acres in areas of environmental sensitivity where on site sewage disposal systems could potentially pollute the surface and ground water, especially in proximity to the Hoover Reservoir.

2. Permit “Farm Village” zoning as a form of conservation subdivisions.
3. Preserve farmland by voluntary transfer (sale) of development rights from farmland to adjacent farm villages or conservation subdivisions in return for a permanent easement for open space and/or agriculture on the remaining adjacent farmland.
4. Use the Land Evaluation Site Assessment (LESA) system to evaluate lands worthy of farmland preservation in Agricultural Zones.
5. Identify potential lands for Purchase of Agricultural Conservation Easements (PACE).
6. Apply for state or federal funding for purchase of agricultural easements.

**Agriculture**

**Goals**

1. To provide an opportunity for agriculture to continue through flexible/creative zoning.
2. To retain very low residential density in agricultural areas.

**Objectives**

1. Leave five-acre lots as the minimum requirement, but make conservation subdivisions also permitted uses in Agricultural Zones at the same density.

7. Consider a Rural Residential district with densities of one unit per 1.95 acres in transitional farm areas that are not expected to receive county sewer service. Encourage “density-neutral” conservation subdivisions by making them a permitted use without rezoning.

### **Residential Development**

#### **Goals**

1. To relate land use and density to land suitability, utility availability and existing land use.
2. To be guided by the carrying capacity of infrastructure (sewer, water, fire protection, roads, etc).
3. To provide for rural residential areas where agriculture is transitioning to large lot residential and where no central sewer is available.
4. To provide for suburban residential housing districts where central water, sewer, fire protection, schools, adequate roads and other suburban services can be economically provided.
5. To retain a primarily single family residential housing mix, but permit a diversity of housing types.
6. To avoid inappropriate sprawl.
7. To protect local real estate values.

### **Residential Development**

#### **Objectives**

1. Retain single family densities of at least one unit per acre where there is no centralized sanitary sewer provided. Use lower densities of one unit per 1.95 acres where no sewer is anticipated.
2. Use the width of roads, the capacity of water and sewer systems, and the soil characteristics to limit development to the carrying capacity of the infrastructure, using the densities and land uses on the comprehensive plan recommended land use map as a guide.
3. Permit conservation subdivisions as density-neutral permitted uses in all residential districts.
4. 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.
5. Amend the PRD text to be a density neutral zoning overlay. Emulate the densities from the comprehensive plan.
6. Permit single family housing in standard subdivisions with 20,000 square foot lots with centralized sanitary sewer and water, adequate fire protection and road access.
7. Permit multi family units as part of Planned Residential Developments, approved per the development plan.

8. Maintain the area east of I-71 and west of Galena Road along the US 36 corridor as a possible suburban residential heart of the township, subject to provision of centralized water and sewer.

### **Commercial and Industrial Development**

#### **Goals**

1. 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.
2. To provide for dense landscape buffering between Commercial/Industrial and residential uses.
3. To encourage commercial, office and light industrial development in the I-71/US 36 interchange area.
4. To encourage a community-shopping center (grocery store, drugstore, etc.) at the I-71/US 36 interchange.
5. To provide for transitional land uses and dense landscape buffering between incompatible land uses.

#### **Objectives**

1. Encourage expansion of the Planned Commercial and Industrial districts along US 36, and at the I-71 interchange.
2. Create development guidelines for planned commercial or industrial commercial development.
3. Consider a possible Traditional Neighborhood Development with mixed commercial and residential uses as a node along the US 36 corridor.

### **Recreation**

#### **Goals**

1. To provide passive and active recreational areas as the township grows.
2. To establish a parks program for the township.
3. To link planned residential neighborhoods with green spaces and walking paths.

#### **Objectives**

1. Acquire 25-50 acres of land for a future Township park with active recreation (playing fields for organized sports).
2. Create a series of mini-parks (less than 1 acre) with ¼ mile spacing as part of Planned Residential Developments where densities are between 1-2 units per acre. Create a series of neighborhood parks of 15 acres with active recreation with ½ mile spacing in PRD neighborhoods.

### **Township Services**

### Goals

1. To recognize and maintain those services needed for a predominantly rural/low density community.
2. To expand township services at a rate to ensure public health and safety.
3. To acquire suitable land for the township's future needs.

### Objectives

1. Acquire new sites for township facilities, including fire, police, road maintenance, etc.
2. Determine the services the township can provide as suburban community with a sense of rural character.
3. Work with elected officials to increase services as needed, but not in a way to compete with urban development, so as to retain a rural community.
4. Use the Comprehensive plan as the guideline in zoning.

### Planning and Zoning

#### Goals

1. To determine and implement an appropriate land use mix.
2. To coordinate central sewer extensions to appropriate suburban core areas.
3. To implement and maintain the land use plan.
4. To enforce zoning regulations.

#### Objectives

1. Revise the zoning text and map in accordance with the comprehensive plan.
2. Develop policies for service provision that relate to the comprehensive plan.
3. Provide for 5 year updates and revisions to the plan.
4. Provide for competitive wages, benefits, and training for zoning staff.

### Transportation

#### Goals

1. To avoid traffic congestion on local, county and state roads.
2. To cooperate with ODOT on removing/preventing unnecessary commercial curb cuts on US 36 from 3 B's and K Road to Galena Road.
3. To retain the narrow township roads where possible as part of the rural character.
4. To improve the road network without destroying the rural character.
5. To seek developer mitigation of their road impacts of their developments to extent permitted by Ohio law.

#### Objectives

1. Require commercial parallel access roads and connections between planned

commercial developments.

2. Assure new Four Winds Drive is built and extended to Sherman Road as part of the commercial development of the MTB, Medellin and Green lands between 3 B's and K and I-71.
3. Restrict unlimited left turns across traffic on US 36. Coordinate signals at new locations shown by \* symbol on the comprehensive plan map.
4. Avoid new signals on US 36 unless there is at least one half-mile separation.
5. Adopt the appropriate ODOT Access Management recommendations; work with ODOT to prevent the deterioration of US 36.
6. Encourage construction of new roads B-K on the Comprehensive Plan as part of new developments.
7. Work with the County Engineer and ODOT to further study new road A on the comprehensive plan; if the County Thoroughfare plan recommends construction of this road and a new interchange to I-71, work with ODOT and the county plan for the proper alignment to move traffic while doing the least intrusion to the Villages of Galena and Sunbury.

### Citizen Participation

#### Goals

1. To ensure significant and diverse citizen input into the planning process.

#### Objectives

1. Use the 12-member steering committee as the primary citizen input to the Zoning Commission in amending the Comprehensive Plan.
2. Advertise open informational meetings to discuss and review the recommendations of the plan prior to public hearings.
3. Publish and mail a synopsis of the plan to every household in Berkshire Township.
4. Encourage active citizen participation in future comprehensive plan updates.

#### Recommendations

- Chapter 15 includes detailed Sub Area recommendations that relate to the 2001 Comprehensive Plan Map (please turn to Chapter 15 for those details).

Please see the foldout 2001 Comprehensive Plan Map attached to the end of this agenda.

### IV. Other Comments

A. Township Attorney Don Brosius reviewed the plan and suggests the following amendments:

1. Remove the recommended requirement for publicly owned wastewater treatment systems, since this is OEPA's jurisdiction. Public ownership may be a factor in the feasibility analysis of a PRD rezoning, and may even be encouraged, but it cannot be a requirement of the zoning.
2. The plan should provide strong rationale for the 1.95 and 5 acre lot sizes in areas without sanitary sewer service.
3. The language limiting development to infrastructure capacity should be amended or deleted until there is a final judicial authority since this is currently being litigated elsewhere.

B. The Delaware County Prosecuting Attorney's office reviewed the plan and made comments (attached on their letterhead).

DCRPC staff has revised the draft Berkshire Township Comprehensive Plan (version 12/15/00) to correct those comments by Attorney Brosius and Assistant County Prosecutor Attorney Hejmanowski. This final draft, dated 2/19/01, will be forwarded to the Berkshire Township Zoning Commission for their consideration at their second public hearing March 1, 2001.

**Revisions: Berkshire Twp. 2001 Comprehensive Plan version 2/19/01 reprint**

1. All Prosecutor's comments have been addressed. No changes were made in regard to comments on pages 9, 133, and 154. All other comments have resulted in language changes. See revised draft.
2. P.6 Change title of A. to "Berkshire Township 2001: Land Use Facts and Issues"
3. Change references throughout the plan from Berkshire Township 2000 Comprehensive Plan to 2001 Comprehensive Plan.
4. Add theme "Slopes greater than 20%" to the Comprehensive Plan map. Reprint map.
5. P.42- Add new first paragraph to Section 6.3 (see reprint)
6. P.62- Section 7.5.2- strike work "permit", change to consider; strike word "only". Insert word "(preferably)" before the words public dedication in bullet #2. Strike "sewage" in bullet #2.
7. P. 63- Table 7.3- eliminate Golf Village since it is going to be served by county sewer.
8. P. 80- Change Section 9.3 County Roads to 9.4. Adjust all subsequent section numbers in Chapter
9. P. 99- fourth text box- second sentence, add the word "preferably" between should and be.
10. P. 8 and 132- add new goal 8 to Natural Resources (see reprint).
11. P. 8 and 132- add new objectives 11-13 to Natural resources (see reprint).

12. P.9 and 133- add new residential goal 7, "to protect local real estate values".
13. P.12 and 136- amend Transportation goal #1 to read" To avoid traffic congestion on local, county and state roads."
14. P. 12 and 136- add new transportation objectives 6 and 7.
15. Update the Preliminary Draft Delaware County Thoroughfare Plan if a final version is adopted prior to publication of the Berkshire Comprehensive Plan.

**V. Staff Findings and Recommendation**

- Berkshire Township has followed an appropriate planning process to evaluate their goals and objectives for future growth.
- Berkshire Township has 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.
- As amended February 19, 2001 by DCRPC staff, the final draft version of the Berkshire Township 2001 Comprehensive Plan incorporates all comments by the County Prosecutor and the township attorney.

Staff finds that the Berkshire Township 2001 Comprehensive Plan, as amended, is compatible with regional planning goals and recommends *approval* to the DCRPC, Berkshire Twp. Zoning Commission and Berkshire Twp. Trustees.

**Commission / Public Comments**

Chairwoman Foust and Mr. Poland (on behalf of Berkshire Twp.) thanked the RPC staff for their hard work and dedication to the Comprehensive Land Use Plan.

***Mr. Gladman made a motion to recommend approval of the Berkshire Twp. 2001 Comprehensive Plan as amended. Mr. Schmidt seconded the motion. VOTE: 23 For, 0 Opposed, 1 Abstained (Village of Galena Rep.). Motion carried.***

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**07-01 ZON      Lenard Mathews – Radnor Twp. – 2.344 acres – from FR-1 to I**

**Location:** South side of SR 37 west of SR 203

**Conditions:**

**Present Zoning:** Farm Residence (FR-1)

**Proposed Zoning:** Industrial

**Present Use:** Residential  
**Proposed Uses:** Industrial  
**Existing Density:** 1 unit/ 1.95 acre in FR-1  
**Proposed Density:** N/A  
**School District:** Buckeye Valley  
**Utilities Available:** Del Co Water, on site septic  
**Soils:** GwC2 Glynwood Silt Loam, 6 to 12 percent slope  
BoA Blount Silt Loam, 0 to 2 percent slope  
GwB Glynwood Silt Loam, 2 to 6 percent slope

**I. Surrounding Land Use**

The site is surrounded by large lot residential development and agriculture with industrial zoning on the property and another industrial zoned property to the west along SR 37.

**II. General comments**

The applicant is requesting straight industrial zoning for a metal working shop associated with the existing HVAC business (Comfort Express). The lot is split-zoned Industrial and FR-1. Comfort Express currently operates on the industrial zoned northern portion of the lot. The request is for an expansion of an existing industrial zone to include an existing shed to the south and to allow for future expansion of the existing structure. There are currently three access points to the property and no new ones are proposed. The site is screened by a tree line on the west side and has a large pond to the southeast of the proposed rezoning location.

**III. Compliance with the Comprehensive Plan**

1. The Delaware County 1993 Regional Land Use Plan for this area shows the land to be suitable for development and shows that there is an existing land use. The Plan is not site specific enough to recommend land use for this parcel.
2. Radnor Township has no comprehensive plan. However, given that the property is already partially zoned industrial, has access to SR 37 and is in close proximity to another industrial zoned property, the industrial zoning would be a reasonable request for the use proposed.

**IV. Staff Recommendation**

Staff recommends *approval* of the 2.344 acre rezoning from FR-1 to I, to the RPC, Delaware County Rural Zoning Commission, and the Delaware County Commissioners.

**Commission / Public Comments**

Mr. Lenard Mathews stated that he bought the property with the intention of using the small building as a metal shop. It was determined that the Industrial zoning cut-off line was right in front of this building. He stated that he hopes to expand the main building to the east at some point for warehousing. This would then cross into the FR-1 zoning area also. This zoning change would bring the entire area to the I zoning district and into conformance.

*Mr. Gladman made a motion to recommend approval of the 2.344 acre rezoning from FR-1 to I, seconded by Mr. Moran seconded the motion. VOTE: 22 For, 0 Opposed, 1 Abstained (Mr. Fowler). Motion carried.*

**08-01 ZON                      Jeffrey Yocca – Concord Twp. - 39.38 acres from FR-1 to R-2**

This application is submitted by Jeffrey Yocca in order to develop a 35-lot single family residential subdivision at and behind 7504 and 7520 Harriott Road in Concord Township.

**Conditions**

**Present Zoning:** Farm Residential District (FR-1)  
**Proposed Zoning:** Residential District (R-2)  
**Present Use:** 3 single-family residences, horse barn and accessory buildings  
**Proposed Use:** Residential subdivision consisting of 35 single-family homes  
**Existing Density:** 1 unit / 1.5 acres  
**Proposed Density:** 0.89 unit / acre  
**School District:** Dublin  
**Utilities Available:** Del-Co water and Dublin City sewer (proposed)  
**Soils:** B1A & B1B – Blount  
MrB, MrB2 & MrD2 – Morley  
Gn – Genesee

**General comments**

The applicant is requesting R-2 zoning in order to develop a 35-lot subdivision

called “Sylvan Retreat” on 39.38 acres. The overall density is 0.89 unit/acre. Lots range from 29,200 sq. ft. to 3.41 acres in size. The R-2 District permits lots to be as small as 29,000-sq. ft. if central water and sewer are available. The FR-1 District has a minimum lot size requirement of 1.5 acres. A new street will be developed from Harriott Road to Concord Road. Two CAD’s are proposed to serve 6 lots (3 lots each).

The 39.38-acre site is located on the north side of Harriott Road approximately 500 feet west of Concord Road. It also has access to Concord Road 700 feet south of Cook Road. The area to the north, east, and south is mostly residential, including Kilbury Estates, Concord Bend, Eversol Farm, and the Woods at Glen Erin. These lots are generally between 1 to 5 acres on septic systems. Tartan Fields is further south of the site and contains smaller lots but is served by a private treatment plant. The area to the west is undeveloped vacant land. The property is mostly wooded with 3 single-family homes, a horse stable and barn. The northern 29 acres is very flat and poorly drained, but the 10 acres in the southern portion contains 2 ravines that feed into the O’Shaughnessy Reservoir to the east. This area is zoned predominately FR-1 (Farm Residential), with some R-2 (Residential) and R-6 (Multi-Family Residential).

During a previous subdivision review of this property (Sylvan Retreat case # 38-97), staff found poorly drained soils on and around this tract. Due to topography, drainage and woods, the Board of Health determined that individual on-site septic systems are not feasible. Delaware County and the City of Dublin entered into an agreement that allowed Dublin to provide sanitary sewer service of up to 300 sewer taps in Concord Twp. in exchange for Delaware County providing sewer service to a portion of Wedgewood Hills Subdivision and Campden Lakes in Dublin. The applicant intends to construct a new force main from Dublin along Concord Road to this development. He will also construct a lift station on site.

There is no letter from Dublin or the Delaware County Sanitary Engineer regarding sewer feasibility of this plan. The property will be served by Del-Co water, via an existing 8” line on Concord Road.

The applicant has submitted a sketch plan of a potential subdivision design as part of this zoning request. Because the applicant has requested R-2 zoning, a plan is not required. The staff is only required to make a recommendation on the zoning, not the site plan. If the zoning were approved, this site plan would not become the basis for a plat. All development issues, including drainage, will have to be resolved during the platting process. However, to appease the Township, the applicant may commit to developing no more than the number of lots shown on the concept plan.

### **Compliance with the Comprehensive Plan**

The Delaware County 1993 Master Plan shows the land to contain areas suitable for development, unsuitable for development, and existing residences. The Plan is not site specific enough to recommend land use for this parcel. However, a goal for the South Planning Area is to preserve the present natural scenic character with an emphasis upon rural character. The plan also states that the amount of land, of the highest level of suitability for development, greatly exceeds the land area necessary to accommodate maximum population increase projections. This means that, ideally there should be no justification for permitting development on lands not suited for development. Development should be encouraged only where land is suitable for on-site treatment systems or where public services are provided.

The Concord Township Comprehensive Plan designates this area as residential at a density of 1 unit per acre. Smaller lots (less than 1 acre) will be restricted to locations within sewer serviced areas. The Concord Comprehensive Plan did not anticipate sewer service in this area. However, in light of the agreement between Dublin and Delaware County, the Township should revisit this issue in future Comprehensive Plan updates.

### **Advancing the general welfare of the Township**

The trend in Concord Township has been to carve up large farm tracts into road frontage lots, one lot at a time, with no linkage, which leaves a tremendous amount of unusable backland with limited development potential. This proposal will allow for the potential development of up to 35 single-family residential lots on Harriott Road and Concord Road, but will do so by developing the land internally. The staff finds that the R-2 District does enhance the general welfare of the township and the immediate vicinity, if sanitary sewer can be provided and all drainage issues can be resolved. Staff suggests that the Delaware County Commissioners, Concord Twp. Trustees and the Village of Shawnee hills discuss the best usage of the 300 sewer taps.

### **Staff Recommendation**

The *staff recommends* to the Regional Planning Commission, the Concord Township Zoning Commission, and the Concord Township Trustees that the application by Jeffrey Yocca for rezoning 39.38 acres on Harriott Road from FR-1 to R-2 be conditionally approved, subject to the availability of sanitary sewer service.

### **Commission / Public Comments**

Mr. Forest Gibson with Schmidt Land Design was present on behalf of Jeff Yocca. The 2 ponds on the plan, one in the middle of the site and one near the existing home would

handle the majority of the storm water for the site. A study is currently being conducted to determine what needs to happen to fix the poor drainage in the northern area of the site. They are in the process of obtaining a detailed topographic survey to assist in the development of the preliminary subdivision plans. A meeting is scheduled tomorrow with the City of Dublin to discuss the sanitary sewer going up Concord Road. There is a Concord Twp. Trustee meeting tonight where his associates are discussing whether the Trustees want the line to go up the east side or the west side of Concord Rd.

Mr. Laurien stated that because this is not a planned district the applicant is not required to show sewer feasibility. There are potentially 300 sewer taps that could be allocated from Dublin to Concord Twp. He believes this is a planning issue as well as a sewer issue. Those taps were initially being reserved for Shawnee Hills because of the small lot sizes and the problems they have with sewer in Shawnee Hills. In this last year Shawnee Hills has contracted directly with the City of Columbus to send their sewage from their new sewer project (which has just started construction) to Columbus through Dublin. It's the RPC staff's understanding that the 300 taps are directly with Dublin so if the Twp. wants to do this kind of development in the Twp. that should be a political decision. They should decide "do we want to use the sewer taps for suburban residential development or do we want to use the sewer taps to service Shawnee Hills and the Lucy Depp subdivision to the north." It's not our judgement to make tonight but the questions should be asked and he encourages the Concord Twp. Trustees, Commissioners, the developer and the Village of Shawnee Hills to discuss it.

**Mr. Miller made a motion to recommend conditional approval of the application by Jeffrey Yocca for rezoning 39.38 acres on Harriott Road from FR-1 to R-2, subject to staff comments. Mr. Schmidt seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.**

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**09-01 ZON            Troy Twp. Zoning Commission – text amendments**

This application is submitted by the Troy Township Zoning Commission for amendments to the Troy Township Zoning Resolution.

**Staff Comments**

The Troy Township Zoning Commission is proposing minor revisions to the home occupation regulations in the Township Zoning Resolution. The Commission proposes to allow certain types of home occupations (Low Impact Home Occupation) as a permitted use in the residentially zoned districts. The homeowner

would only be required to register the business with the Township Zoning Inspector.

These were originally submitted with other amendments in 1999 (Case # 51-99 ZON), but because some other of those amendments were controversial, the entire package was defeated by referendum vote.

**Staff Recommendation**

The staff recommends approval of the text amendments to the Regional Planning Commission, the Troy Township Zoning Commission, and the Troy Township Trustees.

**Commission / Public Comments**

**Mr. Schmidt made a motion to recommend approval of the text amendments for Troy Twp., Mr. Simpkins seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.**

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**10-01 ZON            Vincent Romanelli – Genoa Twp. – 49.551 acres from RR to PD-1**

**I. Request**

This request is for a Planned Residential Development zone with Conservation Development standards to construct 67 single-family dwellings on approximately 1/4 acre lots with 18.82 acres of open space.

**II. Conditions**

**Present Zoning:** Rural Residential

**Proposed Zoning:** Planned District 1 with Conservation standards

**Proposed Density:** 1.35 units/acre

**Permitted Density:** 1.35 units /acre with conservation standards (Genoa Township Comprehensive Plan Area V)



**Open Space required:** 50% (common open space) of gross acreage with conservation standards

**Open Space provided:** 38% (common open space) 18.82 acres

**School District:** Olentangy

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

**Soils:** (BeA) Bennington Silt Loam, 0 – 2 % slope, (BeB2) Bennignton Silt Loam 2-6 %; (CaB) Cardington Silt Loam, 2 – 6 % slope, (CaB2) Cardington Silt Loam, 2 – 6 % slope, (CnA) Condit Silt Loam, 0 – 1 % slope, (PwA) Pewamo Silty Clay Loam, 0 – 1 % slope

### III. Facts

#### 1. Adjacent Existing Land Use

West: Single family homes

North: 25 acres in large lots held by two owners, Buczkowski and Kairis, potential for redivision and future development.

South: Big Walnut Road, opposite the future Oaks of Highland Lakes subdivision

East: 62.36 acre Vilardo tract, potential for future development.

#### 2 Sanitary Sewer

Delaware County Sanitary sewer will eventually serve this site via extension from a proposed 12” trunk line to be extended north from the Oaks at Highland Lakes. No sewer currently serves the site.

#### 3. Water

Del-Co water is available.

#### 4. Traffic

No traffic study has been prepared. The estimated trips generated would be 670 per day for the site. There are two access points planned, one for the north side of Big Walnut and one to Worthington Road. Due to the location opposite the Oaks at Highland Lakes, this intersection needs to be studied for a possible signal and turning lanes.

#### 5. Drainage

The land is flat with a shallow creek dividing the site into east and west. Most of the watershed goes to this creek. There is a significant amount of hydric soil on the site, which should be avoided in the overall design of a conservation subdivision. The site design places many homes in the hydric soils. The schematic drainage may not be what the site actually will require.

#### 6. Compatibility with existing and future probable uses

The uses and densities proposed are compatible with the surrounding land uses.

#### 7. Compliance with the Genoa Township Comprehensive Plan

The current Township Comprehensive Land Use Plan Area V recommends 1.1 units per acre, or the sewer capacity of the area, whichever is less; or up to 1.35 units per acre with Conservation standards)

The Comprehensive plan also states that development in Area V is to be discouraged until planning Area I has been developed. Planning area one is almost entirely developed.

### IV. Section 524.21 Application Procedure

The Development Plan lacks the following information.

- 1.) Landscaping details are not provided (Plan should show tree lines, existing watercourses as well as landscaping details for lots and open space.)
- 2.) Architectural details are not provided (renderings, façade materials, and signage)

### V. Section 524.23 - Required findings for Approval of a Planned Development

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:** Hydric soils should be more carefully avoided in a conservation subdivision.

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

**DCRPC Staff Finding:** The open space falls short of the 50% required, requires a variance; there is no hardship since the land can be developed as zoned or developed as a PD-1 without conservation standards.

- 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:** The site should provide linkages to the surrounding Buczkowski, Kairis and Vilardo tracts. It does not connect to any of them.

- 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.

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

**DCRPC Staff Finding:** Yes

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

**DCRPC Staff Finding:** Yes, but zoning the site now presumes the extension of sewer through the Oaks at Highland Lakes. The zoning is premature from that standpoint since the developer cannot control the timing of that extension.

- 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:** Generally OK, but plans incomplete.

**VI. DCRPC Staff Recommendation**

DCRPC staff recommends that the application for PD-1 zoning on 49.55 acres at 6911 Big Walnut Road by Vincent Romanelli be *denied* because:

- 1.) The density is too great for the amount of open space provided. Does not meet conservation subdivisions standards. Would require a variance. There is no hardship or unique circumstance to validate a variance for density. If the township wishes to revise the PD-1 zone with conservation

- standards to permit lower open space percentages with densities of 1-2 units per acre, they should do so, rather than give variances.
- 2.) Landscaping details are lacking on the development plan.
- 3.) Architectural details are lacking, including façade materials and renderings of homes and signage.
- 4.) The design ignores street interconnections to developable adjacent tracts.

**Commission /Public Comments**

Mr. Joe Looby of RD Zande was present to represent the applicant. He referenced a comment from staff about the access (connection) to the east, they are concerned that it might be a commercial use or something non-residential, which would not benefit this subdivision. He stated that he would provide the traffic study, landscape and architectural details to the Township. With the regulations as they are, the Twp. is getting smaller lots in order to achieve the density that they are allowed and still get the 50% open space. The concept was to come up with a larger lot (80'x130') for a larger home and compromise a little on the open space.

*Mr. Schmidt made a motion to recommend denial of the application for PD-1 zoning on 49.55 acres at 6911 Big Walnut Road by Vincent Romanelli, seconded by Mr. Gladman. VOTE: 22 For denial, 0 Opposed to denial, 1 Abstained (Genoa Twp.). Motion carried.*

**11-01 ZON Vinmar Investments, Ltd. – Genoa Twp. – 87.2 acres from RR to PD-1**

**I. Request**

This request is for a Planned Residential Development zone with Conservation Development standards to construct 118 single-family dwellings on approximately 1/4 acre lots with 37.8 acres of open space.

**II. Conditions**

**Present Zoning:** Rural Residential

**Proposed Zoning:** Planned District 1 with Conservation standards

**Proposed Density:** 1.35 units/acre

**Permitted Density:** 1 unit / 2 acres; or .66 units/ acre with conservation standards

(Genoa Township Comprehensive Plan Area IV)

**Open Space required:** 50% (common open space) of gross acreage with conservation standards

**Open Space provided:** 43% (common open space) 37.8 acres

**School District:** Olentangy

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

**Soils:** (BeA) Bennington Silt Loam, 0 – 2 % slope, (BeB2) Bennignton Silt Loam 2-6 %; (CaB) Cardington Silt Loam, 2 – 6 % slope, (CaB2) Cardington Silt Loam, 2 – 6 % slope, (CaC) Cardington 6-12% slope, (CnA) Condit Silt Loam, 0 – 1 % slope, (PwA) Pewamo Silty Clay Loam, 0 – 1 % slope

### III. Facts

#### 1. Adjacent Existing Land Use:

West: State Route 3

North: 64.7 Baldasarro tract, potential for redivision and future development.

South: 8.94 and 5.56 acre tracts owned by Biehl, potential for future development

East: Tussic Street Road terminus at Old 3C.

#### 2. Sanitary Sewer

There is no sanitary sewer service to this tract. There is no engineering letter from the county sanitary engineer establishing sewer feasibility. The county sanitary engineer has advised DCRPC staff that the developer proposes to construct a lift station and pump approximately 1.5 miles (approximately 3 miles via road right of way) to Big Oak subdivision. Although the receiving pipe at Big Oak could handle this 118 units of housing, the subarea was designed for 2 persons per acre, or approximately one unit per 2 acres, which is what the 1999 Genoa Twp.

Comprehensive Plan recommends. According to the sanitary engineer, zoning for the proposed 1.35 units/acre density would likely cause a sewer service “hole” in the township later in the subarea.

#### 3. Water

Del-Co water is available.

#### 4. Traffic

No traffic study has been prepared. The estimated trips generated would be 1,180 per day for the site. There are two access points planned; one for the east side on Old 3C Highway, one to the north to the Baldasarro tract. Due to the location opposite Tussic Street Road, this intersection needs to be studied for a possible

signal and turning lanes.

#### 5. Drainage

The land is flat with a shallow creek dividing the site into east and west. Most of the watershed goes to this creek. The southwest corner drains to the west. This plan does not account for that drainage. There is a significant amount of hydric soil on the site, which should be avoided in the overall design of a conservation subdivision. The site design places many homes in the hydric soils. The schematic drainage may not be what the site actually will require.

#### 6. Compatibility with existing and future probable uses

The uses proposed are compatible with the surrounding land uses. Densities proposed exceed planned densities.

#### 7. Compliance with the Genoa Township Comprehensive Plan

The current Township Comprehensive Land Use Plan Area IV recommends 1 unit per 2 acres, or up to .66 units per acre with Conservation standards

The Comprehensive plan also states that development in Area IV is to be discouraged until the other sewer service areas are more fully developed.

### IV. Section 524.21 Application Procedure

The Development Plan lacks the following information.

- 1.) Landscaping details are not provided (Plan should show tree lines, existing watercourses as well as landscaping details for lots and open space.)
- 2.) Architectural details are not provided (renderings, façade materials, and signage)

### V. Section 524.23 - Required findings for Approval of a Planned Development

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:** Hydric soils should be more carefully avoided in a conservation subdivision.

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

**DCRPC Staff Finding:** The open space falls short of the 50% required, requires a variance; there is no hardship since the land can be developed as zoned or developed as a PD-1 with out conservation standards at a lower density.

- 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:** The site should provide additional linkages to the surrounding Baldasarro tract, and potentially to the Biehl tracts to the south.

- 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.

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

**DCRPC Staff Finding:** Yes

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

**DCRPC Staff Finding:** No. Sewer is not there, and would be premature at the density requested.

- 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:** No.

**VI. DCRPC Staff Recommendation**

DCRPC staff recommends that the application for PD-1 zoning on 87.2 acres on Old 3C Highway by VinMar be *denied* due to the following seven (7) comments:

- 1.) The density is too great for the amount of open space provided. Does not meet conservation subdivisions standards. Would require a variance. There is no hardship or unique circumstance to validate a variance for density. If the township wishes to revise the PD-1 zone with conservation standards and permit lower open space percentages with densities of 1-2 units per acre, they should do so, rather than give variances.
- 2.) Does not conform to the 1999 Genoa Township Comprehensive Plan for density.
- 3.) No traffic study was submitted. There will be major traffic impacts.
- 4.) Drainage appears to need an outlet for the western portion of the site.
- 5.) Landscaping details are lacking on the development plan.
- 6.) Architectural details are lacking, including façade materials and renderings of homes and signage.
- 7.) The design does not adequately address the need for street interconnections to developable adjacent tracts.

**Commission / Public Comments**

Mr. Joe Looby of RD Zande was present to represent the applicant. He would provide a traffic study to the Township. They have had some conversations with the Delaware County Sanitary engineer and there is sanitary sewer available. However, it's closer to I-71 (several thousand feet away) and the developer would have to gravity the site to the north east corner then force it up the north property line and up Jaycox Road. They do have a letter verifying that there is capacity in the 21" line over by the freeway.

Mr. Laurien has discussed this with the Delaware County Sanitary engineer and there is a letter from the Sanitary Engineer that says that if they can get over to Big Oak subdivision (which is not yet built), there is a 21" trunk line that is basically empty. There is capacity in the pipe if they ask for it and are zoned for it, but the sewer design capacity for this area is for 2 persons per acre or one unit per 2 acres approximately. This is why subarea IV was shown for and recommended to be one unit per 2 acres on the Comprehensive Plan. Mr. Laurien has talked to Jack Smelker and there is no letter stating that it is feasible it just says that there is capacity if you can get there. If they receive 1.35 units per acre here, they will create a sewer service hole in the Township somewhere else in subarea IV, essentially robbing Peter to pay Paul. A similar situation was done elsewhere in Genoa Twp. He doesn't believe it's fair to say there is sewer capacity and say that's the whole story.

***Mr. Schmidt made a motion to recommend denial of the application for PD-1 zoning on 87.2 acres on Old 3C Highway by VinMar. Mr. Gladman seconded the motion.***

**VOTE: Unanimously For, 0 Opposed. Motion carried.**

**12-01 ZON Charlie Vince, Golf Village II – Liberty Twp. – 25.975 acres from FR-1 to PR**

**I. Request**

This application is submitted by Charlie Vince to rezone 25.975 acres to PRD and amend 24 acres of an existing PRD in the Golf Village development on Seldom Seen Road in Liberty Township.

**II. Conditions**

**Present Zoning:** Farm Residential District (FR-1) and Planned Residence

District (PRD)

**Proposed Zoning:** Planned Residence District (PRD)

**Present Use:** single-family residences/agriculture

**Proposed Use:** condominiums and open space in the Golf Village development

**Existing Density:** 1 unit / acre (FR-1); 1.5 units / acre (PRD)

**Proposed Density:** 3.6 units / acre (Golf Village overall: 1.5 units / acre)

**School District:** Olentangy

**Utilities Available:** Del-Co water and County sewer

**Soils:** MrB, MrB2; Morley 2- 6% slope

BIA Blount 0-2% slope

B1B- Blount 2-6%

Pw- Pewamo Silt Clay

**III. Staff comments**

Golf Village II is an addition of 25.97 acres (9.4 and 16.57 acre tracts) to Golf Village and will also amend 24.62 acres from the already PR zoned Sub-area D (49.9 total acres). There will be 180 units of detached condominiums (45 buildings). Sub-area D was originally approved for apartments. The 9.4 acre tract will be retained as permanent open space for passive recreation. The overall density of this section is 3.6 units / acre, but the overall density of Golf Village will not exceed 1.5 units / acre.

**IV. Conformance with Development Plan Standards in Section 10.06**

**A. Lot sizes**

There will be no lots within this Sub-area except for the 9.4-acre open space lot.

**B. Landscaping Plan**

The concept plan shows significant street trees and buffer trees. Cross sections of landscape details were not provided. The township should approve such details prior to development plan approval.

**C. Architectural Design Criteria for structures and signs**

*No renderings were submitted.* The text does offer design criteria. The township should approve such design criteria as part of the development plan approval.

**D. Sanitary Sewer**

The Delaware County sanitary sewer is available to this development, at the overall density proposed of 1.5 units/acre.

**E. Water**

Del-Co water is able to serve this site subject to the developer extending a 16” main from Seldom Seen Road to Home Road along the Sawmill Parkway, and potentially provide a location for an elevated storage tank.

**F. Electric and Gas**

Service has been pledged by AEP and Columbia Gas, respectively

**G. Drainage**

The text indicates that storm water will be detained onsite but a plan has not been submitted.

**H. Traffic and future probable development**

Access to the project will be off Sawmill Parkway (right –in/right-out) and Seldom Seen Road (full turn movement).

**I. Compatibility with existing and future probable uses**

The PRD use is compatible with surrounding land uses. All existing structures need to be shown on the plan the their future purpose noted.

**J. Time table for development-**

Engineering for the development will commence once zoning is approved. The project will be completed in 3 phases.

**K. Divergences from the Development Standards-**

1. Parking requirement of 2 spaces per unit instead of three for multi family units; *this is reasonable*, since these are designed to be primarily 2 bedroom empty nester market condominiums.
2. Structural separation be reduced for multi-family from 15’ to 10’. *Staff can see no reason to grant this request.*

**V. Section 11.06 - Required findings for Approval of a Planned Residential Development**

The Zoning Commission and Trustees may approve a Planned 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 intent, and general standards of this zoning resolution.  
**DCRPC Staff Finding:** Yes, generally. If the preliminary plan were amended in accordance with staff comments in Section IV the plan would be consistent with the development standards.
- (2.) That the proposed development is in conformity with the comprehensive plan or portion thereof as it may apply.  
**DCRPC Staff Finding:** Yes, the overall density of Golf Village will not exceed 1.5 du/acre.
- (3.) That the proposed development advances the general welfare of the township and the immediate vicinity.  
**DCRPC Staff Finding: Yes,** if the preliminary plan is amended to reflect PRD requirements and staff comments on design intent in Section IV it will advance the general welfare of the community.

**Staff Recommendation**

The staff recommends to the Regional Planning Commission, the Liberty Township Zoning Commission, and the Liberty Township Trustees that the application by Charlie Vince, for rezoning 25.975 acres on Seldom Seen Road from FR-1 to PRD be conditionally approved, subject to staff comments.

**Commission / Public Comments**

Mr. Charlie Vince was present to answer any questions from the Commission. Mr. Spanner asked what was going to be done with the land in between the two parcels for rezoning. Mr. Vince responded that he does not own that parcel and did not know the owner's plans.

Mr. Vince stated that in the RPC staff comments in regards to traffic and future probable development, staff states that access to the project would be off Sawmill Parkway right-in/right-out. When he went through Zoning and submitted the traffic study he never envisioned that as being a right-in/right-out. In the overall plan for Golf

Village there are only 7 cuts in 10,000' of road. Mr. Laurien stated that the RPC would yield to what was agreed between the County Engineers and the developer.

**Mr. Gladman made a motion to recommend conditional approval of the application by Charlie Vince, for rezoning 25.975 acres on Seldom Seen Road from FR-1 to PRD, subject to staff comments. Mr. Miller seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.**

**IV. SUBDIVISION PROJECTS**

**Preliminary**

**04-01 Summerwood, Section 2 – Berlin Twp. – 12 lots, 16.46 acres**

**Applicant:** Charlie Vince  
**Subdivision Type:** Single Family Residential  
**Location:** East of Africa Road on the north side of Summerwood Crossing  
**Current Land Use:** Vacant / wooded  
**Zoned:** FR-1  
**Utilities:** Del-Co water and Public sewer  
**School District:** Olentangy

**Engineer:** ME Companies

**Staff Comments**

The site is surrounded by large agriculture tracts to the north with the existing Summerwood, Section 1 to the south. The zoning of the site and surrounding area is Farm Residential with a one acre minimum lot size (the 12 lots are all over 1 acre). The design includes a street called Summerview Place extending northeast from Summerwood Crossing stubbing to the open tracts to the north to allow for future connectivity. Summerwood Place is to be 20' wide with a 60' right-of-way. No cross section is shown for this street on the plan. The typical section shown is for a 50' R/W and an 18' wide street, which is not applicable to Summerview Place. There are 2 CADs and a cul-de-sac planned to access from Summerview Place. There is a ravine along the southern boundary with a preservation area, walking path and drainage easement. There is also an existing pond that will remain on the back of lots 70 and 71. Each of the lots will be served by public sewer and Del-Co water.

*A technical review was held on February 13<sup>th</sup>, 2001, after which the applicant has addressed all of the required changes, except for the following:*

- The typical cross section is incorrect for Summerview Place. Should show a 20' wide road with 60' R/W.

**Staff Recommendation**

Staff recommends *conditional Preliminary approval* of Summerwood, Section 2 to the RPC, subject to staff comments.

**Commission / Public Comments**

Mr. Charlie Vince was present to answer any questions from the Commission. He stated that he would have the road width on the plan corrected.

*Mr. Spanner made a motion for conditional Preliminary approval of Summerwood, Section 2, subject to staff comments. Mr. Moran seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

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**07-01                    The Pines – Delaware Twp. – 5 lots (CAD), 12.444 acres**

**Applicant:** Russel Shicks  
**Subdivision Type:** Single Family Residential (CAD)  
**Location:** East side of Berlin Station Rd., north of Braumiller Rd.  
**Current Land Use:** Agricultural

**Zoned:** FR-1  
**Utilities:** Del-Co water and Private Septic  
**School District:** Delaware City  
**Engineer:** Scioto Land Surveying

**Staff Comments**

The site is surrounded by agriculture and large residential lots along Berlin Station Road. The zoning of the site and surrounding area is Farm Residential with a one acre minimum lot size. The CAD will access four 1.5-acre lots and one 6.4-acre lot with lots 1 and 5 being prohibited access from Berlin Station Rd. There is a stream crossing the site running north-south through lot 3 as well as an abandoned railroad right of way. At the eastern boundary of the site is an active railroad line. Each of the lots will be served by private septic and Del-Co water. Many of the septic systems for the lots will require pretreatment because of the blount soils on the site.

*A technical review was held on February 13<sup>th</sup>, 2001, after which the applicant has addressed all of the required changes.*

**Staff Recommendation**

Staff recommends *Preliminary approval* of The Pines Subdivision to the RPC.

**Commission / Public Comments**

Mr. Frank Celio of Scioto Land Surveying service was present to represent the applicant.

*Mr. Simpkins made a motion for Preliminary approval of The Pines subdivision. Mr. Poland seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

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**03-01                    Big Oak – Genoa Twp. - 130 lots, 145.20 acres**

**Applicant:** Bob Webb Builders, Inc.  
**Consultant:** EMH & T

**Staff Comments**

Mr. Shawn Lanning with EMH & T has requested to table the Big Oak Subdivision for 90-days due to unresolved issues to the layout of the plan.

**Staff Recommendation**

Staff recommends approval of the 90-day table request for the Big Oak Subdivision to the RPC.

Commission / Public Comments

*Mr. Gladman made a motion to approve the 90-day table request for the Big Oak subdivision. Mr. Hopper seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

06-01 Willow Bend - Genoa Twp. - 123 lots / 87.60 acres

**Applicant:** Big Walnut Associates  
**Consultant:** EMH & T

Staff Comments

Mr. Shawn Lanning with EMH & T has requested to table the Willow Bend Subdivision for 90-days due to unresolved issues to the layout of the plan.

Staff Recommendation

Staff recommends approval of the 90-day table request for the Willow Bend Subdivision to the RPC.

Commission / Public Comments

*Mr. Gladman made a motion to approve the 90-day table request for the Willow Bend subdivision. Mr. Hopper seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

05-01 Willow Springs North, Section 2 – Orange Twp. - 61 lots / 40.90 acres

**Applicant:** M/I Schottenstein Homes  
**Consultant:** EMH & T

Staff Comments

Mr. Shawn Lanning with EMH & T has requested to table the Willow Springs North, Section 2 Subdivision for 90-days due to unresolved issues to the layout of the plan.

Staff Recommendation

Staff recommends approval of the 90-day table request for the Willow Springs North, Section 2 Subdivision to the RPC.

Commission / Public Comments

*Mr. Gladman made a motion to approve the 90-day table request for the Willow Springs, North, Section 2 subdivision. Mr. Hopper seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

Preliminary/Final (none)

CONSENT AGENDA

Mr. Deel explained that the RPC staff would like the Twin Hickory Farms subdivision to be removed from the consent agenda. Chairwoman Foust asked if Commission would like any other subdivision's they would like removed for discussion. Hearing none, requested a motion for the remaining Final applications.

*Mr. Gladman made a motion for Final approval of the Big Daddy Subdivision, JASA subdivision, Highland Lakes North, Section 7 and Highland Hills at the Lakes, Section 2. Mr. Poland seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

Final

25-00 Big Daddy Farms – Berkshire Twp. – 2 lots (CAD), 14.577 acres

**Applicant:** Duke R. Renzenbrink  
**Subdivision Type:** Single-family Residential  
**Location:** North side of Cheshire Road, east of I-71  
**Current Land Use:** Vacant/Open space



**Zoned:** Agriculture (A-1)  
**Utilities:** Well and on-site septic  
**School District:** Olentangy  
**Engineer:** Hoy Surveying Services, Inc.

**School District:** Olentangy  
**Engineer:** Civil & Environmental Consultants, Inc.

**Staff Comments**

This is an application for 2 lots on 14.577 acres, which are to be accessed from a CAD extending north from Cheshire Road. The 7-acre lots will have on-site septic systems and wells. The site is now vacant with two large ponds on the east and west sides as well as woods to the north where the two homes will be located. Drainage from the site and the leach fields will be detained in the ponds. The subdivision is surrounded by agriculture to the north with large lot single family residences along Cheshire Road to the south and open space to the east. I-71 is located to the west and is buffered by the pond and a berm. The site and the surrounding area is zoned A-1 with a minimum lot size of 5 acres. This application received conditional preliminary approval in July of 2000 and has since made all necessary changes.

**Staff Comments**

The applicant is developing a single entrance road and cul-de-sac to serve 17 new lots. Excluding a large 30.57 acre lot, the lots will average 1.82 acres. There will be a CAD near the subdivision entrance serving four lots (including an existing residence). The rest of the lots will access directly off of the new road. A 10" Ashland liquid petroleum pipeline runs through the site from northwest to southeast affecting several lots. The new road will pass over this line, as will some driveways. No homes are permitted within 50 feet of the gas line. This subdivision received final plat approval in October 1999, but expired in January 2001.

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

The surrounding land use includes agriculture and a few scattered single-family homes on large tracts along N. 3 B's & K Road. USA lands of Alum Creek are to the west.

**Staff Recommendation**

Staff recommends *Final approval* of the Big Daddy Farms Subdivision to the RPC.

The applicant has requested that the subdivision street be approved as a private, rather than a public street as approved in 1999. He has requested a variance to allow the CAD to access directly onto the private street (Section 306.02 of the Subdivision Regulations). If the variance were denied, then the applicant would ask that the RPC re-approve the original application including the public street, and amending the gas line easement to its actual 50' where 100' was originally shown.

**Commission / Public Comments**

**Mr. Gladman made a motion for Final approval of the Big Daddy Subdivision. Mr. Poland seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.**

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

The following items were not addressed on either plat:

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**25-99 Twin Hickory Farms – Berlin Twp. - 17 lots, 62.68 acres**

**Applicant:** Rodd and Linda Lawrence  
**Subdivision Type:** Single-family residential  
**Location:** 609 N. 3B's & K Road, Berlin Twp.  
**Current Land Use:** Agriculture/semi-wooded, existing residence  
**Zoned:** Farm Residence District, (FR-1)  
**Utilities:** Del-Co water and septic systems

Plat with private street:

- Show 10" gas line on plat
- Darken the lines delineating the 50' gas line easement
- Provide RPC staff with a copy of recorded gas easement to verify its width and required structure setbacks, otherwise the easement shall be 100' with 50' structure setback as previously approved
- Need a copy of CAD maintenance agreement
- Revise lot acreages in table

Plat with public street:

- The gas easement has been changed from 100' to 50' but the boundary lines need to be redrawn

- Provide RPC staff with a copy of recorded gas easement to verify its width and required structure setbacks, otherwise the easement shall be 100’ with 50’ structure setback as previously approved
- Need copy of CAD maintenance agreement

**Staff Recommendation**

Staff recommends *approval* of **Twin Hickory Farms Subdivision**, to the RPC, subject to their action on the variance #25-99.V and correction of the minor drafting errors on the plat.

**Commission / Public Comments**

Mr. Deel stated that since the variance for the CAD accessing from a private road was denied, the applicant has decided to go back to his original plan and keep it a public street. The subdivision was approved in October 1999 and has since expired. The applicant is requesting the RPC to re-approve what was originally approved with one exception. The gas line easement as approved was shown as 100’ wide on the original plat. The applicant has provided documentation that that easement is actually 50’ wide with 35’ setbacks from the pipeline. So the RPC staff recommends approval, subject to making some minor drafting corrections on the plat.

Chairwoman Foust stated that the RPC does not give conditional final approval. Mr. Laurien agreed but when it is a drafting issue and the RPC office possesses the mylar, we can allow them to come to our office and make the correction.

***Mr. Poland made a motion for Final approval of Twin Hickory Farms subdivision, with the gas line easement correction on the plat. Mr. Moran seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.***

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**18-99.V JASA (F.K.A.: Carla Subdivision)– Delaware Twp. - 3 lots, 6.94 acres**

**Applicant:** MHD Company, Inc.  
**Subdivision Type:** Single-family Residential, (CAD)  
**Location:** 1826 Berlin Station Road (west side), about 800 feet north of Braumiller Rd.

**Current Land Use:** Agriculture  
**Zoned:** Farm Residence District, (FR-1)  
**Utilities:** Del-Co water and septic systems  
**School District:** Delaware City  
**Engineer:** Garry Shores

**Staff Comments**

The applicant is proposing a 3-lot CAD on 6.94 acres. Surrounding land use includes few single-family houses along Berlin Station Road and large tract agriculture. This project received final approval in September of 1999 and has since expired (January 2001). The subdivision was never recorded due to the CAD not being constructed. For the subdivision to be recorded, the final plat had to be resubmitted.

**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 approval* of the JASA Subdivision, to the RPC.

**Commission / Public Comments**

***Mr. Gladman made a motion for Final approval of the JASA subdivision. Mr. Poland seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.***

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**15-00 Highland Lakes North, Section 7 – Genoa Twp. – 14 lots, 9.7 acres**

**Applicant:** Planned Communities  
**Subdivision Type:** Single Family Residential

**Location:** South of Big Walnut Road between Worthington Road and I-71

**Current Land Use:** Undeveloped open space and ravines

**Zoned:** Suburban Residential (SR) & Planned Residential (PD-1)

**Utilities:** Del-Co Water, Public Sanitary Sewer

**School District:** Olentangy

**Engineer:** EMH&T

**Staff Comments**

Highland Lakes North, Section 7 contains 14 building lots and 5 reserve lots on 9.7 acres (1.44 units/acre density). This development will connect Highland Lakes North to the Highland Hills at the Lakes development to the north through the extension of Somerset Avenue and Highland Hills Drive. Somerset Avenue will stub to the Leveque property to the west for future development. The site is rolling with ravines crossing the site from east to west in two locations. The ravines will be preserved within 4 of the 5 large reserve lots. Storm water will drain into the ravines and to the west.

Most of this site was rezoned from RR (Rural Residential) to SR (Suburban Residential) in February of 2000 (RPC # 64-99 ZON). A small portion to the east that connects the development to Highland Lakes Section 6 Part 1 was rezoned to PD-1 from RR in August of 1996 (RPC #40-96ZON). The surrounding land uses are residential to the north, east, and south and undeveloped open space to the west. The preliminary plan was approved in May of 2000.

**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 North Section 7 to the RPC.

**Commission / Public Comments**

**Mr. Gladman made a motion for Final approval of Highland Lakes North, Section. Mr. Poland seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.**

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**05-00.2 Highland Hills at the Lakes, Sections 2 – Gen./Ora. Twp.'s – 50**

lots,

**22.058 acres**

**Applicant:** Planned Communities

**Subdivision Type:** Single Family Residential

**Location:** South side of Big Walnut, east of US 71

**Current Land Use:** Open field and woods with several ravines

**Zoned:** SFPRD (ORA) & PD-1 (GEN)

**Utilities:** Del-Co Water, Public Sanitary Sewer

**School District:** Olentangy

**Engineer:** EMH&T

**Staff Comments**

Highland Hills at the Lakes Sections 2 consists of 50 lots (49 build lots) on 22.058 acres. The development plan was approved in 1992 (62-92 ZON) and the preliminary plan was approved for Sections 2 and 3 in February of 2000 (05-00.2/3). The site is half in Orange Township and half in Genoa Township and has a combined density of 2.2 du/acre. The surrounding land use includes Highland Lakes residential subdivision to the southeast, open space to the west (potential I-71 interchange location) and the existing Section 1 to the north. The majority of the site is wooded. A deep ravine that is tributary to Alum Creek runs along the western boundary of the site. Two other ravines run east west.

Section 2 will gain access from the existing Section 1 located to the north. Highland Hills Dr. and Royal County Down stub to the south with other streets stubbing to the west into future Section 3 as well. St. Medan Dr. is proposed to cross the large ravine on the west side to access future development to the west.

**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 Hills at the Lakes Sections 2 to the RPC.

**Commission / Public Comments**

**Mr. Gladman made a motion for Final approval of Highland Hills at the Lakes, Section 2. Mr. Poland seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.**

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**V. EXTENSIONS**

**20-99 Wedgewood, Section 10 – Liberty Twp. - 24 lots / 25.40 acres**

Applicant: Startford Development Company  
Consultant: EMH & T

**Staff Comments**

This subdivision was granted preliminary approval for 24 lots on 25.40 acres in August 1999. Then in August 2000, a 6-month extension was granted due to additional complications with the off-site sanitary sewer. The applicants are requesting a second 6-month extension due to delays in construction during the fall of 2000. The project is currently under construction and the applicant's state that they anticipate no further complications.

**Staff Recommendation**

Staff recommends *approval* of the 6-month extension for Wedgewood, Section 10

**Commission / Public Comments**

*Mr. Gladman made a motion for a 6-month extension of Wedgewood, Section 10. Mr. Miller seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

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**VI. OTHER BUSINESS**

- Consideration for Expenditure: ESRI \$5058.00 (maintenance fees for GIS software)  
*Mr. Miller made a motion to approve the \$5058.00 expenditure for software maintenance fees, seconded by Mr. Gladman. VOTE: Unanimously For, 0 Opposed. Motion carried.*

- Nominating Committee for Executive Committee members for 2001  
Chairwoman Foust stated that if anyone is interesting in being on the Executive Committee for the year 2001, there are 2 available openings. Mr. Starling has decided that his schedule does not permit him to continue on the Executive Committee. Also, Miss Firis will be resigning her position at the Delaware County Health Department to take a position in Wayne County where she will be able to care for her parents. If anyone is interested, please see Mr. Gladman or Chairwoman Foust. The elections will be conducted at the March RPC meeting.

Chairwoman Foust and Mr. Laurien wanted to thank Miss Firis for her hard work

and continued support of the Executive Committee, the Regional Planning Commission and the Health Dept. Her efforts will be greatly missed.

**VII. POLICY / EDUCATION DISCUSSION**

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

Meeting adjourned at 9:00 p.m.

*The next meeting of the Delaware County Regional Planning Commission will be Thursday, March 29, 2001, 7:00PM at the Delaware Joint Vocational School North Campus, 1610 St. Rte. 521, Delaware, Ohio 43015.*