

MINUTES
Thursday, February 24, 2000 at 7:00 PM
Delaware Joint Vocational School Auditorium
1610 St. Rt. 521, Delaware, Ohio 43015

I. ADMINISTRATIVE BUSINESS

- Call to order
- Roll Call
- Approval of January 27, 2000 RPC Minutes
- Executive Committee Minutes of February 16, 2000
- Statement of Policy

II. VARIANCES

05-00.2/3.V **W/D** Highland Hills at the Lakes, Sec. 2 & 3 – Genoa & Ora. Twp.’s – requesting 5 lot CAD

III. ZONING MAP/TEXT AMENDMENTS

09-00 ZON James Pancake – Delaware Twp. – 0.98 acres from FR-1 to PCD
10-00 ZON Planned Communities, Inc. – Orange Twp. – 202.64 acres from FR-1 to SFPRD
11-00 ZON Planned Communities, Inc. – Orange Twp. – 82.52 acres from FR-1 to MFPRD
12-00 ZON Planned Communities, Inc. – Orange Twp. – 60.03 acres from FR-1 to PCD
13-00 ZON Brown Twp. Zoning Commission – text amendments (PRD requirements)
14-00 ZON Randall & Jacalyn Hartman – Harlem Twp. – 5.907 acres from AR-1 to FR-1
15-00 ZON American Aggregates – Scioto Twp. – 1.5 acres from Industrial to FR-1
16-00 ZON Planned Communities, Inc. – Liberty Twp. – 28 acres from FR-1 to PRD
17-00a ZON Triangle Properties – Liberty Twp. – 737.19 acres from FR-1 to PRD
17-00b ZON Triangle Properties – Liberty Twp. – 94.14 acres from I to PRD
18-00a ZON Triangle Properties – Liberty Twp. – 64.60 acres from FR-1 to PCD
18-00b ZON Triangle Properties – Liberty Twp. – 11.77 acres from I to PCD

IV. SUBDIVISION PROJECTS

Preliminary

		Township	Lots/Acres
26-94.2	T Cheshire Cove, Section 2	Berlin	36 lots / 23.96 acres
29-98.1.3/4	Scioto Reserve, Sec. 1, Phases 3 and 4	Concord	43 lots / 18.05 acres
05-00.2/3	Highland Hills at the Lakes, Sec. 2 & 3	Gen./Ora.	107 lots / 49.30 acres

Preliminary/Final (none)

Final

26-94.1	Cheshire Cove, Phase 1	Berlin	32 lots / 20.25 acres
02-97.6	Sherbrook, Phase 6	Genoa	60 lots / 20.93 acres
49-99	Shoaf Subdivision	Radnor	03 lots / 23.99 acres

T=TABLED

V. EXTENSIONS (none)

VI. OTHER BUSINESS

- Consideration for expenditure: \$4,150.56 Software Maintenance Fees (ArcInf, TIN, MO, ArcPress)
- Consideration for expenditure: \$1375.20 Professional Services, Legal (Don Brosius)
- Organize nominating Committee for Executive Committee (Voting at March RPC meeting)
- Proposal to amend By-Laws: add Article III, Section 6
- Executive Session for purpose of discussing purchase of office space

VII. POLICY / EDUCATION DISCUSSION

I. ADMINISTRATIVE BUSINESS

■ Call to Order

Chairman Mazzon called the meeting to order at 7:05 p.m.

■ Roll Call

Representatives present: John Schmidt, Bill Adams, Fred Fowler, Jim Ward, Debbie Martin, Don Wuertz, Loretta Firis, Dale Simpkins, Tom Hopper, Mark Mazzon, Holly Foust, Charles Heimlich, Dick Gladman, Yvonne Ball, Bill Thurston, Marvin Miller, David Betz, Hansel Waugh, Dora Orwig, Gene Jenny and Kevin Moran. Alternates present: Chad Antle and Andrew Brenner. Arrived after roll call: Gary Spanner (R) and Clyde Seidle (A).

■ Approval of the January 27, 2000 RPC Minutes

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

***The minutes of the January 27, 2000 RPC meeting have been amended to add John Schmidt, Berlin Twp. Representative as being in attendance.*

■ February 16, 2000 Executive Committee Minutes

Mr. Gladman made a motion to dispense with the reading of the Executive Committee minutes. Mr. Betz seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

1. Call to order

Chairman Mazzon called the meeting to order at 8:30 a.m. Present: Mark Mazzon, Holly Foust, Dick Gladman and Larry Starling. Mr. Ward arrived after attendance was taken. Staff present: Phil Laurien and Stephanie Johnson.

2. Approval of Executive Committee Minutes

- a. *January 19, 2000 – Mrs. Foust made a motion to approve the minutes of the last meeting. Mr. Gladman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

3. Old Business

- a. **Web Server** – Mr. Laurien stated that he, along with Jiyeong Lee and Jeremy Fryman (Del. Co. Engineers part-time employee), met with Shoreh Elhami of the DALIS Project and Steve Lewis of the Data Center to discuss use of the County's web server. The RPC can use the server to display text only at this point. The RPC would need to purchase a map server in order to display the GIS data (which can be done at a later date). The RPC staff will also have an email account. The new T-1 Fiber-optic line has been installed but is currently not ready for use. Clint Matlack, Information Systems Manager for the Del. Co. Engineer's Office is in the process of getting the system up and running.
- b. **Office Space** – There has not been any new information to report on the expansion of the Channing Street building. The Executive Committee agreed for Mr. Laurien to explore all options for a permanent space for the RPC offices.

4. New Business

- a. **Financial / Activity Reports for January 2000** – The Financial report was presented for January

Ending balance

\$565,769.29

<u>Receipts</u>	<u>January</u>	<u>YTD</u>
General Fees (NPA)	\$ 3,135.00	\$ 3,135.00
Inspec. Fees (Transfer)	\$ 60.00	\$ 60.00
Fees A (Site Review)	\$ 300.00	\$ 300.00

Membership Fees	\$99,402.00	\$ 99,402.00
Planning Surcharge (Twp. Assist.)	\$ 5,261.01	\$ 5,261.01
Charges for Services A (Prel. Appl.)	\$ 8,745.45	\$ 8,745.45
Charges for Services B (Final Appl.)	\$16,495.45	\$ 16,495.45
Charges for Services C (Ext. Fees)	\$	\$ 0
Charges for Services D (Table Fees)	\$ 200.00	\$ 200.00
Charges for Services E (Appeal/Var)	\$ 600.00	\$ 600.00
General Sales	\$ 645.00	\$ 645.00
Health Dept. Fees	\$ 540.00	\$ 540.00
Soil & Water Fees	\$ 350.00	\$ 350.00
Other Reimbursements	\$	\$ 0
Other Reimbursements A	\$	\$ 0
Inter-fund Revenues	\$	\$ 0
TOTAL	\$135,733.91	\$135,733.91

Balance after receipts **\$630,675.06**

Expenditures **\$40,620.53**

End of January balance **\$590,054.53**

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

b. February RPC Preliminary Agenda – There are 7 zonings, 3 preliminary and 3 final applications. Mrs. Foust stated that she brought in another zoning this morning and is expecting another one tomorrow.

c. New Contracts

- 1.) **Harlem Twp.**
- 2.) **Brown Twp.**
- 3.) **Troy Twp.**

Mr. Laurien presented the Committee with draft contracts for Harlem, Brown and Troy Twp.'s All three contracts have been reviewed by Attorney Don Brosius. These contracts reflect the comment from Mr. Mazzon regarding copies of the finished Plan. Each Township will receive 12 black & white final copies and 2 color final copies of the Plan instead of 14 color final copies. This was changed to reduce printing costs.

4.) Village of Shawnee Hills – Mr. Laurien stated that he would be drafting a Per Hour Contract for continued assistance after they have used their 24 hours of free assistance. They have also asked that the RPC review their subdivisions and zonings.

d. 2000 Membership Dues – \$110,931.00 collected to date (2/16/00)

5. Other Business

a. Consideration for expenditure: \$4,150.56 Software Maintenance Fees (ArcInfo, TIN, MO, ArcPress) – *Mr. Gladman made a motion to recommend approval of the \$4,150.56 expenditure, seconded by Mrs. Foust. VOTE: Unanimously For, 0 Opposed. Motion carried.*

b. By-Laws: to be discussed in March – Mr. Laurien stated that he would meet with Atty. Don Brosius

prior to the March 22nd, Exec. Comm. meeting to work on a proposed draft amendment to the By-Laws.

- c. **Nominating Committee for the 2000 Executive Committee** – Mrs. Foust, Mr. Gladman and Mr. Starling will serve on the Nominating Committee (NC). If anyone would like to serve on the Executive Committee, please see one of the NC members. Elections will be conducted at the March 25, 2000 RPC meeting.

6. Personnel – (none)

7. Adjourn

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

Meeting adjourned at 10:30 a.m.

The next Executive Committee meeting will be Wednesday, March 22, 2000 at 8:30 a.m. in the 2nd Floor conference room at 50 Channing Street, Delaware, Ohio, 43015

■ Statement of Policy

As is the adopted policy of the Regional Planning Commission, all applicants will be granted 10 minutes to make their formal presentation. The audience will then be granted up to 10 minutes to speak, at which time the chair will allow questions from the members of the Commission. This policy was adopted by the Regional Planning Commission to provide for the orderly discussion of business scheduled for consideration.

II. VARIANCES

05-00.2/3.V Highland Hills at the Lakes – Orange & Genoa Twp.’s – requesting 5 lot CAD.

Applicant: Planned Communities

Location: South side of Big Walnut Road, west of Worthington Road.

Variance of: Sub. Regs. Section 306 - Common Access Drive (CAD). “...to access not more than three lots.”

**** The applicant withdrew this application, therefor it was not heard at the RPC meeting.****

III. ZONING MAP/TEXT AMENDMENTS

09-00 ZON James Pancake – Delaware Twp. – 0.98 acres from FR-1 to PCD

This *rezoning* application is submitted by James Pancake for a Planned Commercial and Office District (PCD) to expand the Carriage Towne car dealership at 2723 Stratford Road, Delaware Township.

I. Conditions

Present Zoning: Farm Residential District (FR-1)

Proposed Zoning: Planned Commercial and Office District (PCD)

Present Use: Residential

Proposed Use: Service/sales lot and office building for Carriage Towne car dealership

Existing Density: 1 unit/acre

Proposed Density: N/A

School District: Delaware

Utilities Available: Delaware City water and sewer

Soils: Milton silt loam (MoB)

Westland silty clay loam (Wu)

II. Map Amendment

This application was originally submitted by Lucy Orlowski and reviewed by the RPC in May 1999 (RPC # 34-99 ZON). James Pancake recently purchased the property and has submitted a revised development plan. Because the applicant and development plan has changed, the Township is requesting the RPC to once again comment on the rezoning.

The applicant wishes to change the zoning map from Farm Residential District (FR-1) to Planned Commercial and Office District (PCD) to allow Carriage Towne car dealership to expand its sales and service operation. Carriage Towne currently has 4.72 acres on the corner of U. S. 23 and Stratford Road, but desires additional land in order to construct a 4,000-sq. ft. building and create 56 additional spaces for parking (including 46 show parking spaces). The building will be used as office space for employees, and service bays for cars and light truck repair and cleaning, including a car wash system.

This property is located on the east side of Stratford Road approximately 500 feet north of U.S. 23. The Olentangy River is along the east side of the property with a portion of the site in the 100-year floodplain. There are commercial uses at the intersection to the south including Carriage Towne car dealership (zoned PCD) and Garth's Auctions Inc (zoned C-2). The remaining area is single-family residential and zoned Farm Residential (FR-1).

Carriage Towne currently utilizes City of Delaware water and sewer, and the City can provide the additional service to the new building. The applicant states that the existing storm sewer is adequate for the additional run-off. There are no additional access points proposed onto Stratford Road. The total lot coverage (pavement and building) will exceed 50 percent. The applicant does not anticipate additional traffic to be generated, but a study has not been submitted with the application.

III. Requirements for approval per the Delaware Township Zoning Resolution

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

A set of standards must be addressed by the development plan. If the plan is acceptable in accordance with these standards and the Township approves of the map amendment, then the applicant has three years to commence construction in accordance with the development plan.

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

Criteria for Approval

“In approving an application for a Planned Commercial and Office District the reviewing authorities shall determine:”

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

Comments on meeting criteria for approval:

I.) Compliance with local zoning

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

- a.) There should be a greater side yard setback to the edge of pavement on the north property line and some buffering for Commercial zoning adjacent to residentially zoned property. Also, not more than 40% of the front setback area can be used for parking. The development plan shows approximately 51%.
- b.) A landscaping plan, including type, elevation has not been submitted. This proposal should be screened and buffered from the adjacent residence to the north. A sample cross section of a mounded planting system was submitted which generally shows the appropriate buffer. This needs to be incorporated into the development plan.
- c.) Renderings and design criteria for structures and signs were not submitted. The proposed building should preserve the integrity and character of the Stratford Historic District. A commercial venture in such a district should be sensitive to the heritage of the area. Careful consideration should be given to the architectural style and material/color of the building.
- d.) The Olentangy River through Delaware Township has been designated as a State Scenic River. Section 21.10 requires that a natural buffer of at least a 120-ft. from low water be

maintained. The proposed building encroaches on the 120' setback and would require a variance. The development plan does not clearly show the location of the river. There may be some question as to the accuracy of the floodplain boundary as shown on the plan. The rear property line actually should go to the centerline of the Olentangy River.

- e.) Provisions for stormwater retention/detention will need approval from the County Engineer. The Engineers Office may grant a variance because this parcel is adjacent to the Olentangy River. However, a letter/permit from the OEPA approving any runoff/discharge into the Olentangy River is required.
- f.) The township may require a traffic study, but DCRPC staff does not see a need for one.

II.) Compliance with the Comprehensive Plan

- a.) The Delaware County 1993 Regional Land Use Plan for this area shows the land to contain areas that are unsuitable for development, historic farmstead zone, and an existing residential use. A policy of the central planning area is to preserve existing historic structures, landmarks, and districts. Furthermore, the plan discourages development of undrained wetlands, steep slopes, ravines, floodplains, soils not buildable, and water bodies (streams, rivers and 100' setback). The plan also discourages piecemeal development of unrelated, isolated single-use developments and stand-alone structures.
- b.) Delaware Township does not have a site-specific land use plan.

III.) Advancing the general welfare of the Township

Unincorporated Stratford Village is registered as an historic district. This corridor has been faced with some very sensitive zoning issues in the recent past. The residents in this area want to preserve the low-density residential character as much as possible. A planned commercial use for this site is reasonable, since there is no historic structure involved and it abuts and faces commercial uses and zoning. The map amendment would not negatively impact the surrounding area if the building architecture were sensitive to the historical character of Stratford and the State scenic river. Staff finds that the concept of the PCD district as an extension of the Carriage Towne Car Dealership could enhance the general welfare of the township and the immediate vicinity, but the plan submitted is inadequate to determine this.

Findings

The request for Planned Commercial and Office District is a reasonable zoning request but the development plan is incomplete and it cannot be determined if the plan proposed is sensitive to Historic Stratford or the Olentangy River, a State scenic river. Furthermore, it does not provide adequate screening and buffering from the adjacent residence.

Staff Recommendation

The *staff recommends* to the Regional Planning Commission, the Delaware Township Zoning Commission, and

the Delaware Township Trustees that the application by James Pancake, for rezoning 0.98 acres on Stratford Road from FR-1 to PCD be *denied, unless the issues identified in I. (a) – (f) are corrected at the Township zoning hearings, in which case DCRPC staff would recommend conditional approval.*

Mr. Laurien stated that the staff is in favor of the zoning, but this is a planned district, the development plan does not meet the Township standards.

Commission / Public Comments

Mr. Bob Gable of the Ohio Dept. of Natural Resources, Scenic River Coordinator stated that he submitted recommendations regarding this proposal in May of 1999 to the RPC and to the Delaware Twp. Zoning Commission. Concerns are as follows: a storm water pollution prevention plan should be developed for the site, sediment erosion controls implemented during any construction if the rezoning is approved, permanent storm water retention/detention or treatment on the site to treat the run off from the parking lot. Recommend against any structures or filling or any modification of natural contours within the 100-year floodplain. The development of a minimum 120' enforced buffer zone.

Mr. Simpkins stated that the 120' buffer zone is a suggestion but is unenforceable. Mr. Deel stated that it is in the zoning code.

Jeanie Ball a resident of Stratford Rd. and a member of the Historical Review Committee in Delaware Township stated there are two overlays on this area. The Environmental overlay states that there must be a 120' buffer, replace 2 trees for every 1 destroyed, etc. In the Historic overlay, the Review Commission reviews the building and the landscaping.

Mr. Miller made a motion to recommend conditional approval, subject to staff comments in Section I (a) – (f) and satisfying the concerns of the Ohio Dept. of Natural Resources, of the James Pancake application. Mr. Brenner seconded the motion. HAND VOTE: 12 For, 9 Opposed, 1 Abstained (Del. Twp.). Motion carried.

10-00 ZON Planned Communities – Orange Twp. - 202.64 acres from FR-1 to SFPRD
11-00 ZON Planned Communities – Orange Twp. - 82.52 acres from FR-1 to MFPRD
12-00 ZON Planned Communities – Orange Twp. - 60.03 acres from FR-1 to Planned Commercial

Location: West side of Columbus Pike (US Route 23), north of Orange Road in Orange Township, by Planned Communities, optionee.

I. Conditions

Present Zoning: Farm Residence

Proposed Zoning: SFPRD (202.64 acres); MFPRD (82.52 acres); Planned Commercial (60.03 acres).

Present Use: Vacant lots; agriculture, several old single-family homes

Proposed Uses:

- 382 single family homes
- 280 multi family units

- 60 acres of Planned Commercial
- 103.9 acres of open space in the ravines or under and between the two sets of high tension power lines that traverse the site.

Existing Density: 1 unit/acre in FR-1

Proposed Density: 2.3 units per acre overall in the residential SFPRD and MFPRD (includes 103.9 acres of open space)

School District: Olentangy

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

Soils: BeA Bennington 0-2% slope

BeB Bennington 2- 6% slope

CaB Cardington 2-6% slope

CaC Cardington 6-12% slope

Pw- Pewamo

AmF2-Alexandria and Morley silt loams, 25-40% slope

AdC2-Alexandria silt loam, 6-12% slope

II. Conformance with Local Comprehensive Plans

This is an assembly of six tracts of land to accomplish a large planned development along a four lane, divided, limited-access highway (US Route 23).

The newly revised Orange Township 1999 Comprehensive Plan (the “Plan”) has been unanimously endorsed by the DCRPC, the Orange Township Land Use Steering Committee, the Orange Township Zoning Commission and referred to the Trustees for adoption. It may be adopted prior to the township’s review of these three zoning requests.

The “Plan” recommends this land to be developed for planned office/planned commercial from US 23 westerly to a new road “A” extending from the west boundary of the West Orange subdivision north to Home Road. Land west of this north-south road “A” line is recommended for single family housing at a density of 2 units per acre if sanitary sewer service is available. Land east of road “A” parallel to US 23 is recommended for professional office or planned commercial use. The width of this commercial area on the Plan is approximately 2000 feet at its southern extremity and narrows to 1000 feet at its northern end.

Although some access management and open space features of the development proposal are laudable; its overall design does not comport with the 1991 or 1999 Orange Township Comprehensive Plans.

The project deviates from the 1999 Plan by reducing the planned office/commercial area by 75 acres, and instead proposing 135 single family homes, and 280 units of multi family housing (total 415 housing units) on this 75 acres.

This 75 acres is part of the US 23 prime commercial corridor that is intended to produce significant commercial property taxes. These 415 units of unanticipated housing on 75 acres intended for office/commercial development would represent increased costs and decreased revenues for the burgeoning Olentangy School District, Delaware County and Orange Township.

Furthermore, the 1999 Plan noted that no more multifamily was desired for the next five years, because, as stated on page 66 paragraph 3:

“The original land area of Orange Township (including territory annexed to Columbus and Westerville) contains 2288 multi-family units out of a total of 5407 units (43%). There are 472 additional multi-family units zoned, but not yet built in the township (220 units at Dooley’s Orchard, 112 units at Walker Wood, and 140 units at River Bend). With the development of these additional 472 units of multi-family housing, Orange Township believes it has provided its fair share of the area’s multi family housing.”

The proposed residential density of 2.3 units per acre exceeds the proposed density of 2 units per acre on the 1991 and 1999 Comprehensive Plans.

The large open space area is laudable, but is not where the township seeks to acquire a large park area. The township Plan recommends a large park on the east side of the railroad tracks in the residential core of the community. While open space would be desirable as part of this project, there is no neighborhood to be served, other than the one to be created. The open space is located across a ravine from the single-family homes with no pedestrian connection. The design, amount and location of the open space (under and between the power lines) do not relate to the needs of this site or the township. The township would prefer to see more of this land developed as office or commercial use to generate tax base.

III. Conformance with Development Standards

1.) The developer will extend county sanitary sewer from the River Bend development south of Orange Road. There is adequate capacity for this development, but the proposed residential use of the land will utilize more sewer treatment plant capacity than would the office development proposed on the “Plan”. This will have the effect of reducing future treatment plant capacity for other development in the sewer system.

2.) Water

Del-Co water has indicated they can serve the development.

3.) Proposed Traffic Patterns and their relationship to existing conditions-

The key to the commercial development along US 23 has been to control access and signage to maintain flow on a U.S. four lane divided highway. The township has worked with ODOT to require parallel access roads and limit direct curb cuts onto US 23 for individual uses.

The plan shows two new curb cuts to US 23 for a parallel access road, at appropriate locations. This is good. However, the road is only 250 west of US 23, potentially too shallow for office lots.

The proposed narrow commercial band along US 23 would likely be developed as strip commercial out-lots, not what the “Plan” envisioned.

No traffic study has been submitted. Recent traffic counts at the Powell Road and US 23 intersection indicates that the Level of Service (LOS) is currently F, or failure. It is imperative that any major developments in this corridor have a proper traffic study to minimize adverse effects on US 23.

A letter from ODOT access management coordinator Greg Channel states that:

“The proposed facility would create high traffic volumes at peak periods and would have an adverse impact on US 23. We will obviously require a Traffic Impact Study to be conducted.”

“The proposed facility will have to follow any recommendations provided by the US 23 Access Study” (*the study will not be completed for at least another month*). “The state also wishes to express our concerns for the proposed parallel connector routes. The connectors alignment must be in agreement with property owners to the north and to the south.”

4.) Compatibility with existing and future probable uses- the single-family uses on the west side of the site are compatible with adjacent land uses. The residential uses proposed on the west side of the new road “A” are not compatible with the commercial uses proposed directly east across the new road, because no buffer has been proposed.

5.) Compliance with all requirements of the Planned Districts- The development plan is incomplete:

- a.) No development plan for the Planned Commercial District.
- b.) No development plan for the multi-family apartments.
- c.) No development plan for the condominiums.
- d.) No landscaping plan or legend.
- e.) No renderings, no proposed sign details. The architectural design criteria are incomplete.
- f.) No generalized drainage shown, no detention of stormwater.
- g.) Traffic issues are inadequately addresses. See ODOT comments. How will truck-loading docks relate to adjacent residential uses?
- h.) Access to additional Orange Township land on the western plateau is denied. Access should be stubbed out for future development of these ridge tops, which are generally inaccessible from Liberty Township.

IV. Required Findings for PRD or PCD

The Zoning Commission and Trustees may approve a PRD or PCD zoning provided they find that the proposed use complies with all of the following requirements:

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

DCRPC Staff Finding: The overall development plan (Cases 10-00, 11-00, and 12-00) is not consistent with the general standards of the resolution.

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

DCRPC Staff Finding:

Case 10-00 ZON- The land area devoted to residential development is excessive. The development removes 48 acres from planned office/commercial (1999 “Plan”) and converts it to single family within the prime commercial corridor. The 1991

Comprehensive Plan recommends development to be encouraged south of Orange Road. Case 10-00 ZON does not conform to either the adopted 1991 or updated (proposed, 1999) Orange Township Comprehensive Plans

Case 11-00 ZON-

Multi family development is not recommended for this location by either the 1991 or 1999 Plans. The development removes 27 acres of office/commercial land for multi family housing. The development does not conform to either plan.

Case 12-00 ZON

The 1991 Plan shows this area for residential use. The 1999 “Plan” recommends Planned Office/Planned Commercial use. The development plan would engender small lot strip commercial rather than larger planned office parks. The new road A is good, but its location is questionably close to US 23. The development plan for Road A and potential uses generally conforms to the 1999 “Plan”.

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

DCRPC Staff Finding: The development plan for the three zoning cases 10,11, & 12-00 ZON, as presently constituted, is incomplete, and does not advance the general welfare of the township. There is inadequate information to predict traffic impacts, or enforce signage details. There is no landscaping plan, no drainage feasibility shown. Prime commercial lands are reduced by 75 acres. 415 units of unneeded and unanticipated housing will increase school costs and reduce anticipated property tax revenues. The location of new road "A" may force strip-type commercial development that will have a greater impact on US 23 than blended office/commercial development.

V. DCRPC Staff Recommendation

Staff recommends *denial* of the proposed zoning changes from FR-1 to SFPRD, MFPRD, and PCD due to the incomplete nature of the required overall development plan and the inappropriate mix of proposed land uses and densities that do not conform to the Orange Township adopted 1991 Comprehensive Plan or the proposed 1999 Comprehensive plan update.

Commission / Public Comments

Mr. Jack Brickner of Planned Communities was present. He stated that he appreciated the staff comments and is aware of the proposed Orange Twp. Comprehensive Plan. He has met with Olentangy school district officials regarding school enrollment and projection of enrollment. In a study done by DeJong Associates, this plan as presented produces less student count than the proposed Comprehensive Plan. A consultant has been assigned to conduct a traffic study. The development plan of the proposed multi family site will be completed prior to the Township meeting.

Mr. Bob Gable, Ohio Department of Natural Resources stated that a storm water prevention plan should be developed, sediment erosion control during construction, and permanent storm water treatment (retention/detention ponds). The ravines should be left vegetated, leave a setback at the top of the ravine.

Mr. Gladman asked if the apartments were rentals or a senior housing. Mr. Brickner stated that they would be high-end rental (\$1000.00 - \$1300.00/month). Mr. Gladman stated that at the preliminary meeting with the Township stated they did not want any more rental apartments in Orange Twp, also the sanitary sewer only has capacity for 2 du/acre which is exceeded by this proposal. The sanitary engineer stated that the Zoning office would have to be the ones to enforce this.

Mr. Seidle stated that there might be some problems with access. ODOT is trying to create some north / south roads through this corridor along US 23, even though they aren't continuous. They may have to turn back and forth but will avoid cut-through.

Mr. Miller made a motion to recommend denial of the rezoning case by Planned Communities. Mr. Brenner seconded the motion. VOTE: 24 For denial, 0 Opposed, 1 Abstained (Orange Twp.). Motion approved.

13-00 ZON Brown Township Zoning Commission - Text Amendments

Applicant: Brown Township Zoning Commission

Request: Text Amendments to Article X Planned Residential District (PRD)

I. General

The Brown Township Zoning Commission has initiated revisions to their zoning text. This zoning creates no new map changes.

II. Amendments

Article X Planned Residence District PRD

Section 10.7 Development Standards-

- a.) Decreases the density from 6-8 units per acre to 2 units per acre of gross tract area, with no additional density bonuses.

III. DCRPC Staff Comments

The amendment is well considered. The 6-8 units per acre currently allowed by the PRD is 3-4 times higher than densities in Orange, Liberty and Genoa Townships with county sanitary sewer service. The 2 units per acre density proposed is seen as a short term measure to preserve a reasonable PRD density while a comprehensive plan is prepared. The PRD will be rewritten after the comprehensive plan is adopted.

The first 3 land application golf course developments in Delaware County (Tartan Fields, Dornoch, Scioto Reserve) averaged 1.49 units per acre, so the 2 units/acre is an economically feasible density. The reduced densities in rural areas will prevent inappropriately high-density leapfrog development.

IV. Staff Recommendation

Staff recommends *approval* of the proposed PRD density reduction from 6-8 units per acre to 2 units per gross acre for Brown Township.

Commission / Public Comments

Having no discussion, **Mr. Ward made a motion to recommend approval of the text amendments to the Brown Twp. Zoning Resolution. Mr. Miller seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.**

14-00 ZON Randall & Jacalyn Hartman – Harlem Twp. – 5.907 acres from AR-1 to FR-1

Request

The applicant intends to split 5.907 acres for 2 residential lots at 3741 Miller Paul Road, in Harlem Twp.

Conditions

Present Zoning: AR-1 (Agricultural Residential)

Proposed Zoning: FR-1 (Farm Residential)

Present Use: Residential

Proposed Use: Residential

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

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

School District: Big Walnut

Utilities Available: Del-Co. water, On-site septic

Soils: Pw (Pewamo), CaB (Cardinton silt loam 2 - 6%), BeA (Bennington silt loam 0 – 2%)

General Comments

The site has an existing house and is located on the east side of Miller-Paul Rd. north of Center Village Rd. The surrounding land uses include residential to the north and south along Miller Paul Rd. and agriculture to the west. There is a ravine to the east and another house followed by a wooded area. The adjacent properties are zoned AR-1 with FR-1 to the north and south nearer to Woodtown Road and Center Village Road.

There is a pond located in the southwestern corner of the site, with another pond on the lot directly to the east. The new lot to be created will be along the northern boundary of the site and will have access to Miller Paul Rd. The applicant will need to investigate the location of the pewamo soils for the placement of leach fields.

The Harlem Twp. comprehensive plan shows the proposed site as agricultural. The plan recommends that residential development in this area be on large lots and smaller subdivisions, but does not define the acreage requirement. However, a goal of the residents was that residential lots be a minimum of 1 ¼ acres. The site plan that was submitted shows a lot 1.3 acres in size. The size of the lot as well as the close proximity of the property to other FR-1 zoned areas to the north and south along Miller Paul Road, support the rezoning.

Staff Recommendation

Staff recommends *approval* of the 5.907 acre rezoning from Agricultural Residential (AR-1) to Farm Residential (FR-1) to the RPC, Harlem Twp. Zoning Commission, and the Harlem Twp. Trustees.

Commission / Public Comments

Mr. Tim Huffman of Stults & Associates was present to represent the applicant.

Mr. Spanner asked if there was enough area to relocate the leach fields if needed. Mr. Huffman stated that a soil scientist would be going out to evaluate the site. Mr. Ward asked if more area were needed, could the lot line be moved. Mr. Huffman stated it could.

Mr. Spanner made a motion to recommend conditional approval, subject to staff comments of the rezoning by Randall & Jacalyn Hartman. Mr. Simpkins seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

15-00 ZON American Aggregate Corporation – Scioto Twp. – 1.5 acres from Industrial to FR-1

Request

This application was submitted in order to create a 1.5-acre lot from an original 18.108-acre tract for a residential dwelling east of Warrensburg on the north side of Ostrander Rd.

Conditions

Present Zoning: I (Industrial District)

Proposed Zoning: FR-1 (Farm Residential)

Present Use: Agriculture/Vacant

Proposed Use: Residential

Existing Density: N/A

Proposed Density: 1 unit / 1.5 acres (FR-1)

School District: Buckeye Valley

Utilities Available: Well water, On-site septic

Soils: MrB (Morley Silt Loam 2-6%) and MrC2 (Morley Silt Loam 6-12%)

General Comments

The site is located on the north side of Ostrander Rd. west of State Route 257 and the unincorporated Village of Warrensburg. The applicant is creating 1.5 acres out of an original 18-acre tract, which is part of the Martin Marietta Stone Quarry. Other than the industrial zoned quarry to the north, FR-1 zoning surrounds the site. The properties to the south along Ostrander Road are approx. 1-acre residential lots. The 3-acre property adjacent to the east is an abandoned schoolhouse, which is also, zoned FR-1.

The new residential dwelling will be built with cooperation from Habitat for Humanity and is to be an extension of the unincorporated village of Warrensburg. The home will have on-site septic and a well for the water supply as the closest Del-Co water line is at State Route 257. There is an approx. 1000' buffer of open field separating the quarry activity and the site to be rezoned for the home.

There is no comprehensive plan for Scioto Twp., but the close proximity to Warrensburg as well as the large number of similar sized FR-1 lots surrounding the property support the FR-1 residential zoning as opposed to industrial.

Staff Recommendation

The staff recommends *approval* of the 1.5-acre rezoning from Industrial (I) to Farm Residential (FR-1) to the RPC, the Scioto Twp. Zoning Commission and Scioto Twp. Trustees.

Commission / Public Comments

Mr. James Sharn of Martin Marietta was present. He stated that they would like to donate 1.5 acres of land to be used in conjunction with Habitat for Humanity for construction of a house.

Mr. Spanner asked how deep they are quarrying and how deep are the wells. Mr. Sharn stated 50-60 feet, depending on where they are in the quarry. There are a series of monitoring wells around the area.

Mr. Miller made a motion to recommend approval of the zoning request of Martin Marietta. Mr. Ward seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

16-00 ZON Planned Communities, Inc. – Liberty Twp. – 28 acres from FR-1 to PR

This request is for a PRD for 38 single-family lots on the east side of Liberty Road south of Hyatts Road in Liberty Township.

I. Conditions

Present Zoning: Farm Residence District (FR-1)

Proposed Zoning: Planned Residence District (PR)

Open Space required: None

Open Space provided: 5.5 acres (19.6%)

Present Use: Agriculture

Proposed Use: 38 single-family house lots in a PRD, open space

Existing FR-1 Density: 1 unit/acre

Liberty Township Comprehensive Plan-Residential at 1.25 units/acre; .6 acre min. lot size; 35 lots.

Proposed Development Density: 1.36 units/acre; 38 lots.

Number of lots needing divergence from .6 Acre standard- 31 of 38 lots

School District: Olentangy

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

Soils: MrB Morley 2- 6% slope

BIA Blount 0-2% slope

II. Facts

A. Nelson Farms is a proposed single family residential development of 165 lots on 154.3 acres. The project includes a through street from S. R. 315 to Liberty Road approximately ½ mile south of Hyatts Road. The applicant requests a zoning change from FR-1 to PR for 28 acres fronting on Liberty Road. An administrative review is requested for 126.3 acres already zoned PR on S. R. 315 (RPC # 27-93 ZON). The PR zoning and overall density conforms to the Liberty Township Comprehensive Plan for land use. The lot sizes requested do not conform to the Comprehensive Plan (.6 acres for areas above 900' elevation and .75 acres for areas below 900' elevation).

B. Existing Land Use:

There are single-family residences to the north, west and south along Liberty Road. The Chessie System railroad tracks are west of Liberty Road. The Del-co water plant is to the southeast and woods and a single-family house is to the east (Administrative review portion of this project).

III. Conformance with Development Plan Standards in Section 10.07

A. Lot sizes

Lot sizes range from .4 to .7 acres, where .6 is recommended. The minimum lot size may be modified to permit clustering in areas where sensitive, natural features are protected or preserved. The township must approve this divergence per plan.

B. Landscaping Plan

No plan was submitted.

C. Architectural Design Criteria for structures and signs

No renderings were submitted. The text does offer design criteria.

D. Sanitary Sewer

The developer proposes a gravity main to a proposed pump station at S. R. 315 where it will then flow to an existing pump station south of the site through a force main. *A letter has not been issued by the Sanitary Engineer that confirms the developer's plan for sewer is feasible.*

E. Water

Del-Co water is available to the site from Liberty Road and the Del-Co site to the south. *A letter of acknowledgement has not been submitted by Del-Co.*

F. Drainage

The development plan shows no drainage or detention, although the text references such drainage and ponds.

G. Traffic and future probable development

No traffic study has been submitted. The Nelson Farms development of 165 new single family homes would generate 1,650 new trips per day dispersed between Liberty Road and S. R. 315 (a State scenic byway). The developer should contact ODOT to see if traffic control devices are needed such as signals, turn lanes, etc. ODOT indicates that a modified impact study will be required for any development of 100 or more homes. The County Engineer may require the study as well. The connection of Liberty Road with SR 315 via a disjointed subdivision road network is a benefit. It provides east west movement without creating an arterial speedway.

H. Compatibility with existing and future probable uses

The PRD use is compatible with surrounding land uses, but buffering of potential acreage lots to the north and south should be addressed.

I. Time table for development

Development is expected to begin in 2001 and be completed over 5 years. The project will begin at S. R. 315.

J. Divergences from the Development Standards

1. The Liberty Township Comprehensive Plan recommends 1.25 units per acre for this parcel, or 35 lots. The applicant requests 38 lots (1.36 units/acre), which would require a divergence (none has been requested). The entire Nelson Farms project proposes 1.07 units/acre. If the overall development is

considered, then the density requirement has been satisfied and Staff would support a divergence. If the 28 acres is independent of the Nelson Farms project, then the applicant should eliminate 3 lots to conform to the density requirement.

2. A divergence would be needed for a reduction in lot sizes to less than .6 acres, unless the developer demonstrates that such a reduction preserves the sites natural characteristics. The overall development does attempt to preserve the ravines to the east, but the 28 acres under consideration is a flat agricultural field. The lot sizes could be larger without compromising the overall density. Staff would not support a divergence from the minimum lot size requirement.

IV. DCRPC Staff Findings

1. Lot sizes are recommended by the Comprehensive plan to be .6 acres, with only 7 of the 38 proposed meeting this requirement. Lots could be increased if less open space were platted.
2. There is some topography on the site to the east that could justify a cluster design, which might result in smaller lot sizes than .6 acres. However the 28 acres under consideration does not have the same characteristics and could still yield 38 lots if each lot were .6 acres.
3. No landscape plan was submitted.
4. The development plan shows no drainage or detention.
5. No traffic study has been submitted.

V. Section 10.06(C) – Criteria for Approval of a Planned Residential Development

The Zoning Commission and Trustees may approve a Planned Residential Development zoning district 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: No, not as requested. If the development 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: No, not as requested. If the development plan is amended in accordance with staff comments in Section IV it will conform to the comprehensive plan.
- 3.) That the proposed development advances the general welfare of the township and the immediate vicinity.
DCRPC Staff Finding: If the development plan is amended to reflect PR requirements and staff comments on design intent in Section IV it will advance the general welfare of the community.

Staff Recommendation

DCRPC staff recommends that the application for PR zoning on 28 acres on Liberty Road by Planned Communities, Inc. in Liberty Township be *denied*. If amendments to the development plan were made to correct deficiencies noted in Staff Findings, Section IV, staff would consider a conditional approval.

Commission / Public Comments

Mr. Jack Brickner of Planned Communities stated that they have begun working on some of the staff comments. The traffic study should be completed within the next couple of weeks. The lot size and density calculations get a little skewed when you look at this parcel by itself. It is the intent that these parcels are reviewed together. The property to the west is currently in the Township for an administrative review.

Mr. Spanner asked about the previously approved plan. Mr. Brickner stated that the previous plan for the site to the west (Nelson Farm) had onsite treatment (lagoons), the new plan is on central sanitary sewer through a pump station and a force main would tie into an existing sanitary line.

Mr. Laurien stated that the zoning remains in place but the development plan has expired for the eastern portion of this PRD.

Mr. Betz asked what the purpose of the open space was. Mr. Brickner stated that with a slight bend in the road, it would slow down traffic (where it ties into Liberty Road). Mr. Seidle asked what is to be gained by the small amount of green space behind the lots. The lot sizes have been reduced and turned into open space. Is it usable? Mr. Brickner stated that it's not usable space. There would be some mounding and tree planting, used as an open space buffer between the back of these lots and the adjoining property owners. Mr. Seidle asked if easements could be created for landscaping purposes in order to get the lot sizes up. Mr. Brickner stated that they would like to discuss this with the Township. There is access to the north and south strips off of Liberty Road. A Homeowner's Association would maintain this area.

Mr. Ward expressed concern with the access onto SR 315. Mr. Seidle stated that it is up to ODOT for access onto SR 315. A left turn lane could possibly be created.

Mr. Spanner made a motion to recommend conditional approval of the rezoning by Planned Communities, subject to the development plan being amended subject to staff comments. Mr. Simpkins seconded the motion. VOTE: Unanimously For, 2 Opposed. Motion carried.

- 17-00a ZON Triangle Properties*, 737.19 acres from FR-1 to PRD including 235 acre golf course**
- 17-00b ZON Triangle Properties*, 94.14 acres from I to PRD including 235 acre golf course**
- 18-00a ZON Triangle Properties*, 64.6 acres from FR-1 to Planned Commercial**
- 18-00b ZON Triangle Properties*, 11.77 acres from Industrial to Planned Commercial**

*Triangle Properties as agent/optionee for:

John F. and Mary Jo Lane
Edward James Coughlin
Jerry and Wilma Neeley, Trust
Ruhl Family Partnership, LP
Jack and Irma Extenkamper, Trustee
Ray and Audrey A Bauman
Liberty Partners (Seldom Seen Heights Subdivision)
Chester A. Cox

I. Request

These requests are for the rezoning of 907.7 acres for a planned residential (single family, multi-family apartments and condominiums) and retail /office commercial community called Golf Village surrounding a 235 acre new golf course, along the to-be-extended Sawmill Parkway from Seldom Seen Road to Home Road, in Liberty Township. The total development encompasses 928.25 acres.

II. Conditions

Present Zoning: Farm Residence, Industrial

Proposed Zoning: Planned Residential Development, Planned Commercial

Open Space required: None

Open Space provided: 301.1 acres of 928.25 acres or 32.4%

Present Use: Agriculture and woods, several homes.

Proposed Uses:

- 967 Single-family house lots in a PRD
- 144 Apartments
- 351 condominiums
- Private Golf course
- Neighborhood retail-planned commercial- 31.9 acres
- Planned office area E- 15.2 acres
- Planned offices area G- 30 acres
- Industrial- offices and light industrial, 21 acres

Density- Existing FR-1 Density: 1 unit/acre

Density- Liberty Township Comprehensive Plan-

- **Planning Unit 6** -Residential at 1.5 units/acre; .5 acre lot size (21,780 Sq. Ft.), or as approved per plan.
- **Planning Unit 1** - Residential at 2 units/acre; .375 acre lot size (16,335 Sq. Ft.) or as approved per plan.

Density- North West Area Plan-

Sub Area B- 1.5 units/acre; minimum lot size 6,000 square feet *

Sub Area D- 1.5 units/acre; minimum lot size 6,000 square feet*

* There appears to have been an acknowledgement that densities were limited by sanitary sewer capacity of the county system. It was further acknowledged that for densities to remain this low, there would have to be public involvement in funding the Sawmill Parkway.

Density Proposed:

1.75 units/acre overall (1462 units /831.33 residential and golf course acres);
Minimum lot size 10,400 Sq. Ft.

School District: Olentangy

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

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

BIA Blount 0-2% slope

B1B- Blount 2-6%

PW- Pewamo Silt Clay

III. Conformance with Comprehensive Plans

The applicant requests zoning changes from FR-1 and Industrial to PRD and PC to accomplish a very large coordinated plan that includes elements of golf course, open space and the extension of the Sawmill Parkway, all using private monies.

The development patterns itself after the recommendations in both the Liberty Township Comprehensive Plan and the Liberty Township/Village of Powell NorthWest Area Plan.

The key element is the extension of the Sawmill Parkway. Future development north of Powell Road needs to be served by the Sawmill Parkway to keep traffic out of Powell four-corners. The Delaware County Engineer, Ohio DOT, Liberty Township and the Village of Powell all agree that the Sawmill Parkway northerly extension to Home Road is absolutely critical to the safe and efficient development of the area.

Such an extension of a 150-foot wide public street would be difficult in a piecemeal fashion by individual developers. For this reason, the NW Plan asserted the need for public funding to acquire the right of way and potentially share costs for a portion of the parkway construction. Public funding of the Parkway also was seen as the only economically viable way to keep densities as low as 1.5 units per acre, the levels the county sanitary sewer could support.

This ambitious development proposal incorporates all of the elements of the Liberty and NW Area Plans.

The developer:

- Has amassed nearly 1000 acres to eliminate piecemeal development.
- Has proposed to resolve any issue of sanitary sewer capacity by providing additional centralized sewer treatment and use a portion of his on site treated flows to irrigate the golf course. He would build a tertiary (highest quality) sewage treatment plant, and dedicate it to Delaware County for permanent maintenance. A portion of sanitary flows will go to the Olentangy Environmental Control Center (OECC).
- Has proposed a 235-acre Jack Nicklaus tournament golf course, to serve both as permanent private open space, and irrigation easement. The Nicklaus golf course will increase land values by providing aesthetic views from surrounding houses as private open space. The golf course will maintain the scenic and rural character by providing views of the course from Sawmill Parkway, as public open space. The result will be an upscale community whose elevated property values should better pay their fair share of government services.

- Has proposed to extend Sawmill Parkway to Home Road without public funding, meeting the design standards of the NW Area and Liberty Township Plans. In return, he asks for an overall density increase of .26 units per acre.

In summary, the township is being asked to permit approximately 216 additional housing units (.26/acre times 831 acres) more than recommended by the Liberty Township Comprehensive Plans in return for the developer building a two-mile segment of Sawmill Parkway. Cost of this Parkway segment was estimated by the NW Area Plan at \$4.2 million.

Seen in this light, the developers are paying for the Parkway with the added 216 units, at a cost to them of \$20,000 per unit. This adjustment to the comprehensive plan density is a reasonable accommodation to get the much-desired Sawmill Parkway (the key element of the Liberty Township Comprehensive Plan) built without public funding.

The Development also incorporates planned office at the NW corner of the railroad tracks and Seldom Seen Road, which conforms to the Liberty and NorthWest Plans. Sub area D multi family is 6 units per acre, facing the Seldom Seen Acres multi family of approximately the same density. Although this net density may be higher than the comprehensive plans anticipate, the overall project density remains at 1.76 units per acre.

An Industrial area (21 acres) needs no rezoning and comports with the township comprehensive plan and the North West Area Plan. Sub area E Planned Office comports with the comprehensive and NW area plans. Sub area F, Planned Commercial is a relocation of planned commercial from Rutherford Road north to Home, which makes sense since Home is the east west major arterial. In general the development plan comports well with both the Liberty Township and NorthWest Area Plans.

IV. Conformance with Development Plan Standards in Section 10.06

A. Lot sizes

Minimum lot size of 10,400 square feet *requires township approval per plan*. It conforms to, or better, the standard of 6,000 Sq. Ft. set in the NW Area Plan.

B. Landscaping Plan

No plan was submitted. The concept plan shows significant street trees and buffer trees, but there is no commitment to this anywhere in the text, nor are there cross sections of landscape details. 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 offers design criteria, which could be more explicitly stated. 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. The Delaware County Sanitary Engineer has given three options for servicing the site:

- 1.) Send all flow to the Olentangy Environmental Control Center.
- 2.) Send a portion of the flow to the OECC and a portion to be treated and discharged to the Scioto River.

(This may be unacceptable to the City of Columbus.)

- 3.) Send a portion of the flow to the OECC and treat the remainder and use the treated effluents to irrigate the golf course. This is the option selected by the developer.

As of the time of application, no letter from either the Delaware County Sanitary Engineer or the OEPA had been issued indicating that the land area, soil types and treatment plant design were feasible for the land application of treated effluents. Since all flows can go to the OECC, the developer has met his burden of feasibility for sanitary sewer. However, if he wishes to use treated effluents to irrigate the golf course, this engineering feasibility must be shown prior to township zoning approval.

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. BBC &M Engineering performed wetland delineation- Small pockets of jurisdictional wetlands do not adversely affect the site plan.

H. Drainage- The text and storm water plans reference storm water analysis, subject to review by the county engineer.

I. Traffic and future probable development – A traffic study has been submitted. The development at build-out will generate 36,000 new trips per day. The traffic study recommends improvements, some of which relate to development of the area and others that relate specifically to this development. Those improvements attributed to this developer are:

- 1.) Add left turn lanes on Seldom Seen and Rutherford Roads at their intersection with Sawmill Parkway. Add 100-150’ left turn on the west sides of the intersections and 50 to 100 ‘ left turns on the East Side of the intersection.
- 2.) Install signals at intersection of Sawmill Parkway and Home, Rutherford and Seldom Seen Roads as soon as possible to increase the level of service on the side roads.
- 3.) Commercial development at Home and Sawmill Parkway should be restricted to right turn in and out only on Sawmill Parkway, with left turns accomplished into an internal service road.

The following improvements were deemed necessary regardless of the status of the Golf Village Development:

- 4.) SR 257 and Home warrants a signal and this will be provided by the Scioto Reserve development.
- 5.) Home Road and Section Line Road warrants a signal. The Scioto Reserve developer has offered to complete the roadway widening but not to install a signal. Coordinate this signal with SR 257 signal.
- 6.) SR 257 and Powell warrant a signal, but additional lanes are not needed at this time. Staff note: this may be considered unnecessary in light of the Zoo’s proposed relocation of SR 257 and Powell Road intersection to align with the Glick Road dam.
- 7.) Powell Road and Liberty Road intersection needs improvement, currently operates at failure.
- 8.) Powell Road and SR 315 needs improvement, currently operates at failure.
- 9.) Home Road and SR 315 warrants a signal and left turn lanes north bound and eastbound.

- 10.) Liberty Road (north) and Home Road intersection warrants a signal and an eastbound left turn lane.
- 11.) Liberty Road (south) and Home road warrants a signal. A westbound left turn lane and eastbound right turn lane should be constructed.
- 12.) Home Road should be widened to three lanes from the three-lane section west of Steitz Road to Liberty Road south. **DCRPC staff finds this to be the responsibility of the Golf Village development.**
- 13.) Intersection of SR 257 and Rutherford Road and Seldom Seen warrant signals, but they should be postponed to see if the other improvements recommended increase levels of service first.

J. Compatibility with existing and future probable uses

The PRD use is compatible with surrounding land uses. The Planned Commercial uses, Planned office and multi-family uses are compatible with surrounding uses.

K. Time table for development-

Development is expected to begin in 2000, with construction of the treatment plant, the Sawmill Parkway and the golf course. Absorption of the residential and commercial acreage will be subject to market conditions.

L. Divergences from the Development Standards-

1. The Liberty Township Comprehensive Plan recommends 1.5 units per acre. The applicant requests a divergence for 1.76 units/acre. *This is reasonable in light of the developer's commitment to construct the 2 mile Sawmill Parkway from Seldom Seen to Home Roads with private monies in the first phase of construction.*
2. Divergence from 25 feet to 8 feet for 80 wide lots. *This is reasonable for cluster lots.*
3. Parking requirement of 2 spaces per unit instead of three of multi family units; *this is reasonable.*
4. Structural separation be reduced for multi-family from 15' to 10'. *Staff can see no reason to grant this request.*
5. 25-foot setback from street right of way. This is reasonable for cluster development *as long as there is adequate garage setback for off street parking without blocking the sidewalks. This divergence should only be granted by the township if the above garage setback can be assured.*

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 aspects 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, subject to amending the allowable density of the Liberty

Township Comprehensive Plan from 1.5 to 1.76 units per acre in return for the developer constructing 2 miles of the Sawmill Parkway.

- (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.

VI. DCRPC Staff Recommendation

DCRPC staff recommends that the application for PRD zoning on 831 acres, and PC zoning on 76 acres north of Seldom Seen, and South of Home Road, in Liberty Township by Triangle Real Estate be *conditionally approved if amendments to the development plan are made to correct those deficiencies noted in Section IV.*

Commission / Public Comments

Mr. Tony Eyerman of ME Engineering was present along with the applicant Charlie Vince and Mr. Todd Faris of Schmidt Land Design. He stated they have had numerous meetings with Township officials, surrounding Homeowners Associations, utility companies, several property owners, and the Del Co. Sanitary Engineer. They are currently working on an environmental plan to address the poor soils on the site. Approximately 25% of the golf course and the open space soils are Pewamo. That leaves 180 acres of good soils (120 acres are needed). They have worked with the Co. Engineer on traffic. The study finds that at build out, the subdivision will not require signals. It does recommend working with the Co. Engineer, which they will do. The developer will widen the existing street that the subdivision abuts: Seldom Seen, Rutheford and Steitz Roads to meet Co. Engineering standards.

Mr. Betz stated that the overall plan fits with the Plan that Liberty Twp. and Powell put together for the area. He suggested a connection to the 9.5-mile Powell bike path. Mr. Eyerman stated that they planned on a multipurpose trail for joggers and walkers as well as bikes through the development. There are proposed crossings on the parkway (one under pass and one overpass).

Mr. Seidle stated that it is not likely that Home Road would be widened along the entire project since the developer does not own property on both sides of the road. He suggested widening the developer's side of Home Road; Rutheford could be widened on both sides where the developer owns on both sides, Seldom Seen may not be able to be widened. Mr. Laurien stated that the staff comment did not intend for the developer to acquire more land, it was only suggested to widen Home Road where right-of-way is available.

Mr. Miller made a motion to recommend conditional approval of the rezoning request by Triangle Properties, subject to staff comments listed in Section IV. Mr. Spanner seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

IV. SUBDIVISION PROJECTS

Preliminary

26-94.1 Cheshire Cove, Section 2 – Berlin Twp. - 36 lots, 23.96 acres

Applicant: Maronda Homes, Inc.

Engineer: Hockaden and Associates, Inc.

Staff Comments

The applicant has requested a tabling of the Preliminary Plan for 90 days.

Staff Recommendation

Staff recommends a *90-day tabling* of Cheshire Cove, Section 2 to the RPC.

Commission / Public Comments

No one was present to represent the applicant.

Chairman Mazzon asked if they requested the tabling due to sewer problems. Mr. Deel stated it was due to the road alignment. The applicant is looking at a loop street and they are having problems with setbacks. They are trying to buy more land.

Mr. Gladman made a motion to approve the 90-day tabling of Cheshire Cove, Section 2. Mrs. Foust seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

29-98.1.3/4 Scioto Reserve, Section 1, Phases 3 & 4 – Concord Twp. – 43 Lots, 18.05 acres

Applicant: Triangle Properties, Inc.

Subdivision Type: Single Family Residential

Location: South side of Home Road, east of South Section Line Rd.

Current Land Use: Agricultural / Vacant land

Zoned: PRD

Utilities: Del-Co Water, Private on-site sewage system

School District: Buckeye Valley

Engineer: R.D. Zande (Kevin Kershner)

Staff Comments

Scioto Reserve, Section 1, Phase 3 & 4 is a 43 lot subdivision of 18.05 acres with 3 of the lots being open space (1.67 acres). This section is part of the southeastern portion of the overall Scioto Reserve subdivision.

The golf course and future development are to the west, as well as other phases of Scioto Reserve to the north, across Home Rd. The Stonehenge development is located to the south while the east is agricultural.

Phase 3 & 4 of Section 1 have a through street called Tree Lake Dr. that extends south from Home Rd as well as a small cul-de-sac called Stone View Ct. A loop road for future development will gain access from Tree Lake Dr. to the west and southwest. There is a tree line along the eastern boundary, a ravine through one of the open space lots and a dry basin for storm water management.

The application received a technical review on February 15th, 2000 after which the applicant has addressed all of the required changes

Staff Recommendation

Staff recommends *Preliminary approval* of Scioto Reserve Section 1, Phases 3 & 4 to the RPC.

Commission / Public Comments

Mr. Kevin Kershner of RD Zande was present to represent the applicant.

Mr. Seidle asked if the overall plan showed a stub street. Mr. Kershner said it did. Mr. Seidle stated that it should be very clear that there might be further development to the east. Mr. Kershner stated that there is a 60-foot easement to access the possible future development.

Mr. Miller made a motion for Preliminary approval of Scioto Reserve, Section 1, Phases 3 and 4. Mr. Betz seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

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

Applicant: Planned Communities
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 (Shawn Lanning)

Staff Comments

Highland Hills at the Lakes Sections 2 and 3 consist of 107 lots on 49.3 acres. This is a complete revision of a previously approved development plan as part of zoning case 61-92 ZON. 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 a few residences to the north, which consists of mostly wooded area. 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.

Sections 2 & 3 will gain access from the existing Section 1 located to the north. Highland Hills Dr., Royal County Down, Tralee Lane, and Lahinch Court all stub to the south to allow for future development. Medan Drive is proposed to cross the large ravine to access future development to the west. Two CAD's will be utilized in order to preserve the natural features of the site. A Low volume / Low density (LVLD) street has been proposed for one area of the site accessing five lots, as an attempt to preserve natural features.

There is an open space lot along the western ravine and another in the northeast corner of the site. Access to the

open space lot to the north is from Section 1. The ravine open space lot is accessed from Killarney Court and Royal County Down Rd. It contains most of the flood plain area of the site.

There are four detention basins proposed if offsite drainage outlets cannot be obtained. Easements for maintenance will be required on these basins before final plat approval. Various lots have large amounts of cut and fill and will require close attention in the final grade plans.

The application received a technical review on February 15th, 2000 after which the applicant has addressed all of the required changes, except for the following:

- LVL D street needs a name. Is it to be public or private?
- Lot T-23 is partially within the floodplain, which has a base flood elevation of 852' in that area. The proposed finished grade elevation appears to indicate that it will be a cut section for a walkout basement with a slab elevation 1.3' above the 100-year floodplain. Care must be taken with grades to assure no fill is placed in the floodplain, since fill requires BZA approval.

Staff Recommendation

Staff recommends *conditional Preliminary approval* of Highland Hills at the Lakes Sections 2 and 3 to the RPC, subject to the easements on the detention basins, ensuring that there is no fill in the floodplain in lot T-23, and the resolution of the LVL D street.

Commission / Public Comments

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

Mr. Betz asked what Medan Drive was intending on accessing. Mr. Brickner stated that there is approximately 30 acres of property between the ravine on the western end where the interstate is. This would be a secondary access off of Big Walnut near the ravine. Their development will be planned around an impending interchange.

Mr. Miller made a motion for conditional Preliminary approval of Highland Hills at the Lakes Sections 2 and 3, subject to staff comments. Mr. Gladman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

Preliminary/Final (none)

CONSENT AGENDA

Chairman Mazzon asked if anyone wanted to remove any of the applications on the consent agenda. Hearing none he welcomed a motion.

Mr. Miller made a motion for Final approval of Cheshire Cove, Phase 1, Sherbrook, Phase 6 and the Shoaf subdivision. Mr. Ward seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

**Final
26-94.1 Cheshire Cove, Phase 1 – Berlin Twp. - 32 lots, 20.25 acres**

Applicant: Maronda Homes, Inc.
Subdivision Type: Single-family residential
Location: West side of S. Old State Rd. 2000 ft south of Cheshire Rd, Berlin Township
Current Land Use: Open field and woods
Zoned: Low Density Residential District, (R-2)
Utilities: Del-Co water and County sanitary sewer
School District: Olentangy
Engineer: Stults and Associates, Inc.

Staff Comments

The applicant is requesting final plat approval for the initial section of the Cheshire Cove Subdivision. The overall preliminary was approved in 1994 for 96 lots on 78.80 acres. Phase 1 includes 32 lots on 20.25 acres, a 1.534 acre reserve lot for open space, drainage and utility easements, and a .329 acre reserve for a future road extension of Lincolnshire Drive. Phase 2 will be the extension of Devonshire Drive north to Cheshire Road. All of the improvements have been completed for Phase 1.

This area was rezoned to Residential R-2 in 1994 (#9-94ZON). Surrounding land uses include single-family residential to the north and south along S. Old State Road and agriculture to the west. The Alum Creek State Park is to the east across Old State Road.

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 plat approval* of Cheshire Cove, Phase 1 to the RPC.

Commission / Public Comments

Mr. Miller made a motion for Final approval of Cheshire Cove, Phase 1. Mr. Ward seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

02-97.6 Sherbrook, Phase 6 – Genoa Twp. – 60 lots, 20.928 acres

Applicant: Tussic Road Associates
Subdivision Type: Single-family residential
Location: North of the terminus of Hilmar Drive, and west of Tussic Street, Genoa Township

Current Land Use: Open fields, and woods
Zoned: Planned Residential District, (PD-1)
Utilities: Del-Co water and public sewer
School District: Westerville
Engineer: RD Zande & Assoc.

Staff Comments

The applicant is requesting the easterly extension of Hilmar Drive to Tussic Street in order to plat 60 additional lots in the Sherbrook Subdivision. Phase 1-4 were platted from 1996 to 1998. This area was rezoned to PD-1 in 1996 (#48-96ZON). Phase 6 received preliminary approval along with phase 5 adjacent to the east and phase 7 to the west on February 25th, 2000. Phase 5 received final approval and was recorded on January 5th, 2000 while Phase 7 has yet to be submitted.

Phase 6 stubs to the north, west, south and east through Grisham St. and Hilmar Dr. There is a pond to the southwest as well as another to the east to be used for storm water retention.

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 plat approval* of Sherbrook, Phase 6 to the RPC.

Commission / Public Comments

Mr. Miller made a motion for Final approval of Sherbrook, Phase 6. Mr. Ward seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

49-99 Shoaf Subdivision – Radnor Twp. – 3 lots (CAD), 23.995 acres

Applicant: Lloyd Shoaf
Subdivision Type: Single Family Residential (CAD)
Location: West side of State Route 203, south of Gallant Road
Current Land Use: Residential/Woods
Zoned: Farm Residential (FR-1)
Utilities: Well and On-site septic
School District: Buckeye Valley
Engineer: Stults and Associates, Inc. (Tim Huffman)

Staff Comments

Shoaf subdivision is a proposed 3 lot CAD Subdivision including an existing house. The lots are all over 5 acres for a total of 23.995 acres with the CAD being a part of the northern-most lot. The site is located on the west side of St. Rt. 203 south of Gallant Road and is entirely wooded. The surrounding land use is agricultural with some residences along St. Rt. 203. The subdivision received conditional preliminary approval on December 16th, 1999, subject to the provision of a soil scientist's report and health department approval of the leach field sites. The applicant has provided a soil scientist's report indicating the presence of Blount soils in the leach field areas and the Health Department has given approval.

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 Plat approval* of the Shoaf Subdivision to the RPC.

Commission / Public Comments

Mr. Miller made a motion for Final approval of Shoaf subdivision. Mr. Ward seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

V. EXTENSIONS (none)

VI. OTHER BUSINESS

• Consideration for expenditure: \$4,150.56 Software Maintenance Fees (ArcInf, TIN, MO, ArcPress)
Mr. Miller made a motion to approve the \$4150.56 maintenance fee expenditure, seconded by Mr. Gladman. VOTE: Unanimously For, 0 Opposed. Motion carried.

• Consideration for expenditure: \$1375.20 Professional Services, Legal (Don Brosius)
Mr. Gladman made a motion to approve the \$1375.20 Professional Services, legal bill, seconded by Mr. Miller. VOTE: Unanimously For, 0 Opposed. Motion carried.

• Organize nominating Committee for Executive Committee (Voting at March RPC meeting)
Chairman Mazzon stated that the Executive Committee nominated Holly Foust, Larry Starling and Dick Gladman for the Nominating Committee. If anyone is interested in serving on the Committee, please see one of them.

• Proposal to amend By-Laws: add Article III, Section 6
Chairman Mazzon presented a recommendation for an amendment to the DCRPC By-Laws that would provide for the disbursement of property in the event that the DCRPC were to be dissolved. This amendment will be voted on at the March 30, 2000 meeting. Copies of the proposal will be mailed out next week.

• Mr. Seidle stated that, in April or May, the consultant working on the Thoroughfare Plan will be presenting some of their preliminary findings to the Commission. They will also be contacting and meeting with the various townships.

• Executive Session for purpose of discussing purchase of office space
At 9:45 p.m., Mr. Betz made a motion to recess into executive session pursuant to Ohio Revised Code Section 121.22(G)(2) in order to consider the purchase of real property and related improvements for public purposes. Mr. Spanner seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

At 10:00 p.m., Mr. Adams made a motion to return to regular session and authorize the RPC Director and Executive Committee Chairman to make an offer to purchase the Elk's building. Mr. Brenner seconded the motion. HAND VOTE: 24 For, 0 Opposed, 1 Abstained (Mr. Ward). Motion carried.

VII. POLICY / EDUCATION DISCUSSION (none)

Mr. Miller made a motion to adjourn. Mr. Spanner seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

*The next meeting of the Delaware County Regional Planning Commission will be
Thursday, March 30, 2000, 7:00PM at the Delaware Joint Vocational School North Campus,
1610 St. Rte. 521, Delaware, Ohio 43015.*

Mark A. Mazzon, Chairman

Stephanie J. Johnson, Exec. Administrative Assistant