



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 27, 2003 at 7:00 PM
Delaware Hayes Services Building,**

140 N. Sandusky Street, Conference Room G-35, Delaware, Ohio 43015

I. ADMINISTRATIVE BUSINESS

- Call to order
- Roll Call
- Approval of January 30, 2003 RPC Minutes
- Executive Committee Minutes of February 19, 2003
- Statement of Policy

II. VARIANCES (none)

III. ZONING MAP/TEXT AMENDMENTS

- 07-03 ZON Beverly Ryder – Harlem Twp. – 16.318 acres from AR-1 to FR-1
- 08-03 ZON Beverly Ryder – Harlem Twp. – 2.997 acres from AR-1 to FR-1
- 09-03 ZON Genoa Twp. Zoning Commission – text amendments
- 10-03 ZON Living Word Evangelical Lutheran Church –Berk.Twp. – 8.334 acres from A-1 to PIND
- 11-03 ZON Romanelli & Hughes – Genoa Twp. – development plan amendment for Harvest Wind
- 12-03 ZON Romanelli & Hughes – Genoa Twp. – development plan amendment for Eagle Trace
- 13-03 ZON Greater Ohio District of the Wesleyan Church – Genoa Twp. – 9.0 acres from RR to CF

IV. SUBDIVISION PROJECTS

Township Lots/Acres

Preliminary

20-02	Myers Glen	Delaware	09 lots / 17.24 acres
04-03	T The Lakes at Silverleaf	Liberty	29 lots / 30.42 acres
05-03	Olentangy Falls	Liberty	147 lots / 211.01 acres

Preliminary/Final (none)

Final

13-02.A	Wedgewood, Section 2A	Liberty	06 lots / 03.64 acres
24-99.1	Seldom Seen Acres, Sec.2 (resubd.)	Liberty	03 lots / 09.00 acres

T=TABLED, W=WITHDRAWN

V. EXTENSIONS

29-98.4.10	Scioto Reserve, Sec. 4, Ph. 10	Concord	60 lots / 21.10 acres
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VI. OTHER BUSINESS

- Mr. Tom Homan, City of Delaware – Alternate 16 discussion
- Establish Nominating Committee for Executive Committee members (nominations to be presented at the March RPC meeting)

VII. POLICY / EDUCATION DISCUSSION

I. ADMINISTRATIVE BUSINESS

#Call to Order

(Due to the absence of Chairwoman Foust, 2nd Vice-Chairwoman Leslie Warthman presided over the Regional Planning Commission meeting.)

Acting Chairwoman Warthman called the meeting to order at 7:05 p.m.

Roll Call

Representatives: Don Poland, John Schmidt, Robert Hedrick, Fred Fowler, Steve Jefferis, Gary Gunderman, Tom Hopper, Leslie Warthman, Andrew Brenner, Charles Heimlich, Dick Gladman, Yvonne Ball, Shawn Leininger, Lloyd Shoaf, Hansel Waugh, Dennis Bell, and Larry DeWitt. *Alternates:* Dusty Gurney, Jack Smelker, Doug Reidle, and Charles Sheets. *Staff:* Phil Laurien, Paul Deel, Scott Sanders, Da-Wei Liou, Bob Sochor, and Stephanie Matlack.

Approval of the January 30, 2003 RPC Minutes

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

February 19, 2003 Executive Committee Minutes

1. Call to order

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

2. Approval of Executive Committee Minutes

a. January 15, 2002 – Mr. Gladman made a motion to approve the minutes from the January 15th Executive Committee meeting. Mrs. Warthman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

3. Old Business

a. Office Space – Carpeting is scheduled to be laid next week. Mr. Laurien stated that the project continues to be on time and under budget. April 18th (Friday) is the projected move date.

4. New Business

a. Tom Homan, City of Delaware – Alternate 16 discussion
 Mr. Tom Homan, Delaware City Manager and Mr. Bill Ferrigno, Delaware City Engineer were present to seek support from the Regional Planning Commission on beginning studies of Alternate 16 of the Delaware County Thoroughfare Plan. Mr. Homan stated that the Commission voted to complete Alternate 16 prior to Alternate 1 being studied. He has met with two Delaware Township Trustees, Mr. VanSickle and Mr. Jeffries and Berlin Twp. Trustees. He would like this project to be considered under the Federal Transportation Act (which expires in September 2003). With the endorsement of Congressman Tiberi, this project could be earmarked for Federal funding (80/20). The City sees this Alternate 16 as a limited access road. This Alternate would connect from the newly constructed US 42 by-pass across Stratford Road to US 42 at the Cas-Boro feed store. They estimated the project to take between 5 and 10 years at a cost of \$27 million for a 2-lane highway versus \$48 million for a 4 lane Sawmill Parkway like road.

b. Financial / Activity Reports for January 2003

The January Financial report was presented:

Ending balance as of 12/31/02
\$397,286.05

RECEIPTS		JANUARY	YTD TOTAL
General Fees (Lot Split)	(4201)	\$525.00	\$525.00
Insp. Fees (Lot Line Transfer)	(4203)	\$100.00	\$100.00
Fees A (Site Review)	(4202)	\$100.00	\$100.00
Membership Fees	(4204)	\$134,074.00	\$134,074.00
Planning Surcharge (Twp. Plan. Assist.)	(4205)	\$5,205.96	\$5,205.96
Charges for Serv. A (Prel. Appl.)	(4230)	\$12,000.00	\$12,000.00
Charges for Serv. B (Final. Appl.)	(4231)	\$10,741.94	\$10,741.94
Charges for Serv. C (Ext. Fee)	(4232)	\$150.00	\$150.00
Charges for Serv. D (Table Fee)	(4233)	\$400.00	\$400.00
Charges for Serv. E (Appeal/Var.)	(4234)	\$300.00	\$300.00
General Sales	(4220)	\$906.70	\$906.70
Health Dept. Fees	(4242)	\$260.00	\$260.00
Soil & Water Fees	(4243)	\$444.00	\$444.00
Other Reimbursements	(4720)		
Other Reimbursements A	(4721)	\$1.20	\$1.20
Other Reimbursements B	(8092)		
Canceled Warrants	(8099)		
Interfund Revenues	(8701)		

TOTAL RECEIPTS		\$165,208.80	\$165,208.80
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Balance after receipts	\$562,494.85
Expenditures	- \$29,178.24
End of January balance	\$533,316.61

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

- c. **February RPC Preliminary Agenda** – The agenda consists of 7 zonings, 3 preliminary, 2 finals and 1 extension. Chairwoman Foust stated that The Lakes at Silverleaf does not have development plan approval. The next meeting of the Liberty Twp. Trustees is March 3rd, which is after the RPC meeting. Olentangy Falls has approximately 25 lots that do not conform to the Liberty Twp. Zoning Resolution. Since they do not conform to zoning, she asked if the applicants for both projects had requested a tabling. They have not requested one at the time of the Exec. Comm. meeting.

5. Other Business

- a. **Contract Updates** –
 - 1.) **Sunbury** – working on Chapter 10
 - 2.) **Concord** – had a public meeting with 65-70 people, will be meeting with the steering committee for comments
 - 3.) **Trenton** - working on Chapter 13
 - 4.) **Genoa** – meeting tonight to present the Conservation Subdivision concept
 - 5.) **Berlin** – working on zoning updates
 - 6.) **Berkshire** – close to completion

6. Personnel (*none*)

7. Adjourn

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

Meeting adjourned at 9:45 p.m.

The next regular Executive Committee meeting will be Wednesday, March

19, 2003 at 8:30 a.m. in the 2nd Floor conference room at 50 Channing St., Delaware, Ohio, 43015

Statement of Policy

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

II. VARIANCES (*none*)

III. ZONING MAP/TEXT AMENDMENTS

07-03 ZON **Beverly Ryder – Harlem Twp. – 16.318 acres from Agricultural Residential (AR-1) to Farm Residential (FR-1)**

08-03 ZON **Beverly Ryder – Harlem Twp. – 2.997 acres from Agricultural Residential (AR-1) to Farm Residential (FR-1)**

Location: Intersection of Lewis Road and State Route 37.

I. Conditions

- Present Zoning:** Agricultural Residential (1 du/5 ac.)
- Proposed Zoning:** Farm Residential (1 du/2 ac.)
- Present Use:** Agricultural
- Proposed Uses:** Potential lot splits for single family housing
- School District:** Big Walnut
- Utilities Available-** Personal wells and septic systems
- Soils:**
 - CeB Centerberg Silt Loam 2-6% slope
 - BeA Bennington Silt Loam 0-2% slope
 - BeB Bennington Silt Loam 2-4% slope
 - PwA Pewamo Silty Clay Loam 0-1% slope
- Surrounding Land Uses:** Agricultural land and single family acreage lots, all at least 5 acres.

II. Issues

Comprehensive Plan - The Harlem Township Master Plan was adopted in 1988. Although it is due for an update, the township still reflects a rural, low-density character, particularly on the eastern side of the township. The goals set by the master plan include retaining quality residential development at a low density. The plan map designates the area south of Lewis Road as “Agricultural” and the area to the north as “Residential”. All surrounding land that has been split into single-family parcels has been developed according to the standards of the AR-1 density and all lots are at least 5 acres in size.

The zoning case 08-03ZON to the south is less than 3 acres, formed between two 5-acre lots, providing an access strip for a potential flag lot. The larger zoning case to the north (07-03ZON) could be split eventually into eight separate parcels along Lewis Road. Such zoning has the potential to create a pocket of higher density in the middle of lower density. It also leaves a 60-foot access strip to S.R. 37 for a potential flag lot.

The 1988 Comprehensive Plan also recommends a corridor of Light Industrial uses along this portion of S.R. 37. The plan cites the need for new residents to relocate their businesses to the township, thus avoiding the new resident’s commute to the office. This vision should be re-examined, as should the location of such industrial activity in an area of the county without sewer.

Lewis Road – Each potential lot split along Lewis Road would require its own access to a road that is listed in the ODOT road inventory as stone or treated stone with a road width of only 10 feet. The FR-1 zoning potentially doubles the number of access points on this segment of Lewis Road, impacts the traffic along the road and brings additional traffic to the Lewis Road/S.R. 37 intersection.

III. DCRPC Staff Recommendation

07-03ZON DCRPC staff recommends to the DCRPC, the Harlem Township Zoning Commission and the Harlem Township Trustees that the request for AR-1 zoning for 16.318 acres on Lewis Road in Harlem Township be **denied**. If the township wishes to see higher densities in the eastern portion of the township, they should begin by amending their comprehensive plan to reflect a higher density.

08-03ZON DCRPC staff recommends to the DCRPC, the Harlem Township Zoning Commission and the Harlem Township Trustees

that the request for AR-1 zoning for 2.997 acres on Lewis Road in Harlem Township be **denied**. If the township wishes to see higher densities in the eastern portion of the township, they should begin by amending their comprehensive plan to reflect a higher density.

Commission / Public Comments

Mr. Tim Huffman of Floyd Browne Associates was present to represent the applicant. He stated that one option for the curb cuts along Lewis Road would be to use shared access driveways for the two lots that are adjacent to each other.

Mr. Gunderman made a motion to recommend denial of the rezoning application #07-03 ZON by Beverly Ryder, seconded by Mr. Brenner. VOTE: Unanimously For, 0 Opposed. Motion carried.

Mr. Gunderman made a motion to recommend denial of the rezoning application #08-03 ZON by Beverly Ryder, seconded by Mr. Brenner. VOTE: Unanimously For, 0 Opposed. Motion carried.

09-03 ZON Genoa Twp. Zoning Commission – text amendments

Applicant: Genoa Township Zoning Commission
Request: Review and make recommendations on Township zoning amendments.

I. General

The Genoa Township Zoning Commission reviewed their current zoning resolution and are initiating “housekeeping” type updates and amendments to improve clarity, close loopholes or correct legal problems.

II. Amendments

The areas of revisions include treatment of:

- Prohibited uses
- Parking and storage
- Conditional uses
- Signs
- Landscaping
- Driveway setbacks
- Address

- Penalties
 - Permit applications
 - Late application fees
- A. **Section 401.04**- corrects a spelling typo. *DCRPC Staff Comment*- O.K.
- B. **Section 403.05**- Includes Home Occupation language and business vehicle storage in the PD-1 district, making it compatible with the other residential districts. *DCRPC Staff Comment*- O.K.
- C. **Section 511.01**- includes a prohibition against “continuous” trailer parking in residential front yards. *DCRPC Staff Comment*- this needs a time limit, such as not more than 14 consecutive days in any 90-day calendar period.
- D. **Section 511.03**- stipulates a seven-day per year time period when wheels can be removed from campers for repairs. *DCRPC Staff Comment*- O.K.
- E. **Section 511.04**- changes “camper of any type” to “camping and recreational equipment” to clarify and comport with the definitions section. *DCRPC Staff Comment*- O.K.
- F. **Section 511.05**- renumbered and the word “or” changed to “and”. *DCRPC Staff Comment*- O.K.
- G. **Section 511.06**- Adds “dump trucks” to the list of specified prohibited vehicle parking in residential areas. *DCRPC Staff Comment*- define what a dump truck is, for example, gross vehicle weight, number of wheels, etc. There are many dump bodies made for light (1/2 to ¾ ton) pickups that should probably be excluded from this prohibition.
- H. **Section 511.07**- Renumbered. *DCRPC Staff Comment*- O.K.
- I. **Section 515.01**- Sign reference for model homes to place them under the sign code. *DCRPC Staff Comment*- O.K.
- J. **Section 518.09**- Changes reference from Article 7 to VII. *DCRPC Staff Comment*- O.K.
- K. **Section 524.19**- Eliminates a detailed landscape plan for each platted lot, but requires seeding or sodding before issuance of a certificate of zoning compliance. *DCRPC Staff Comment*- O.K.
- L. **Section 529.04**- deletes this reference to a noise code since the township does not yet have a noise code. *DCRPC Staff Comment*- O.K.
- M. **Section 539.03**- adds a 40-foot setback from intersections for residential driveways. *DCRPC Staff Comment*- O.K.
- N. **Section 703 and 705.11**- Deletes the current section about street addresses, and includes a new one. *DCRPC Staff Comment*- O.K.
- O. **Section 713**- clarifies the illegal sign removal process. *DCRPC Staff Comment*- Check with legal counsel. The removal of “abandoned” signs must be carefully reviewed before entering private property to physically remove signs that may have some vested rights.
- P. **Section 1302**- Increase the penalty from \$100 to \$500 per statute. *DCRPC Staff Comment*- O.K.
- Q. **Section 1001**- clarifies the language of permit application. *DCRPC Staff Comment*- O.K.
- R. **Section 1001.04**- Name of applicant’s attorney is deleted. Other minor clarification. *DCRPC Staff Comment*- O.K.
- S. **Section 1001.07 & 08 (former numbers)**- eliminates the survey requirement for a plot plan, and now only requires a scaled plot plan, renumbers the section 1001.06. *DCRPC Staff Comment*- O.K.
- T. **Section 1001.07**- deletes the number of bedrooms in the application. *DCRPC Staff Comment*- O.K.
- U. **Section 1001.08, 09, 10, 11, 13, and 14** are renumbered, and language is added for a required means of access. *DCRPC Staff Comment*- O.K.
- V. **Section 1001.12**- Clarification on the 12-month limit for a zoning compliance. *DCRPC Staff Comment*- O.K.

- W. **Section 1002.01**- Clarification and housekeeping rules on permits.
DCRPC Staff Comment- O.K.
- X. **Section 1003.01**- minor clarification about occupancy certificates.
DCRPC Staff Comment- O.K.
- Y. **Section 1004**- typo correction. DCRPC Staff Comment- O.K.
- Z. **Section 1005 and 1006**- clarification of the late application fee process. *DCRPC Staff Comment- O.K.*

III. Staff Recommendation

Staff recommends **conditional approval** of the Genoa Township Zoning text amendments as received 2/19/03, *subject to staff comments*, to the DCRPC, the Genoa Township Zoning Commission, and the Genoa Twp. Trustees.

Commission / Public Comments

Mr. Gladman made a motion to recommend conditional approval of the text amendments to the Genoa Twp. Zoning Resolution, subject to staff comments. Mr. Brenner seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

**10-03 ZON Living Word Evangelical Lutheran Church –
Berkshire Twp. – 8.334 acres from A-1 to PIND**

I. Request

The Church of the Living Word, 184 Heatherdown Road, Westerville, has submitted a zoning request to change 8.334 acres on Dustin Road in Berkshire Township from A-1 zoning to a Planned Institutional District (PIND) zone for the purpose of constructing a church.

Present Use: Open field

Proposed Use: Church with 200 sanctuary seats, set back 310 feet from the centerline of Dustin Road.

Existing Density: 1 unit/5 acres (.20 units/acre) in A-1 zone Berkshire Township

School District: Big Walnut

Utilities Available: Del Co Water. On site septic and leach system for sewage disposal.

Soils types: CaB- Cardington, 2-6 % slope
BeA- Bennington, 0-2 % slope

II. Issues and Existing Conditions

- A. **Adjacent Existing Land Uses**-Large lot single family homes to the east, west, and south. Agriculture to the north.
- B. **Water**- Del Co Water serves the site. There is adequate water pressure and flow for domestic use but not for sprinkling the building.
- C. **Sanitary Sewer** - The land in question lies outside the Delaware County Sanitary Sewer service area, and the Galena sewer service area. To serve the 200 seat church, the applicant proposes to construct an on site sewage disposal. A letter from the Ohio EPA grants permission to design such a system, but no specific system has been proposed.

The site is flat and somewhat poorly drained. Groundwater conditions for these soils are less than one foot from the surface. Septic systems are permitted in Bennington and Cardington soils, but they are not well suited due to seasonal high water and wetness.

- D. **Other utilities**
 - 1.) Gas- No service letter
 - 2.) Electric- No service letter
- E. **Fire protection**- there is no service letter from the fire chief. The building proposed is a Morton Structural steel building. There are no hydrants nearby. The service water line in Dustin Road is 3 inches in diameter, inadequate for adding hydrants. A structural steel building can be rated so that it does not require sprinklers. A local example is the Morton-built church on Lewis Center Road at North Road in Lewis Center.
- F. **Traffic Impacts**- No traffic study was submitted. A 200-seat expansion church could be expected to generate 70 automobile trips when fully attended. These trips are at off peak hours and do not represent any significant load to Dustin Road.
- G. **Drainage**- No storm water detention is shown on the very rudimentary

development plan. The site is very flat, and with a church and 72 parking spaces there will be increased runoff and a need to detain storm water and to properly discharge it. This needs to be shown.

H. Religious Land Use and Institutionalized Persons Act of 2000, Public Law 106-274 [S. 2869]-The effect of this federal legislation is to *supercede state and local rules and laws including zoning.* The act:

- a.) Requires local officials to give a compelling reason for application/enforcement of zoning rules that are contrary to a religious institution’s wishes.
- b.) Requires government to show a compelling governmental interest (i.e. setback for safety or sight line) for any religious land use. Setback and parking requirements are valid regulations, as are building code, drainage and public health (water and sewer) regulations. Zoning does not permit prohibition of a church as long as these compelling governmental interests can be met.
- c.) Requires government to use the least restrictive means to further their compelling interest.

As a result of this act, DCRPC, and many attorneys recommend that all religious land uses (churches, temples, synagogues, etc. and accessory uses such as parsonages and schools) be permitted uses in all zoning districts. Therefore, this request for rezoning to PIND should only relate to the compelling governmental interests in the development plan review as itemized in H. b.) above. In fact, if all such health and safety issues are resolved, the zoning should be approved without question.

RPC Staff Findings

- 1. The PIND plan for the 8.334 acres for a Lutheran church conforms to the 2001 Berkshire Township Comprehensive Plan.
- 2. The proposed development as a church advances the health, safety and morals of the Township and the immediate vicinity.

III. DCRPC Staff Recommendation

Staff recommends to the DCRPC, Berkshire Twp. Zoning Commission, and the Berkshire Twp. trustees that the PIND zoning on 8.334 acres for the Lutheran church of the Living Word be **conditionally approved**, *subject to the development plan being improved to show details for on-site sewage disposal, and storm water drainage.*

Commission / Public Comments

No one was present to represent the applicant.

Mr. Hopper asked if the Village of Galena was contacted concerning the utility issues. Mr. Laurien said that they had not. Mr. Hopper asked that they be contacted in the future due to certain utility issues that are going out as far as Rome Corners. Mr. Laurien agreed.

Mr. Gladman made a motion to recommend conditional approval of the rezoning request for the Lutheran church of the Living Word, subject to staff and Commission comments. Mr. Brenner seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Village of Galena). Motion carried.

11-03 ZON Romanelli & Hughes – Genoa Twp. – development plan amendment for Harvest Wind

This application is submitted by Romanelli & Hughes Building Company to amend an approved Planned Residential District Development Plan for Harvest Wind subdivision in Genoa Township.

I. Conditions

- Present Zoning:** Planned Residential District (PD-1)
- Proposed Zoning:** Planned Residential District (PD-1)
- Present Use:** Single family homes and common wall properties
- Proposed Use:** Single family homes and common wall properties
- Existing Density:** 2.2 DU/Acre (per approved development plan)
- Proposed Density:** 2.2 DU/Acre
- School District:** Westerville
- Utilities Available:** Del Co Water, Delaware County sanitary sewer.
- Soils:** Udorthents (UdB)
Bennington (BeA & BeB)
Pewamo (PwA)
Cardington (CaB)

II. Background

The Harvest Wind development received a development plan approval in November 1993. It is surrounded by Tussic Street Road to the west, Sunbury Road to the east, Barrington Estates and Park Bend subdivisions to the south, and Eagle Trace and Medallion Estates subdivisions to the north. The original zoning also

included Barrington Estates and Park Bend. Harvest Wind was approved at a maximum density of 2.2 units per acre and was to include a 13-acre park to be deeded to the Township. The open space, located at the southwest corner of Center Green Drive and Spring Run Drive, was platted in Harvest Wind Phase 5 in 2 lots, Lot 5755 (10.974 acres) and Lot 5287 (2.111 acres). These lots contain a concrete ditch and a large detention pond for stormwater management. The developer was required to provide amenities (shelter and picnic area) or pay the Township \$20,000 to be used to complete the improvements, neither of which has been done. The developer now proposes to deed the 10.974-acre lot to the Township and only provide sidewalks/bike path through the open space. The 2.111 acre lot would then be used toward the open space requirement in Eagle Trace subdivision to the north (RPC # 12-03 ZON).

III. Compliance with Comprehensive Plans

The 1999 Genoa Township Comprehensive Plan places this property in Planning Area 1. The Plan recommends residential development in this area at a gross density of up to 1.8 units per acre or the sanitary sewer design capacity, whichever is less. The comprehensive plan also recommends neighborhood parks for basic recreational opportunities, which are easily accessible to local residents.

Findings: The overall density of Harvest Wind is 2.2 du/acre. This exceeds the Plan recommendation, but the Harvest Wind development plan was approved prior to the adoption of the Comprehensive Plan and the developer is not seeking a change in density. The park dedication does not conform to the plan with respect to providing recreational opportunities to the local residents. The bike path and sidewalks are a good start, but the developer should construct the amenities that were approved on the original development plan. If the fee in lieu of improvements is preferred, then it should be equivalent to the cost of constructing the amenities in today's dollars not 1993.

IV. Compliance with PD-1 standards

The Genoa Township Zoning Resolution requires 15 percent common open space in Planned Residential District subdivisions. Stormwater retention/detention ponds can not count toward the required common open space.

Findings: The original 13 acre proposed park was less than that required so any further reduction would also not conform to PD-1 standards.

V. Criteria for approval

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

Findings

- 1.) The amended PD-1 development plan to reduce and modify the open space in Harvest Wind is not in conformance with the Genoa Township 1999 Comprehensive Plan or the Zoning Resolution.
- 2.) This development plan should not be contingent on approval of the Eagle Trace development plan amendment. It reduces the park area in Harvest Wind and then gives it back as open space for Eagle Trace.
- 3.) The original development plan required the developer to construct certain amenities at a cost of up to \$20,000 or pay a fee in lieu of (\$20,000). The developer now proposes a payment of \$20,000 to the Township along with providing sidewalks and a bike path. This is not adequate considering almost ten years has passed since the original plan was approved. The developer should be responsible for the amenities or pay an equivalent fee to the Township.

VI. DCRPC Staff Recommendation

Staff recommends **denial** of the amended PD-1 development plan for Harvest Wind to the RPC, Genoa Township Zoning Commission, and Genoa Township Trustees *for the reasons stated in III, IV, and V above.*

Commission / Public Comments

Mr. David Fisher, attorney with Kephart and Fisher was present to represent the applicant. He stated that the parkland was not to be dedicated until the right-of-way and public access got to that area of the project. There were also a number of amenities added after the development plan was approved.

Mr. Laurien stated that the Eagle Trace residents should be entitled to some open space as opposed to asking them to go down to the Harvest Wind subd. to use the open space there. He felt that residents of both Eagle Trace and Harvest Wind have been denied use of (approximately 17 acres) open space because the developer didn't correctly calculate the area needed for stormwater detention. With vacant lots still undeveloped, some of those lots should be converted to open space.

Chairwoman Warthman stated that Genoa Twp. would continue to work very closely with the developer to come up with an equitable distribution of amenities for both (Eagle Trace and Harvest Wind) projects.

Mr. Dewitt made a motion to recommend denial of the development plan amendment to the Harvest Wind development. Mr. Brenner seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Genoa Twp.).

Motion carried.

12-03 ZON Romanelli & Hughes – Genoa Twp. – development plan amendment for Eagle Trace

This application is submitted by Romanelli & Hughes Building Company to amend an approved Planned Residential District Development Plan for Eagle Trace subdivision in Genoa Township.

I. Conditions

- Present Zoning:** Planned Residential District (PD-1)
- Proposed Zoning:** Planned Residential District (PD-1)
- Present Use:** Single family residential subdivision (Eagle Trace)
- Proposed Use:** Single family residential subdivision
- Existing Density:** 2.42 DU/Acre (193 lots / 79.9 acres)
- Proposed Density:** 2.42 DU/Acre
- School District:** Westerville
- Utilities Available:** Del Co Water, Delaware County sanitary sewer.
- Soils:** Udorthents (UdB)
Bennington (BeA & BeB)
Pewamo (PwA)
Cardington (CaB)

II. Background

Eagle Trace subdivision received PD-1 development plan approval in 1994. It is surrounded by Harvest Wind to the south, Medallion Estates to the east, Lanetta Glen to the north, and Sherbrook to the west. The subdivision contains 193 lots on 79.9 acres (2.42 units/acre) with 4.93 acres of open space in 2 reserve lots (6.17%). Most of the development has been completed except for 13.5 acres. The open space lots are located on the east and west side of Danbridge Way in the southern portion of the subdivision. A portion of the open space was allowed to be used for drainage and stormwater retention. However, during the subdivision process, the County Engineer required additional retention. Rather than lose residential lots, the developer expanded the pond using up the entire open space areas. The developer now seeks a development plan amendment to replace the common open space removed from Eagle Trace with 2.111 acres of open space in Harvest Wind to the south.

III. Compliance with Comprehensive Plans

The 1999 Genoa Township Comprehensive Plan places this property in Planning Area 1. The Plan recommends residential development in this area at a gross density of up to 1.8 units per acre or the sanitary sewer design capacity, whichever is less. The comprehensive plan also recommends neighborhood parks for basic recreational opportunities, which are easily accessible to local residents.

Findings: The overall density of Eagle Trace is 2.42 du/acre. This exceeds the Plan recommendation, but the development plan was approved prior to the adoption of the Comprehensive Plan and the developer is not seeking a change in density. There is absolutely no common open space in Eagle Trace. The developer seeks to compensate for the lack of open space by offering a portion of the future 13 acre park in Harvest Wind as Eagle Trace open space. There are 13.5 acres in Eagle Trace that has yet to be platted. A portion of this area equal to or greater than the original open space area should be devoted to common open space.

IV. Compliance with PD-1 standards

The Genoa Township Zoning Resolution requires 15 percent common open space in Planned Residential District subdivisions. Stormwater retention/detention ponds can not count toward the required open space.

Findings: The 4.9-acre open space reserves are less than that required and is entirely used up by retention ponds. Any further reduction would not conform to PD-1 standards. Common open space equal to or greater than 4.9 acres should be provided in the undeveloped 13.5 acres of Eagle Trace.

V. Criteria for approval

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

Findings

- 1.) The amended PD-1 development plan to allow open space in Harvest Wind to replace open space in Eagle Trace is not in conformance with the Genoa Township 1999 Comprehensive Plan or the Zoning Resolution.
- 2.) Common open space equal to or greater than 4.9 acres should be provided in the undeveloped 13.5 acres of Eagle Trace.

VI. DCRPC Staff Recommendation

Staff recommends **denial** of the amended PD-1 development plan for Eagle Trace to the RPC, Genoa Township Zoning Commission, and Genoa Township Trustees for the reasons stated in III, IV, and V above.

Commission / Public Comments

Mr. David Fisher, attorney with Kephart and Fisher was present to represent the applicant.

Mr. Laurien stated that a portion of the open space in Eagle Trace was approved for storm water detention but now it covers all of that area. All the residents should have been notified that the common open space was being taken away.

Chairwoman Warthman stated that Genoa Twp. would continue to work very closely with the developer to come up with an equitable distribution of amenities for both (Eagle Trace and Harvest Wind) projects.

Mr. Brenner made a motion to recommend denial of the development plan amendment to the Eagle Trace development. Mr. Poland seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Genoa Twp.). Motion carried.

**13-03 ZON Greater Ohio District of the Wesleyan Church –
Genoa Twp. – 9.0 acres from Rural Residential (RR)
to Community Facilities (CF)**

Location: 5960 Big Walnut Road (south side), west of Worthington Road, east of Grand Oak subdivision, north of Highland Lakes subdivision.

I. Conditions

- Present Zoning:** Rural Residential
- Proposed Zoning:** Planned Community Facilities District
- Present Use:** Victory Camp, assortment of over 60 camp structures
- Proposed Uses:** Church/Public Assemblies/Recreational Facilities
- Existing Density:** 1 unit per 2 acres
- School District:** Olentangy

Utilities Available- Del Co Water and Sanitary Sewer

- Soils:** CaB Cardington 2-6% slope
- CaC Cardington 6-12% slope

Surrounding Land Uses:

- East – Large lots from 4 acres to 1 acre along Worthington Road;
- South – Highland Lakes subdivision (2 du/ac);
- West – Willow Bend subdivision (1.4 du/ac);
- North – Some large lot road frontage houses, undeveloped land (Weisenstein property).

II. General Background

Dayspring Chapel is a member of the Greater Ohio Wesleyan District. After three years of meeting in a Chandler Court warehouse, the church was given the nine acres in the “Victory Camp” by the district. Initially, the church will remodel three existing buildings on the property for use as a worship center, classrooms and office space and a parsonage. The various other structures on the site will be removed within the first year of operation. The group plans to build a 300-seat church building in the next three years. They have stated a goal of using the land in a way that does not destroy the natural beauty and openness of the site.

III. Issues

The Religious Land Use and Institutionalized Persons Act of 2000 states that government entities cannot impose a substantial burden on religious exercise. However, Genoa Township feels it is reasonable to ask for a change of zoning.

1. The General Requirements of the zoning regulations call for a development plan. The applicants have stated their development plans in writing. Because the plan calls for initially using existing buildings, the township should expect at least a plan that shows which buildings will be renovated and which will be disposed of.
2. As part of its future planning, the church should provide an overall development plan that meets the requirements of Section 408.05 (General Requirements in the CF district) and Section 518 (Churches). These requirements include parking coverage, lighting, signage drainage and sewer.

IV. Conformance with the Comprehensive Plan

Much has changed in Genoa Township since its Comprehensive Plan was

adopted in 1999. That plan defines general planning areas, recommending densities for each area, without siting specific locations of community facilities. The overall development goals state that any non-residential use be designed to reflect the rural character of the community. The church has stated that they plan to preserve much of a site that, due to its natural beauty, is an asset to the community.

V. DCRPC Staff Recommendation

DCRPC staff recommends to the DCRPC, the Genoa Township Zoning Commission and the Genoa Township Trustees that the request for Planned Community Facilities zoning for 9.00 acres on Big Walnut Road in Genoa Township be **approved**.

Commission / Public Comments

Pastor Trevor Beers of Daysprings Chapel was present to answer any questions from the Commission.

Mr. Gladman made a motion to recommend approval of the zoning request by Greater Ohio District of the Wesleyan Church, seconded by Mr. Brenner. VOTE: Unanimously For, 0 Opposed. Motion carried.

IV. SUBDIVISION PROJECTS

Preliminary

20-02 Myers Glen – Delaware Twp. - 09 lots / 17.24 acres

Applicant: Frank Goode
Subdivision Type: Single-family Residential
Location: South side of Curve Road, 900’ east of Armstrong Road, Delaware Twp.
Current Land Use: agriculture
Zoned: Farm Residential District, (FR-1)
Utilities: Del-Co water and private septic systems
School District: Delaware
Engineer: Floyd Browne Associates

Staff Comments

Myers Glen is a proposed 9-lot subdivision on the south side of Curve Road just east of the City of Delaware. Lots range from 1.2 to 2.5 acres in size and will access a new cul-de-sac street called Myers Glen Road. The first 200’ of the cul-de-sac is a former CAD serving 2 lots in the Belt Subdivision #3. These 2 lots will not be included in the Myers Glen subdivision, but will be assigned new addresses since they both will access Myers Glen Road. Belt Subdivision #3 contained plat language regarding the future upgrade of the CAD to a public street, so the 2 lot owners will not be required to sign the Myers Glen plat. However, the owner of the 60’ strip (CAD) will be required to sign the plat. All lots in Myers Glen will be required to use mound systems. If the City of Delaware can not provide water service, then Del-Co can with a 3” line on Curve Road, but there will not be adequate fire protection flow.

The surrounding land use is agriculture and large lot residential along Curve Road. The land immediately to the west on Armstrong Road in the City of Delaware is a proposed future Sanitary Treatment Plant.

A technical review was held on September 17th, after which the applicant has addressed all of the required changes.

Staff Recommendation

Staff recommends *Preliminary approval* of the **Myers Glen**, to the RPC.

Commission / Public Comments

Mrs. Tiffany Jenkins of Floyd Browne Associates was present to represent the

applicant.

Mr. Brenner made a motion for Preliminary approval of the Myers Glen subdivision. Mr. Gladman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

04-03 The Lakes at Silverleaf – Liberty Twp. - 29 lots / 30.42 acres

Applicant: Vincent Margello
Consultant: Bischoff Miller & Associates

Staff Comments

The applicant has requested a 90-day tabling to resolve zoning issues.

Staff Recommendation

Staff recommends *approval of the 90-day tabling* of **The Lakes at Silverleaf** to the RPC.

Commission / Public Comments

Mr. Gladman made a motion to approve the 90-day table request for The Lakes at Silverleaf. Mr. Brenner seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

05-03 Olentangy Falls – Liberty Twp. - 147 lots / 211.01 acres

Applicant: Planned Communities, Inc.
Subdivision Type: Single-family Residential
Location: North and south side of Hyatts Road, east and west side of Taggart Road, Liberty Twp.
Current Land Use: Former agriculture, with woods and ravines
Zoned: Farm Residential District, (FR-1)
Utilities: Del-Co water and Delaware County Sanitary sewer
School District: Olentangy
Engineer: Floyd Browne Associates

Staff Comments

Olentangy Falls is a proposed FR-1 subdivision containing 147 lots on 211.01 acres, a density of 0.7 units/acre. It is located east of Chapman Road and the Olentangy River on the north and south side of Hyatts Road. The site is rolling with a series of ravines feeding into the Olentangy River, which runs along the west side of the development south of Hyatts Road. It also includes some streams and wetlands that fall under the Army Corps of Engineers jurisdiction and permit process. An electric transmission line and 150' electric easement is located along the north boundary of the subdivision. Large lot, single-family residences and agriculture surround the development, as well as a future retirement community center to the immediate east on the south side of Hyatts Road.

This project began as a proposed 211 lot Planned Residential development (1 du/ac.) with 50 percent open space. Due to opposition from local residents and the risk of referendum, the developer has withdrawn the PR rezoning request and submitted a design that conforms to FR-1 zoning, which requires a minimum of 1-acre lots. The number of lots have been reduced to 147, but only 0.85 acre is set aside as open space for an entryway feature off Hyatts Road.

Hyatts Road and Taggart Road divide the development into 3 areas.

West:

The land between Taggart Road and the Olentangy River will contain 26 lots on a loop street. All lots fronting on Taggart Road will be accessed by the loop street only. As noted at Technical Review Committee, the loop street exceeds the maximum length permitted by the County Engineer, but a variance has been granted. The 100-year floodplain also crosses this part of the development.

Twelve of the proposed building pods are in the floodplain. The developer intends to fill the floodplain in the proposed building areas. The RPC staff does not support creating building sites in the 100-year floodplain despite the Delaware County Floodplain Regulations, which allows filling of the floodplain.

North:

The area on the north side of Hyatts Road contains 40 lots on 65.18 acres. Only one public access to Hyatts Road is provided and is located approximately 400' east of Taggart Road. A second access is provided at the east end of the property within a 60' strip for emergency access only. Two of the internal streets are stubbed to the north and east property boundary for potential development of the adjacent tracts. The lots along the north side include the electric transmission line and 150' easement.

Southeast:

On the south side of Hyatts Road and east side of Taggart Road 81 lots are proposed. Access is provided from Hyatts Road at the east end of the subdivision and Taggart Road near the south side of the subdivision. A second access is provided from Taggart Road closer to Hyatts Road, but this is an LDLV serving 6 lots. All lots with frontage on Taggart Road will be accessed by internal streets or one of 2 proposed common driveways. Two streets are stubbed to the east and south for future development. The connection to the east will be required to be a full public access to the future retirement community (per Liberty Township zoning officer).

A technical review was held on February 18, 2003, after which the applicant has addressed most of the required changes, except:

- Zoning variances for the open space and existing structures must be secured prior to submitting the final plat. Several lots need adjusted to meet setback and frontage requirements.
- Resolve engineering issues and variances with the County Engineers office.
- Obtain required Army Corps of Engineers permits for stream crossings and wetland disturbance.
- The proposed emergency access to the elderly retirement community to the east must be a public street.
- The standard electromagnetic note will be required on plats including the electric easement.
- Correct floodplain delineation to correspond to the base flood elevation.

Staff Recommendation

Staff recommends *conditional Preliminary approval* of the **Olentangy Falls Subdivision**, to the RPC *subject to staff comments*.

Commission / Public Comments

Mr. Jack Brickner, Director of Development for Planned Communities was present. The north property (north of Hyatts Rd.) the road stub to the east is public right-of-way and future road. The emergency access to the north property comes down to Hyatts Rd. There are 2 zoning variances that they are aware of that need to be obtained. If the small open space area (less than the standard 1 acre lot in FR-1 district) by Hyatts Rd. is not given a variance, they would transfer it to the retirement community. The only existing structures that would be applied for are the silos in the south central portion of the property just east of Taggart Road. All the other structures would be razed. Any engineering issues would be worked out with the County Engineer during the final engineering stage. The electromagnetic note would be added to the plat per RPC request. The Corp. of Engineers permits have been submitted. His engineers would contact Mr. Fred Fowler regarding floodplain delineation corrections.

Mr. Bob Tanner (6421 Cook Rd., Powell) attorney representing 5 families that resides on Taggart Rd. These families are opposed to this project due to the lack of regard to the conservation plan of the Liberty Twp. Comprehensive Plan. The developer has not demonstrated concern for the conservation for the Olentangy River valley. Mr. Tanner stated that it is extremely premature for a conditional preliminary approval. There is a lengthy process to go through for approval from the Corp. of Engineers.

Mr. Tim Peterkoski, Central Ohio Scenic River Manager with the Ohio Department of Natural Resources presented a letter to the Commission dated 2/27/03. (See attached.)

Mr. Larry Schreiber (724 Hyatts Rd.) commented on the possible contamination of the river due to storm water that is untreated and flowing into the Olentangy River. Del-Co Water has an intake about a half-mile downstream from this development. He is concerned that if these contaminants become sufficiently high, it may prove to be a health hazard to the water supply.

Mrs. Laura Dornbirer (6467 Taggart Rd.) said that it was presented that the applicant needed to pursue this FR-1 zoning because after numerous meetings with residents, at risk of referendum this was the way they opted to go. Mrs. Dornbirer stated that Planned Communities never came down from their original density of 211 units. The current Taggart Rd. residents hoped the applicant would present a conservation project with dedicated green space. She

questioned how Planned Communities could receive the Delaware Soil & Water Conservation's District Annual Conservation Booster award "for being instrumental in promoting conservation ideas and practicing the conservation of natural resources in Delaware County." She asked in what way does this project conserve our environment or a state of Ohio designated scenic river?

Mr. David Brown (1557 Bean Oller Rd.) stated that while this project does not effect his property, development along the river concerns him. He asked what would happen if there are sewer problems with this property as with the Greif Brothers property.

Mr. Wayne Dornbirer (6467 Taggart Rd.) said he was also in meetings with Planned Communities. The Taggart Road residents are not opposed to a subdivision. They just want the project to follow the intent of the Liberty Township Comprehensive Plan.

Ms. Jeanne Stoll (1680 Carriage Rd.) has been a resident of the Olentangy River valley for over 30 years. She is concerned about the effect of this project on the Olentangy River.

Ms. Judy Brozek (944 W. Orange Rd.) was present to represent Friends of the Olentangy River. This organization has reviewed and commented on all the proposed developments in the Olentangy Heritage corridor since 1993. After reviewing this proposal, the organization has concluded that this development is the most irresponsible development that has been proposed in this heritage corridor in the last decade. The Liberty Twp. portion of the Deep Run subdivision, also developed by Planned Communities, Inc., has done great damage to the river. The State Representative has seen this damage and Ms. Brozek hopes he will be influential in stopping this. The Olentangy River is 1 of only 11 designated in Ohio as a scenic river. Ms. Brozek stated that the 401 and 404 applications are a matter of greed and does not consider financial gain a reason to degrade this scenic river.

Mr. David Hotz (6565 Taggart Rd.) stated that there are currently 15-16 residents on Taggart Rd. and it carries the traffic for them. It is barely a lane and a half wide. Planned Communities stated that traffic would increase by approximately 2000 trips per day. This project presents a safety concern for his family.

Mr. Brickner stated that anything dealing with the soil, erosion, or detention basins have to come under the 401 and 404 permits that would be issued from

the Corp. of Engineers. The plan for the sedimentation and erosion controls have to be approved and inspected on site by the County Engineer's office. The detention basin proposed would be a water quality type basin, which is a different design than a standard basin. The meetings were not as successful as had hoped. During those meetings, they had a hard time coming up with a consensus for a plan the people would approve. There is over 14,000 feet of delineated stream within this project. There is approximately 4-5 % of the delineated stream and 4-5% of the wetlands that would be disrupted. This project would be on central sanitary sewer under the direction of the County Sanitary Engineer.

Mr. Dewitt asked if this would be a conditional use where it is not subject to referendum? Mr. Laurien responded that this is a straight FR-1 subdivision. If they meet the standards of the zoning district that they are in, they are entitled to apply for subdivision.

Chairwoman Warthman asked if a conditional approval should be considered prior to resolving the variance requests from the Township on lot reduction. Mr. Laurien stated that conditional approvals have been given in the past because before they can get construction approvals they will have to secure the other issues. However, when the design is controversial the Commission has denied conditional approvals.

Mr. Gunderman asked if the developer would consider a conservation subdivision with the same number of lots? Mr. Brickner said that would not be financially feasible at the 147 lots due to the significant improvements on widening on Hyatts Rd, rebuilding of Taggart Rd., transmission lines for Del-Co Water Co., land costs, permits, water and sanitary taps. Smaller lots would not equate out to the value that a 1-acre FR lot in the same subdivision would sell for.

Mr. Laurien stated that a conservation subdivision done correctly would likely yield higher value on a smaller lot. Randall Arendt has shown that a developer could yield 15% more than an acreage lot. The advantages of a conservation subdivision are 1.) faster absorption rate, 2.) higher lot premiums adjacent to dedicated open space, 3.) less infrastructure costs.

Mr. Gunderman asked what the procedure would be if a favorable action were taken on this project tonight. Mr. Laurien stated that the applicant could begin the engineering process. They could request the zoning variances through the zoning board of appeals, apply to the Corp. of Engineers, ODNR and EPA.

Mr. Gunderman asked if it is typical to move forward before those preliminary items are completed by the engineer's office. Mr. Laurien said the answer is probably yes if it is a non-controversial plan. If it is a controversial plan, then it is up to the Commission. The staff gave the benefit of the doubt because we don't have the ability to tie this to a planned district. However, staff is not happy with the design. They do not agree with filling the flood plain, but unfortunately our Sub. Regs. do not currently allow us to prevent the platting for residential lots in the 100-year flood plain. Mr. Deel pointed out that Sec. 101.07 of the Delaware County Subdivision Regulations states that "applications deemed unfavorable due to topography, drainage, flood plain, geometry, soil, bedrock, geology, water supply, health, environmental, access, maintenance, utility easement, sanitary sewer availability, cemetery, archeological or historic site, scenic river, forest, wetland, school or community service site, parkland or recreation area, or other characteristics shall not be approved unless measures adequate to deal with the issues are detailed by the subdivider to the satisfaction of the Commission and applicable public authorities."

Mr. Gunderman asked if a traffic study was completed. Mr. Laurien said that a traffic study would be required.

Mr. Gunderman asked what the proposed right-of-way and pavement widths are? Mr. Brickner stated that a traffic study was submitted to the County. Hyatts Rd. would be widened to three lanes; 12 foot on the through lanes and 11 foot in the center turning lane. Taggart Road would be widened to either the typical 22 foot or 24 at the most with two 12 foot lanes in either direction. Open ditch section along Taggart and Hyatts Roads.

Mr. Bell asked about the tabling procedure. Mr. Laurien said that the statute says the RPC must act within 30 days. If the applicant were to request a tabling, the Commission could grant it.

Mr. John Schmidt made a motion to deny the preliminary application for Olentangy Falls subdivision, based on 1.) the applicant has not secured the zoning variances for the open space and the existing structures; and 2.) the requirements in Sec. 101.07 of the Subdivision Regulations have not been met. Mr. Brenner seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

Preliminary/Final (none)

CONSENT AGENDA

Chairwoman Warthman asked if the Commission would like to remove any of the Finals from the consent agenda. None were requested.

Mr. Gladman made a motion for Final approval of Wedgewood, Section 2A and Seldom Seen Acres, Section 2 (resubdivision). Mr. Brenner seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

Final

13-02.A Wedgewood, Section 2A – Liberty Twp. - 06 lots / 03.64 acres

Applicant: Virginia Homes, Ltd.
Subdivision Type: Single-family residential
Location: West of Sawmill Blvd, South side of Wellington Blvd.
Current Land Use: Vacant field
Zoned: Planned Residential District (PRD)
Utilities: Del-Co water and county sewer systems
School District: Olentangy School District
Project Engineer: C.F. Bird and R.J. Bull, Inc.

Staff Comments

The site is an open field. It is surrounded by other Planned Residential and Planned Commercial developments. An apartment community “Vistas at Wedgewood” is to the east.

The lots of Wedgewood Section 2A are located along Wellington Blvd. The lots are combined from land within future Wedgewood Section 11 (to the south) and Reserve N from Section 2 (to the north). When completed, the resulting lots will be a part of Section 2. And follow the same restrictions.

An area of open space is provided at the eastern edge of the site for an entrance

feature.

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 **Wedgewood, Section 2A**, to the RPC.

Commission / Public Comments

Mr. Gladman made a motion for Final approval of Wedgewood, Section 2A. Mr. Brenner seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

24-99.1 Seldom Seen Acres, Section 2(resubd.) – Liberty Twp.
- 03 lots / 9.004 acres

Applicant: SSA
Subdivision Type: Commercial
Location: East side of Sawmill Road, south of Seldom Seen Road
Current Land Use: Vacant, former agriculture
Zoned: Planned Commercial
Utilities: Del-Co water and county sewer systems
School District: Olentangy School District
Project Engineer: C.F. Bird and R.J. Bull, Inc.

Staff Comments

The site is open and the original structures have been removed. This is a resubdivision of only the area bounded by Sawmill Parkway, Seldom Seen Road, Bunker Lane and Sawmill Drive. It is essentially a lot line adjustment for three existing lots to accommodate potential buyers. The remainder of the original subdivision will be re-platted at a later date.

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 **Seldom Seen Acres, Section 2**, to the RPC.

Commission / Public Comments

Mr. Gladman made a motion for Final approval of Seldom Seen Acres,

Section 2 (resubdivision). Mr. Brenner seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

V. EXTENSIONS

29-98.4.10 Scioto Reserve, Sec. 4, Ph. 10 – Concord Twp. - 60 lots / 21.10 acres

Applicant: Homewood Corp.
Consultant: Lenell Sniechowski, P.E., RD Zande & Associates

Staff Comments

The applicant has requested an extension of the Preliminary approval of this project. Construction is planned for winter 2003.

Staff Recommendation

Staff recommends *approval* of the 6-month extension of **Scioto Reserve, Section 4, Phase 10** to the RPC.

Commission / Public Comments

Mr. Brenner made a motion to approve the 6 month extension of Scioto Reserve, Section 4, Phase 10. Mr. Gunderman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

VI. OTHER BUSINESS

- **Mr. Tom Homan, City of Delaware – Alternate 16 discussion**
Mr. Homan stated that the City of Delaware was present to seek the continued cooperation of the Regional Planning Commission on the development of the Thoroughfare Plan. The City is mindful of the Regional Planning Commission’s adoption of the Thoroughfare Plan that Alt. 16 be advanced before Alt. 1. They have met with Delaware and Berlin Twp. Trustees. They have received a letter of support from the County Engineer. The County Commissioners voted this morning to support the advancement of the project. They have also received support from the State Representative, State Senator, and the Mid Ohio Regional Planning Commission. Mr. Bill Ferrigno, Engineer

for the City of Delaware, stated that they have petitioned for funds to begin the feasibility study.

Mr. Gladman made a motion in support of the advancement of the South-East Arterial Connector project. Mr. Brenner seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

- **Establish Nominating Committee for Executive Committee members (nominations to be presented at the March RPC meeting)**

The members of the Nominating Committee include Leslie Warthman, Dick Gladman, and Andrew Brenner.

VII. POLICY / EDUCATION DISCUSSION

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

Meeting adjourned at 9:25 p.m.

The next meeting of the Delaware County Regional Planning Commission will be Thursday, March 27, 2003, 7:00PM at the Delaware Hayes Services Building, 140 N. Sandusky Street, Conference Room G-35, Delaware, Ohio 43015.