



**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\***

**Wednesday, April 24, 2002 at 7:00 PM  
Delaware Joint Vocational School Auditorium  
1610 St. Rt. 521, Delaware, Ohio 43015**

**I. ADMINISTRATIVE BUSINESS**

- Call to order
- Roll Call
- Approval of March 28, 2002 RPC Minutes
- Executive Committee Minutes of April 17, 2002
- Statement of Policy

**II. VARIANCES (none)**

**III. ZONING MAP/TEXT AMENDMENTS**

- 18-02 ZON William R. Schlanger – Berkshire Twp. – 32.04 acres from A-1 to FR-1
- 21-02 ZON William R. Schlanger – Trenton Twp. – 30.34 acres from FR to RR
- 19-02 ZON Village of Shawnee Hills – Shawnee Hills Comprehensive Plan
- 20-02 ZON Jeffrey Hinds – Berkshire Twp. – 6 acres from A-1 to FR-1
- 22-02 ZON Chase Enterprises, PLL – Berlin Twp. – 0.58 acres from FR-1 to PCD

**IV. SUBDIVISION PROJECTS**

<u>Preliminary</u>		Township	Lots/Acres
12-02	Gilbert	Berkshire	02 lots / 03.78 acres
10-02	Walnut Ridge (fka Laxson Estates)	Concord	04 lots / 08.29 acres
08-02	Waterford Woods	Concord	03 lots / 07.31 acres
28-99	T Hickory Woods (fka Ranck Subdivision)	Genoa	14 lots / 33.19 acres
09-02.1	Glen Oak, Section 1	Orange	49 lots / 32.19 acres
09-02.2	T Glen Oak, Section 2	Orange	32 lots / 18.00 acres
11-02	T Dent Woods	Trenton	03 lots / 16.28 acres

**Preliminary/Final (none)**

**Final**

52-96.4	Dornoch Estates, Sec. 4	Liberty	52 lots / 67.20 acres
43-00.9.2.A	Golf Village, Sec. 9, Ph. 2, Pt. A	Liberty	32 lots / 11.24 acres
43-00.9.2.B	Golf Village, Sec. 9, Ph. 2, Pt. B	Liberty	38 lots / 17.06 acres
45-95.1.3	T The Woodlands at Loch Lomond, S1, P3	Liberty	14 lots / 15.60 acres
47-00.1.1	T North Orange, Sec. 1, Ph. 1	Orange	05 lots / 77.82 acres
47-00.2.1	T North Orange, Sec. 2, Ph. 1	Orange	02 lots / 01.08 acres
47-00.3.1	T North Orange, Sec. 3, Ph. 1	Orange	48 lots / 21.77 acres
26-00.4.1	Orange Point Commerce Park, Ph. 4, Pt. 1	Orange	04 lots / 17.66 acres

**T=TABLED, W/D=Withdrawn**

**V. EXTENSIONS**

- 26-98.1.5/6 Scioto Reserve, Sec. 1, Ph. 's 5 & 6 – Concord – requesting 6 month extension

**VI. OTHER BUSINESS**

- Consideration for approval: Contracted Professional Services: Loveland & Brosius Atty's. \$2,270.25

- Consideration for approval: Contracted Professional Services: Gardner Architects \$2,885.00
- Consideration for approval: Computer Upgrades: Dell Computers \$11,429.00

**VII. POLICY / EDUCATION DISCUSSION**

**I. ADMINISTRATIVE BUSINESS**

**■ Call to Order**

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

**■ Roll Call**

*Representatives present:* Don Poland, John Schmidt, Fred Fowler, Jim Ward, Leslie Warthman, Andrew Brenner, Holly Foust, Charles Heimlich, Dick Gladman and Bill Thurston. *Alternates present:* Dusty Gurney, Jack Smelker, Doug Riedel and Nancy Duffee. *Arrived after roll call:* Gary Spanner. *Staff present:* Phil Laurien, Paul Deel, Scott Sanders, Da-Wei Liou, Bob Sochor and Joseph Clase.

Since there was not a quorum, Chairwoman Foust asked if the Commission wanted to call an emergency meeting.

*Mr. Gladman made a motion for an emergency meeting. Mr. Fowler seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

**■ Approval of the March 28<sup>th</sup>, 2002 RPC Minutes**

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

**■ April 17<sup>th</sup>, 2002 Executive Committee Minutes**

**1. ■ Call to order**

Joseph Clase called the meeting to order at 8:35 a.m. *Present:* Holly Foust, Dick Gladman, Jim Ward and Leslie Warthman. Steve Burke was absent. *Staff present:* Phil Laurien and Joseph Clase.

**2. Elections for Executive Committee Positions**

- a. Mr. Gladman made a motion to elect Holly Foust as Chair. Mrs. Warthman seconded the motion. *VOTE: Unanimously For, 0 Opposed. Motion carried.*
- b. Mr. Gladman made a motion to nominate Leslie Warthman as Vice-Chair. Nomination declined. Mrs. Warthman made a motion to elect Dick Gladman as Vice-Chair. Mr. Gladman seconded the motion. *VOTE: Unanimously For, 0 Opposed. Motion carried.*
- c. Mr. Gladman made a motion to elect Leslie Warthman as Second Vice-Chair. Mr. Ward seconded the motion. *VOTE: Unanimously For, 0 Opposed. Motion carried.*
- d. **Results:**

Chair:	Holly Foust
Vice-Chair:	Dick Gladman
Second Vice-Chair:	Leslie Warthman
At-large:	Steve Burke

**3. Approval of Executive Committee Minutes**

- e. **March 20, 2002 – Mr. Ward made a motion to approve the minutes from the March**

meeting. Mr. Gladman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

**4. Old Business**

**a. Office Space** – Mr. Laurien stated he was waiting on a lease to review. The architecture drawings were completed and Gardner Architects are currently completing a final review and check of the plans. The final plans would be turned in by April 26<sup>th</sup>. No construction will begin until the middle of June or July.

**b. Consideration for recommendation of payment: Computer Upgrades \$10,857.00**– Mr. Laurien stated that computer hardware upgrades are necessary to meet the raising requirements for the software and graphics that the staff have been using. The upgrades include the purchase of three new computers and the upgrade of five computers. The upgrades also include tape backup to the DCRPC server. Mr. Ward recommended that more RAM be considered to extend the life of the new computers. Mr. Laurien stated that he will work with staff, the Data Center and the County Engineers Computer Coordinator to update the request for the next Executive Committee Meeting.

**5. New Business**

**a. Financial / Activity Reports for March 2002** – The Financial Report for March was presented:

**Ending balance as of 02/31/02**

**\$623,776.20**

**Receipts**

	<u>February</u>	<u>YTD</u>
General Fees (NPA)	\$ 1,650.00	\$ 2,805.00
Inspec. Fees (Transfer)	\$ 60.00	\$ 200.00
Fees A (Site Review)	\$ 200.00	\$ 1,000.00
Membership Fees	\$ 7,359.00	\$135,331.80
Planning Surcharge (Twp. Assist.)	\$ 3,034.00	\$ 10,075.84
Charges for Services A (Prel. Appl.)	\$ 8,270.00	\$ 23,935.00
Charges for Services B (Final Appl.)	\$ 2,550.00	\$ 18,449.25
Charges for Services C (Ext. Fees)	\$	\$ 300.00
Charges for Services D (Table Fees)	\$ 1,000.00	\$ 1,200.00
Charges for Services E (Appeal/Var)	\$ 300.00	\$ 600.00
General Sales	\$ 414.30	\$ 2,614.81
Health Dept. Fees	\$ 880.00	\$ 1,830.00
Soil & Water Fees	\$ 475.00	\$ 1,625.00
Other Reimbursements	\$	\$
Other Reimbursements A	\$	\$

Other Reimbursements B	\$	\$
Canceled Warrants	\$	\$
Inter-fund Revenues	\$	\$
<b>TOTAL</b>	<b>\$ 26,192.30</b>	<b>\$ 199,966.70</b>
<b>Balance after receipts</b>		<b>\$649,968.50</b>
<b>Expenditures</b>		<b>\$37,399.32</b>
<b>End of March balance</b>		<b>\$612,569.18</b>

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

**b. April RPC Preliminary Agenda** – Mr. Laurien presented the preliminary agenda, which includes 5 rezoning/text amendments, 7 preliminary applications and 8 final applications and 1 extension. Mr. Laurien explained that Hickory Woods had expired and is being asked to provide a through street for future connections. Glen Oak is being asked to connect Glen Oak, Sec. 1 and Glen Oak, Sec. 2 with a through street to be platted with Section 1.

**c. Consideration for recommendation of payment: Loveland & Brosius \$2,270.25 (from Feb. '02)** – Mr. Gladman made a motion to recommend approval of the \$2,270.25 expenditure for legal assistance to Loveland & Brosius. Mrs. Warthman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

**d. Consideration for approval: Gardner Architects \$2,885.00** – Mr. Ward made a motion to recommend approval of the \$2,885.00 expenditure for Gardner Architects (for 109 N. Sandusky Street). Mr. Gladman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

**6. Other Business**

**a. Contract Updates** – Mr. Laurien stated staff is currently working on the following No Fee Assistance and contracts: Liberty PERRC, Shawnee Hills Comprehensive Plan, Troy Township Comprehensive Plan, Berkshire Township Model Zoning Code, Concord Township Comprehensive Plan and Kingston Comprehensive Plan. The staff has the following contracts pending: Trenton Township Comprehensive Plan, Village of Sunbury Comprehensive Plan and the Genoa Township Comprehensive Plan update and Zoning Code revisions. The staff will be participating in the following other projects: P.A.C.E.; MORPC Traffic Management/Toolbox; Olentangy Watershed Alliance; Thoroughfare Plan Corridor Studies; Delaware City Comprehensive Plan; Board of Health Sewage Rules; Sanitary Sewer Coordinating Committee and Subdivision Regulations Update. The Executive Committee asked that the Subdivision Regulations update be moved up to the next available project to start.

**7. Personnel**

8. **Adjourn – Mr. Gladman made a motion to adjourn the meeting, seconded by Mrs. Warthman.**

Meeting adjourned at 10:25 a.m.

*The Executive Committee will hold an **emergency meeting** Wednesday, April 24<sup>th</sup>, 2002 at 6:45 p.m. at the Delaware Joint Vocational School North Campus, 1610 St. Rte. 521, Delaware, Ohio, 43015 to discuss the revised computer upgrade proposal and other items of discussion from these minutes.*

*The next **regular meeting** of the Executive Committee will be Wednesday, May 22<sup>nd</sup>, 2002 at 8:30 a.m. in the 2nd Floor conference room at 50 Channing Street, Delaware, Ohio, 43015*

**■ Statement of Policy**

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

**II. VARIANCES** (none)

**III. ZONING MAP/TEXT AMENDMENTS**

**18-02 ZON -William Schlanger requests rezoning for 32.04 acres from A-1 (Agricultural) to FR-1 (Farm Residential) in Berkshire Township.**

**21-02 ZON -William Schlanger requests rezoning for 30.34 acres from FR (Farm Residential) to RR Rural Residential in Trenton Township.**

**I. Request**

William Schlanger has submitted a zoning request to change 32.04 acres on Trenton Road in Berkshire Township from A-1 zoning to FR-1, and 30.34 acres from FR to RR in Trenton Township. The request would allow a subdivision in the southeast corner of the township consisting of 19 lots with an average size of 3.04 acres. Ten of the nineteen lots would be within Berkshire Township, and half of an eleventh. The remainder (8 lots, and a portion of a lot) would be in Trenton Township. The land in Trenton Township must also be rezoned to permit a 3-acre lot size.

**Present Use:** Agriculture and woods

**Proposed Use:** Single family subdivision with Del Co water and on site septic systems

**Existing Density:** 1-unit/5 acres (.20 units/acre) in A-1 zone (Berkshire) and FR zone (Trenton)

**Proposed Density:** 1 unit per 3.04 acres average  
**School District:** Big Walnut  
**Utilities Available-** Del Co Water.

**II. Existing Conditions**

- A. Adjacent Existing Land Uses-**Large-lot single family, Sage Creek subdivision, south; and agriculture to the east, north, and west.
- B. Water-** Del Co Water serves the site.
- C. Soils & Drainage-**Soils are:  
CeB Centerburg 2-6 % slope  
CeC2C Centerburg 6-12 % slope  
BeA Bennington 0- 2% slope  
Pw Pewamo silty clay loam  
AmD2 Amanda clay loam 12-18% slope.  
AmF Amanda clay loam 25-50 % slope.  
  
A deep ravine and creek bisect the site.
- D. Sanitary Sewer-** None available. On site septic systems are proposed.
- E. Other utilities**
  - 1.) Gas- No service letter
  - 2.) Electric- No service letter

**III. Staff Comments**

- A. Berkshire’s 2001 Comprehensive Plan recommendations for Sub Area 8:**
  - 1. *The remainder of sub area VIII east of 3C Highway is recommended for very low density, one unit per five acres residential development or agricultural use. Spot zones of one-acre lots should be discouraged. To save farmland, Farm Village type conservation subdivisions should be permitted without zoning change at the overall density of this agricultural district. In other words, a 100-acre tract could be divided into 20 lots, each one of which would be less than five acres, saving perhaps 70 acres in farmland open space. The smaller the lot size, say, one acre per lot to accommodate septic systems, the more farmland could be saved as open space, and potentially kept in farm production.*
  - 2. *Permit Conservation Subdivisions at the density of the underlying zoning.*
  - 3. *Protect the 100-year floodplain by prohibiting new residential structures within it.*
- B.** The number one goal of the Berkshire Township comprehensive plan is “To preserve the rural character of the township as expressed in its openness, green areas, farms, natural resources (floodplains, wetlands, slopes> 20%, ravines, creeks and rivers). Staff finds that the change from A-1 to FR-1 for 10 potential house lots of approximately 3 acres each

generally conforms to the Comprehensive Plan.

- C. Trenton Township does not have a comprehensive plan. There are other single family lots 3 acres in size in the general area, so this change would not adversely affect any surrounding land use.

**IV. DCRPC Staff Recommendation**

**Staff recommends to the DCRPC, the Berkshire Township Zoning Commission, and the Berkshire Township Trustees that the FR-1 zoning on 32.04 acres on Trenton Road in Berkshire Township be approved.**

**Staff recommends to the DCRPC, the Trenton Township Zoning Commission, and the Trenton Township Trustees that the RR zoning on 30.34 acres on Trenton Road in Trenton Township be approved.**

**Commission / Public Comments**

Ed Bischoff (Bischoff & Associates) was present to represent the applicant.

Mr. Gladman made a motion to recommend approval of the 18-02ZON William R. Schlanger a 32.04-acre rezoning in Berkshire Twp. Ms. Warthman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

*Mr. Gladman made a motion to recommend approval of the 21-02ZON William R. Schlanger a 30.34-acre rezoning in Trenton Twp. Ms. Duffee seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

**19-02 ZON- Shawnee Hills Comprehensive Plan, by the Shawnee Hills Planning Commission**

**Applicant:** Shawnee Hills Planning Commission

**Request:** Review and Comment on the proposed 2002 Shawnee Hills Comprehensive Plan

**I. Procedure**

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

**II. General**

The Shawnee Hills Village Council and Planning Commission initiated a revision to their comprehensive plan by contracting with the Delaware County Regional Planning Commission (DCRPC) as provided by ORC 713.23 (4). The plan has been the subject of 2 years of work by a Long Range Planning Committee, the Planning Commission, the Board of Zoning Appeals, Village Council, landowners and

residents. A draft text and map have been revised and sent, with the unanimous support of the Planning Commission, to the DCRPC for our statutory review.

**III. Executive Summary of the 2002 Shawnee Hills Comprehensive Plan**

The Shawnee Hills Additions, which collectively totaled over 3600 lots, were platted in the 1920’s as a resort fishing community on the O’Shaughnessey Reservoir of the Scioto River. Lots were small, typically 35’ by 70’, exclusive of road easement. Many of the platted streets were initially constructed to access the lots, but no utilities were installed because no public water or sewer was available.

Without utilities, village growth was slow, standing today at about 200 homes and 30 businesses. Meanwhile, Delaware County has grown at an astounding 64.3% from 1990-2000, the fastest growing county in Ohio and the 40<sup>th</sup> fastest in America. Shawnee Hills has been in the eye of the hurricane.

With Del-Co water and the 2001 advent of public sewers, Shawnee Hills is poised to grow. Its strategic location in the south of the county, adjacent to the city of Dublin, assures that as soon as sewer is available, pent-up growth will occur. The village is currently 257 acres, with some possibility of expansion by annexation.

The constraints of the 1920’s plat offer challenges as well as opportunities. There are 2199 platted lots in the village, yet the new sewer system, designed to correct septic overflows to the O’Shaughnessey Reservoir, a Columbus drinking water supply, has capacity for approximately 882 taps as constructed. An allocation plan (ordinance) has been conceived to treat “vested” non-conforming lots of record as conditional uses if they cannot meet current lot size requirements. Every landowner in the village would be guaranteed a viable use of his property and a sewer tap, though not every lot will necessarily be granted a tap.

Because the original plat was a dense grid, many desirable elements of Traditional Neighborhood Design (TND) exist. Traditional Neighborhood Design means grid streets, shallow setbacks, street trees, small lots at urban densities, and walkable neighborhoods with a commercial core.

A one-way street pattern with bikeways and walkways to calm traffic could enhance the safety of narrow streets. This would reduce potential collisions in blind spots on Dublin Road, and yet retain the charm of the narrow streets. Specific street cross sections are recommended to incorporate drainage.

A village square should be developed with a new village hall as its anchor. The village may choose to sell several of its lots in commercial districts to raise funds to purchase land in residential districts for this purpose.

Active recreation should be improved by the acquisition of 5-10 acres in the northwest corner of the village for a village park.

There are opportunities for at least 10 major new commercial uses along Dublin Road. There are opportunities for 10 residences on Dublin Road to convert to commercial use upon the

extension of sewers. New commercial uses could be approved under the new Select Planned Commercial District, which gives flexibility to the design plan. Access management controls (limiting all new curb cuts to side streets, not Dublin Road; creating stacking and turning lanes as needed, etc) are important to prevent congestion and to enhance safety on this rolling state highway that is the Main Street of the Village. At some point, the village may have to shave some of the tops of the hills on Dublin Road to improve safe sight distance. This will be a village project, not a state of Ohio project, even though Dublin Road is a state route.

A Dublin Road streetscape plan, with walkways, fencing and lighting, has been generally suggested by the Mayor, but not fully developed in time for inclusion or comment in this plan. The streetscape plan is beyond the scope of the comprehensive plan and will be left to village council to further discuss. A community survey indicates strong preference for traditional parking in the front of new commercial uses along Dublin Road to reduce noise and conflict with neighboring residences to the rear.

If developed according to the plan, the village would someday have approximately 544 homes and 56 businesses. Based upon the U.S. 2000 Census of 419 plus 1,008 new population (336 new homes @ 3 persons/household), the village would have a future population of approximately 1,400 within the current corporate limits. There may be some limited opportunities for annexation, which could increase the future population slightly and still be serviced by the village.

- No change has been made to the recommended lot size of 14,700 square feet for single family residential homes, but here is the acknowledgement of many potential vested lots in the plan as mapped.
- No zoning map changes are proposed, but additional commercial zones may be considered in conformance with the plan.

**IV. Staff Findings and Recommendation**

Staff finds:

- Shawnee Hills has followed an appropriate planning process to evaluate their goals and objectives for future growth.
- Shawnee Hills has created a Comprehensive Land Use Plan map in ArcView and in paper form of at least 1”=200’ scale that is site specific with a land use and density recommendation for each parcel in the village.
- Shawnee Hills has held three well attended public hearings at the Safari Golf Club, with individual notices to all landowners for the purposes of discussing the objectives of the comprehensive plan, the sewer tap allocation formula, the vesting of lots policy, and the ultimate recommendation of the comprehensive plan. Individual copies of the comprehensive plan map were given to each of approximately 250 total attendees.

**Staff finds that the Shawnee Hills 2002 Comprehensive Plan, as amended January 9, 2002, is compatible with regional planning goals, and recommends approval to the DCRPC.**

**Commission / Public Comments**

Mr. Ward inquired whether an individual could build a residence on a single original lot of record. Mr. Laurien stated that they could, if they only owned one lot and chose to. The Village can not force someone to buy or sell an individual lot to build a residence. They can however limit the ability to build with narrow roadways and lack of public sewer. The Village of Shawnee Hills could potentially be more dense than German Village if every original lot of record were built upon. People are generally not interested in building on such a small lot. They are more commonly interested in constructing on larger lots of two or three original lots of record.

Mr. Spanner inquired whether there is currently a requirement to have at least five original lots of record in order to build a residence. Mr. Laurien stated that the 1970 zoning required they have six original lots of record to build with sewer availability, landowners with fewer than 6 contiguous lots fronting on an improved street may qualify for a conditional use permit to build.

Mr. Brenner asked if he could potentially buy a single lot of record and build on it. Mr. Laurien stated that he could do this if the original property owner did not own adjacent parcels.

***Mr.Spanner made a motion to recommend approval of the 19-02ZON Village of Shawnee Hills Comprehensive Plan. Mr.Schmidt seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.***

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**20-02 ZON                      Jeffrey Hinds – Berkshire Twp. – 6 acres from A-1 to FR-1**

**Location: East side of 3 B’s and K Road, north of Cheshire Road, by Jeff Hinds.**

**I. Conditions**

**Present Zoning:** Agricultural (A-1)  
**Proposed Zoning:** Farm Residential (FR-1)  
**Present Use:** Vacant, flat field  
**Proposed Uses:** 3 single-family lots  
**Existing Density:** 1-unit/ 5 acres in A-1  
**Proposed Density:** 1-unit/ 2 acres (gross density overall)  
**School District:** Olentangy  
**Utilities Available-** Del Co Water; Sanitary sewer is planned approximately 3200 feet to the south on 3 B’s and K Road.  
**Soils:** BeA Bennington 0-2 % slope

**II. Conformance with Local Comprehensive Plans**

1. Berkshire Township's 2001 comprehensive plan sub Area V recommends (p. 146)

*The remainder of the lands in Sub Area V (from Sherman Road on the north to Cheshire Road on the south, between 3 B's and K and I-71) are recommended for single family development at low densities of one unit per 85,000 square feet (1.95 acres) without centralized sanitary sewer. If public centralized sanitary sewer with county maintenance can be provided during the planning period 2000-2010, then the plan recommends residential use with density of up to 1.25 units per gross acre.*

2. The proposed rezoning to FR-1 conforms to the comprehensive plan. However, the schematic subdivision plan submitted is probably unrealistic without sewer. Even if the 5.95 acres were rezoned to FR-1, it is unlikely that the two proposed frontage lots will be only 1 acre each. These lots will have to provide the size necessary to locate all structures including primary and secondary leach fields. Due to extremely flat topography, curtain drain outlets may be difficult.

### **III. DCRPC Staff Recommendation**

Staff recommends approval of the zoning change from A-1 to FR-1, to the DCRPC, the Berkshire Township Zoning Commission and the Berkshire Township Trustees.

### **Commission / Public Comments**

There was no one present to represent the applicant.

Mr. Ward inquired how the Commission could grant approval of a one-acre parcel if a septic system requires 1.95 acres. Mr. Laurien stated the Comprehensive Plan asks for a minimum 1.95 acre. Minimum lot size in FR-1 zone is 1 acre. The Township is currently revising their Zoning Code. The applicant must also meet Health Department requirements when they submit for a lot-split and the lot size may need to be increased. This application is simply for the rezoning not the plan that was submitted. This plan is simply a sketch plan.

*Ms. Warthman made a motion to recommend approval of the 20-02ZON Jeffrey Hinds a 6-acre rezoning in Berkshire Twp. Mr. Spanner seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

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**22-02 ZON Chase Enterprises, PLL – Berlin Twp. – 0.58 acres from FR-1 to PCD**

**Location:** North side of US Route 36/SR 37, east of N. Old State Road, Berlin Township, Chase Enterprises Partnership.

### **I. Conditions**

**Present Zoning:** Farm Residential  
**Proposed Zoning:** Planned Commercial  
**Present Use:** Vacant lot, with commercial billboard  
**Proposed Use:** Model single family display home  
**School District:** Olentangy  
**Utilities Available-** Del Co Water  
**Soils:** Cardington 2-6 % slope

**Surrounding Land Uses:** East- Alum Creek State Park; South- Alum Creek RV and Market; West Vacant/agricultural, commercial on corner of N. Old State and US 36; North- single family home on Graesmar Road.

### **II. General Background**

The applicant is proposing to construct a commercial display model home on a non-conforming lot of record. The lot is an acute triangle, zoned Farm Residential, that currently contains a commercial billboard.

### **III. Issues**

1. The site is restricted due to its triangular shape, the lack of sanitary sewer, and, according to project engineer Todd Jenkins, the lack of access to Graesmar Road, a private lane serving a single family house to the rear.
2. There is an existing commercial billboard on the site. The development plan does not state if the billboard would be retained with a new commercial use, or removed. The proposal introduces two principal commercial uses on one small (.582 acre) narrow lot.
3. Setbacks- A 122.19-foot setback from US 36 centerline ROW is shown. A 130' setback from US 36 is required by Article XXI. Proposed rear setback is 18.58 feet from the property line; 80 feet is the minimum in the FR-1 district. The rear parking lot setback is only 7.59 feet from the property line, which abuts the single-family residential property to the rear. Setbacks can be approved per plan in the PCD, if divergences are requested.

### **IV. Required Findings for PCD**

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

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

**DCRPC Staff Finding:** No; the development plan is incomplete.

- a.) Divergences from zoning standards, specifically for setbacks must be stated, none have been.
- b.) The Evapo-Transpiration (E.T.) mound system proposed for sewage

treatment must show engineering feasibility at the time of the zoning change. The applicant asserts that “Beth Bailick with the OEPA stated that the mound system with the 100’ dispersing lines should be acceptable in this case.” E.T. mounds are not traditionally permitted by the Delaware Board of Health, nor the Ohio Department of Health according to Steve Burke, Chief Sanitarian, Delaware Board of Health. Mr. Burke further stated the OEPA generally supports the local Board of Health’s position in such matters. A review of the design plan reveals issues related to topography, and lack of a secondary mound location. For all these reasons, engineering feasibility has not been shown for sewage disposal.

- c.) There is no detail for the sign. A sign’s architectural design criteria is required as part of the development plan.
  - d.) No storm water detention or storm water planning is shown.
  - e.) No proof is offered of the applicant’s ability to “carry forth this plan by control of the land and the engineering feasibility of the plan.”
- 2.) That the proposed development is in conformity with the comprehensive plan or portion thereof as it may apply.

**DCRPC Staff Finding:** No; the .582 acre parcel was recommended for future commercial on the 1989 Township Berlin Land Use Map, but the site was designated as residential in the 1999 Comprehensive Plan update due to its restrictive size and shape, proximity to existing single family residential, and adjacency to the Alum Creek State Park. The proposed use does not comply with the 1999 Berlin Township Comprehensive Plan.

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

**DCRPC Staff Finding:** No; although ODOT has given approval for a driveway entrance to US 36, other issues remain. Model homes by their nature are temporary uses. Typically the subsequent use becomes a greater

issue, as an office or other commercial use that may be even less appropriate. The rezoning for PCD does not advance the general welfare of the township due to the incompleteness of the plan, the lack of compliance with the comprehensive plan and the lack of engineering feasibility being shown. The proposed use does not advance the general welfare of the immediate vicinity, a single-family residence that would have a new structure just 18 feet from its property line, and parking 7.59 feet from the property line.

**DCRPC Staff Recommendation-** DCRPC staff recommends to the DCRPC, the Berlin Township Zoning Commission and the Berlin Township Trustees that the request for Planned Commercial zoning for .582 acres on US 36 in Berlin Township be denied.

**Commission / Public Comments**

Mr. Todd Jenkins was present to represent the applicant. Mr. Jenkins requested to withdraw the application to work with staff regarding their findings.

*Mr. Gladman made a motion to approve to withdraw the application of the 22-02ZON Chase Enterprises, PLL a 0.58-acre rezoning in Berkshire Twp. Mr. Ward seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

**IV. SUBDIVISION PROJECTS**

**Preliminary**  
**12-02**

**Gilbert Subdivision – Berkshire Twp. - 2 lots / 3.78 acres**

**Applicant:** Joel Gilbert  
**Subdivision Type:** Residential  
**Location:** 1270 S. Galena Road  
**Current Land Use:** Open rear portion of lot with single-family residence on frontage  
**Zoned:** Farm Residential (FR-1)  
**Utilities:** Del-Co water and on-site septic  
**School District:** Big Walnut  
**Engineer:** Floyd Browne Associates

**Staff Comments**

The applicant is seeking a re-subdivision of Lot 322 of the Berkshire Meadows #3 Subdivision to allow an additional residence to the rear of the current lot. The current 3.741 acres will be split into 1.443 acres for the current structure and 2.298 for the new residence. A new drive will be constructed in a small wooded area to access the new flag lot. The plan calls for an additional .043 acre strip of right-of-way dedication along the roadway. As a result of the Thoroughfare Plan adopted by the RPC, additional right-of-way is requested by the County Engineer on certain roads for future improvements. South Galena Road is on the list of committed network improvements by the year 2020.

**A technical review was held on April 16<sup>th</sup>, 2002, after which the applicant has addressed all**

of the required changes.

**Staff Recommendation**

Staff recommends *Preliminary approval* of **Gilbert Subdivision**, to the RPC.

Commission / Public Comments

Pat Hubert (Floyd Brown Associates) was present to represent the applicant.

Mr. Spanner inquired about access control issues with the two driveways being so close. Mr. Riedel stated that there were not any at this time. Mr. Poland inquired about the frontage of the two lots. Mr. Hubert stated that they were 285 feet and 150 feet. Mrs. Warthman inquired if the front lot had existing leaching and if the rear lot will require additional leaching. Mr. Hubert stated that the front lot did have leaching and the rear lot will require new leaching. Mr. Spanner questioned the rear lot’s frontage of 150 feet. Mr. Hubert stated that the rear lot has 60 feet of frontage on the road. The 150 feet comes at the end of the drive. Mrs. Warthman inquired about eliminating the existing driveway. Mr. Hubert stated that the existing leaching prohibits access on that side of the lot.

**Mr. Spanner motioned to approve the preliminary plan of Gilbert Re-subdivision in Berkshire Twp. Mr. Fowler seconded the motion. VOTE: Unanimously For, 0 Opposed. Mr. Ward & Mr. Gladman abstained. Motion carried.**

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**10-02 Walnut Ridge – Concord Twp. - 4 lots / 8.29 acres (fka Laxson Estates)**

**Applicant:** Carol Laxson  
**Subdivision Type:** Residential  
**Location:** 5050 Clark-Shaw Road  
**Current Land Use:** Open rear portion of lot with single-family residence on frontage  
**Zoned:** Farm Residential (FR-1)  
**Utilities:** Del-Co water and on-site septic  
**School District:** Buckeye Valley  
**Engineer:** Patridge Surveying

Staff Comments

The plan calls for three new lots to the rear of an existing house, all four lots will be accessed from a Common Access Drive. A new 60’ strip will be platted to give the three rear lots access to Clark-Shaw Road. However, due to sight distance issues where the strip meets Clark-Shaw, the existing driveway will be

maintained as the CAD. The driveway will be upgraded to meet the CAD standards.

**A technical review was held on April 16<sup>th</sup>, 2002, after which the applicant has addressed all of the required changes, except:**

- CAD is referred to as a “private road” on page 2.
- Delete flood information note on page 2.

Staff Recommendation

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

Commission / Public Comments

Bob Patridge was present to represent the applicant.

Mr. Smelker inquired why the CAD driveway was not in the CAD right-of-way/easement. Mr. Sanders stated that there is a sight distance problem at that point so it is diverted to the west. Mr. Laurien stated that the CAD is located within an easement that will guarantee access. Mr. Smelker inquired why their was an easement vs. extending the CAD to the west. Mr. Laurien stated that there was due to a required frontage for the southern lot.

Mr. Ward inquired about the upkeep of the CAD. Mr. Laurien stated that there will be a maintenance agreement. Mr. Ward inquired about the nature of the powerlines that cross the rear of the subdivision. Mr. Patridge stated that they were low-tension powerlines to serve the existing house.

**Mr. Spanner motioned to approve the preliminary plan of Walnut Ridge Subdivision in Concord Twp., subject to staff comments. Mr. Gladman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.**

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**08-02 Waterford Woods – Concord Twp. - 3 lots / 7.306 acres**

**Applicant:** Carole Kowaluk, Brian Kowaluk  
**Subdivision Type:** Residential  
**Location:** Cook Road, 3500 feet west of Concord Road  
**Current Land Use:** Open, former agriculture and partially wooded  
**Zoned:** Farm Residential (FR-1)  
**Utilities:** Del-Co water and on-site septic  
**School District:** Dublin  
**Engineer:** Patridge Surveying

Staff Comments

The applicant seeks a Common Access Drive to access three residential lots. The site is mostly open, with woods in the northern end of the property and a sloping tree line in the southern



portion of the site. American Aggregates owns the property to the east and north. Other large lot, single family lots are to the south and west. A high voltage power line easement crosses the corner of the property where the CAD meets the street. The current slope of the wooded portion of the CAD is approximately 18%. The drive will be regraded to meet the 10% maximum. The residual Kowaluk property will be split into two lots sharing an access point to Cook Road (must be done prior to final platting). The following note needs to be on the final plat: NOTE: Potential health and environmental impacts associated with high voltage power line electromagnetic fields are not known at this time.

**A technical review was held on April 16<sup>th</sup>, 2002, after which the applicant has addressed all of the required changes, except:**

- The plan needs to show finished grade elevations instead of finished floor elevations.

**Staff Recommendation**

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

Commission / Public Comments

Bob Patridge was present to represent the applicant.

Mr. Ward inquired where the two lots to the west of the subdivision gain access. Mr. Patridge stated that it was around 400 feet west of the proposed CAD. Mr. Ward asked if American Aggregates had an existing quarry on the site to the north and if there were plans for such. Mr. Patridge stated that there was not a quarry on this site. Mr. Laurien stated that this would require American Aggregates to file a rezoning to build a quarry on this site. Mr. Ward asked who owns the lots to the western front of the subdivision. Mr. Patridge stated that this was part of the original parcel for Waterford Woods. Mr. Spanner inquired if a quarry could be placed within 200 feet of a residence. Mr. Patridge stated that he believed that this was the distance requirement and that additional buffering would also have to be installed.

*Mr. Schmidt motioned to approve the preliminary plan of Waterford Woods Subdivision in Concord Twp., subject to staff comments. Mr. Poland seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

**Consultant:** Scioto Land Surveying Service, Inc.

Staff comments

The consultant has asked to table the Hickory Woods subdivision preliminary application for 90 days.

Staff Recommendation

Staff recommends *approval* of the 90-day table request for **Hickory Woods Subdivision** to the RPC.

Commission / Public Comments

*Mr. Gladman motioned to approve the 90-day tabling of Hickory Woods Subdivision in Genoa Twp. Mr. Fowler seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

09-02.1

**Glen Oak, Section 1 – Orange – 49 lots / 32.19 acres**

**Applicant:** Dominion Homes

**Subdivision Type:** Single-family residential

**Location:** North side of Orange Road, 850 feet east of CSX Railroad tracks, Orange Township.

**Current Land Use:** Agriculture/vacant land.

**Zoned:** Single Family Planned Residential District (SFPRD)

**Utilities:** Del-co water and Delaware County sewer

**School District:** Olentangy Schools

**Project Engineer:** RD Zande and Associates

Staff Comments

The overall Glen Oak development will include 526 lots on 296.92 acres (1.77 du/acre). The subdivision includes 2 entrances from Orange Road, 1 entrance from S. Old State Road, and a connection to Summerfield Village to the southeast. There will be 109.2 acres of open space provided (36.7%) including a 48.5 acre school/park site. Glen Oak was rezoned to SFPRD by Orange Township in December 2001 (RPC # 13-01 ZON). An overall preliminary plan has not been submitted to the DCRPC. Since this is a development of significant size, the entire plan should be reviewed to assure that proper street connections and drainage are provided.

Section 1 contains 49 lots on 32.19 acres along Orange Road directly adjacent to the Summerfield Village development. The entrance (Holderman Street) will align with the entrance to the Villages of Oak Creek to the south, approximately 2000 feet east of the CSX Railroad tracks. This street will eventually connect with the main spine road of the overall development in a future phase directly to the west. Primrose Avenue is an east-west street along the southern portion of this section that will connect the future spine road to the west with Holderman Street to the east. Primrose Avenue will then continue to the north into another future section. Daisy Lane is a short north-south street extending from Primrose Avenue to

28-99

**Hickory Woods (fka Ranck Subdivision)  
Genoa  
14 lots / 33.19 acres**

**Applicant:** Denise Ranck

Holderman Street.

This section includes 12.03 acres of open space (37.37%). An 8' bike path will be constructed in the open space along Orange Road and a 4' limestone path will be provided throughout all of the open space. The gravel path will connect to a path in the Summerfield Village subdivision to the east. There will be 4 retention basins constructed within the open space for stormwater management. An AEP electric transmission line and 100' easement runs along the northern boundary of this section and is also contained within open space.

Surrounding land uses include Villages of Oak Creek and the future Northpoint Meadows to the south, Summerfield Village to the east, future sections of Glen Oak to the north and west, and scattered large lot (1-2 acres) single family residences along Orange Road. Most of the surrounding area is zoned Single Family Planned Residential District (SFPRD) with the acreage lots along Orange Road zoned Farm Residential (FR-1)

It should be noted that the original design did not include the northerly extension of Primrose Avenue from Holderman Street but proposed on open space strip. The end of a cul-de-sac was proposed to the north of the open space. Staff requested that the cul-de-sac be eliminated and that the connection (through street) be made. The consulting engineer submitted 2 sets of revisions, one with the connection and one without. Part of the staff's recommendation is that the connection be made.

**A technical review was held on April 16<sup>th</sup>, 2002. The applicant has addressed most of the items except:**

- An overall preliminary plan for Glen Oak should be submitted for RPC (and other County agency's) review.
- A boulevard entrance is required from Orange Road per Orange Township Zoning.
- Some lots have significant differences in finished grade elevations. This must be resolved on the final grading plans.
- The following note needs to be on the final plat: NOTE: Potential health and environmental impacts associated with high voltage power line electromagnetic fields are not known at this time.
- The cul-de-sac to the north should be eliminated and a through street connection should be made from Holderman Street and the future section to the north.

**Staff Recommendation**

Staff recommends *conditional Preliminary approval* of **Glen Oak, Section 1** to the RPC, subject to resolution of all TRC comments.

**Commission / Public Comments**

Jeff McNealy (Porter, Wright, Morris & Arthur) was present to represent the

applicant. Mr. McNealy stated that the applicant had technical and legalistic problems with two of the recommendations. First, he stated that the note regarding electromagnetic fields was technically under the jurisdiction of the Public Utilities Commission of the State of Ohio and should therefore not be under the jurisdiction of the RPC. He argued that since they are not intruding on the Public Utilities Commission's requirement for easement, then the RPC has no jurisdiction to require this note to be added. Second, he stated the cul-de-sac was established as part of the PRD approved by Orange Township. He stated it would be a legalistic problem to remove this cul-de-sac. He stated this would require a change in the PRD at the township level.

Mr. Gladman recommended that the applicant take the case to Orange Township Trustees. He stated that he would support the applicant in tying the sections together. He stated that he will not support construction traffic going through other developments to serve this development. Mr. McNealy stated that this was never the plan. He stated that Section 2 has been tabled at this point.

Mr. Laurien requested that the applicant make the connection as the last phase of the Glen Oak development. He stated that the RPC has the power to provide for internal street networks. He stated that this is in the power of the RPC. He stated that the township has no authority over street networking within the subdivision, however they have authority over general site layout, zoning density, look of the buildings and so forth. Street layout is always a platting issue and must be deferred to this Commission. Mr. Laurien stated that the staff had two recommendations; one for conditional approval if the applicant will make the connection and a second for disapproval if the applicant will not make the connection. Mr. McNealy stated that he is willing to take the RPC to court over this issue. He continued to state that he agreed with Mr. Laurien and that the connection should be made under the condition that the connection be made as a function of the last plat, with the understanding that Mr. Gladman will support the applicant at the township level.

Mr. Laurien stated that the staff are not recommending the re-routing of the roads, they are simply asking for a connection. He stated that this is a recommendation to allow for a second connection for use of the residents and the future elementary school to be located within the development. Mr. McNealy stated that he agreed with Mr. Laurien, however the issue is technical and legalistic.

Mr. Ward inquired about the adjacent parcel to the north of the subdivision and if there was a need for connection. Mr. McNealy stated that the parcel was owned by the Del-Co Water Company and railroad tracks are located to the west. He stated that land adjacent to these has no need for connections. He also stated that connections are made to the Thompson Property to the northeast.

Mr. Gladman inquired if the applicant was aware that the fire department would dictate that any roadway being built, even for temporary construction use, must be built to the fire department standards. Mr. McNealy stated that the applicant was not proposing Section 2 at this meeting and that no construction traffic for Glen Oak Subdivision will travel through Summerfield Village Subdivision, per zoning request. He continued to state that the applicant was going to use the school road for construction traffic when they originally

submitted Section 2. He continued to state that now that Section 2 is tabled the discussion is internal in manner. He stated that the school is not projected to levy until 2003 or even begin construction until 2004. He stated that the question regarded fire protection and that Section 1 will have adequate fire protection with the roads proposed in the preliminary plan.

Mrs. Foust inquired if Mr. McNealy had been paid to represent the Delaware County Regional Planning Commission in the Butterfield issue. Mr. McNealy stated that he had. Mrs. Foust continued to inquire as to why requiring this electrical note was different than the health and safety notes required in that case. Mr. McNealy stated that the Butterfield Case dealt with leaching out of the landfill in the property to the south and there was no Ohio EPA review or confirmation at that point. He stated that this case regards electromagnetic field issues and Public Utilities Commission of Ohio has set the right-of-ways within their jurisdiction for this purpose, factoring in the electromagnetic field issues that staff recommendations referenced. He continued to argue that RPC does not have the jurisdiction to regulate the applicant regarding this issue. He stated that the applicant feels only one jurisdiction should have that authority.

Mrs. Warthman inquired if there will be walking paths under the powerlines. Mr. McNealy replied that these paths do not include long term exposure and the Public Utilities Commission does not regulate occasional uses. He stated they only deal with issues regarding long-term exposure where individuals live there around ten hours a day. Mr. Laurien stated that the Regional Planning Commission through subdivision review must provide for the health, safety and welfare of the county, while the township does not have the responsibility of welfare. He continued to state that this note is simply an advisory note for property owners or tenants to be aware that they are living next to a high-tension power-line and it may or may not cause health problems. He continued to state that this is something that can be addressed prior to final plat submission. Mr. McNealy stated that Mr. Laurien's comment was fair.

Mr. Ward asked if, after discussion, the applicant agreed to make the roadway connection to the northeast of this section. Mr. McNealy stated that they do agree with this recommendation.

*Mr. Ward motioned to approve the preliminary plan of Glen Oak, Section 1, Orange Twp., subject to staff comments. Mr. Spanner seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

**Consultant:** RD Zande and Associates

**Staff comments**

The consultant has asked to table the Glen Oak, Section 2 preliminary application for 90 days.

**Staff Recommendation**

Staff recommends *approval* of the 90-day table request for **Glen Oak, Section 2** to the RPC.

**Commission / Public Comments**

*Mr. Gladman motioned to approve the 90-day tabling of Glen Oak, Section 2, Orange Twp. Mr. Ward seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

**11-02**

**Dent Woods – Trenton – 03 lots / 16.28 acres**

**Applicant:** Tad Van Ness

**Consultant:** Patrick Hubert, Floyd Browne Associates

**Staff comments**

The consultant has asked to table the Dent Woods preliminary application for 30 days.

**Staff Recommendation**

Staff recommends *approval* of the 30-day table request for **Dent Woods** to the RPC.

**Commission / Public Comments**

Mrs. Duffee inquired why they needed a tabling. Mr. Deel stated that the CAD needs a variance and the frontage requires a variance from the township. Mrs. Duffee also stated that lot #2 is required to have 300 feet of road frontage. Mr. Deel stated that the applicant has been made aware of this requirement. Mrs. Duffee inquired if the applicant was aware of the T-turnaround requirement by the fire department. Mr. Deel stated that issues were mentioned at the Technical Review Committee Meeting and should be addressed those when the tabling expires.

*Mrs. Warthman motioned to approve the 30-day tabling of Dent Woods Subdivision in Trenton Twp. Mr. Gladman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

**Preliminary/Final** (none)

**CONSENT AGENDA**

Chairwoman Foust asked if any Commission members wished to remove any items from the consent agenda.

*Mr. Gladman made a motion for approval of 30-day tabling of The Woodlands at Loch*

**09-02.2 Glen Oak, Section 2 – Orange – 32 lots / 18.00 acres**

**Applicant:** Dominion Homes

*Lomond, Section 1, Phase 3 and the 90-day tablings of North Orange, Section 1, Phase 1, North Orange, Section 2, Phase 1 and North Orange, Section 3, Phase 1. Mr. Schmidt seconded the motion. VOTE: Majority For, 0 Opposed. Motion carried.*

*Mr. Gladman made a motion for Final approval of Dornoch Estates, Section 4, Golf Village, Section 9, Phase 2, Part A, Golf Village, Section 9, Phase 2, Part B and Orange Point Commerce Park, Phase 4, Part 1. Mr. Fowler seconded the motion. VOTE: Majority For, 0 Opposed. Motion carried.*

**Finals**

**52-96.4 Dornoch Estates, Sec. 4 – Liberty Twp. - 52 lots, 67.20 acres**

**Applicant:** New Green Highlands Development, Ltd.

**Subdivision Type:** Single-family residential

**Location:** North & South of 3329 Columbus Pike, Liberty Twp.

**Current Land Use:** Vacant / Dornoch Golf Course

**Zoned:** PRD

**Utilities:** Del-Co water and private treatment plant

**School District:** Olentangy

**Engineer:** Thom Ries, M-E Companies, Inc.

**Staff Comments**

Dornoch Estates is located east of the Delaware Country Club along Columbus Pike (US 23) and Braumiller Road. Overall preliminary approval was given to Dornoch Estates on March 27<sup>th</sup>, 1997 and includes a private treatment plant with land application. Section 4 is directly west of Sections 1 to 3 and southwest of the Woods of Dornoch Section 1. This section will include the western extension and cul-de-sac of Inverness Avenue and the completion of Ironhorse Drive. This section includes 51.38 acres of Dornoch Golf Course, which is labeled as “permanent green space” surrounding the residential lots in this development to the north, west and south.

**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 **Dornoch Estates, Section 4 Subdivision** to the RPC.

**Commission / Public Comments**

*Mr. Gladman made a motion for Final approval of Dornoch Estates, Section 4. Mr. Fowler seconded the motion. VOTE: Majority For, 0 Opposed. Motion carried.*

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**43-00.9.A Golf Village, Section 9, Phase 2, Part A – Liberty Twp. - 32 lots, 11.24 acres**

**Applicant:** Paul Coppel, M/I Schottenstein Homes, Inc.

**Subdivision Type:** Planned residential (single family)

**Location:** North side of Village Club Drive, about 600 feet west of Sawmill Parkway, Liberty Twp.

**Current Land Use:** Agriculture and woods

**Zoned:** Planned Residence (PR)

**Utilities:** Del-Co water and Delaware County sanitary sewer

**School District:** Olentangy

**Engineer:** Bauer, Davidson & Merchant, Inc.

**Staff Comments**

Golf Village is a 932.7 acre planned residential (single family, multi-family apartments and condominiums) and retail /office commercial community surrounding a new golf course, along the recently extended Sawmill Parkway from Seldom Seen Road to Home Road, in Liberty Township. The 231.42-acre golf course will serve as permanent private open space. The overall density will not exceed 1.5 units/acre (1246 units /837 residential and golf course acres), with the minimum lot size being 10,400 Sq. Ft. Golf Village received overall preliminary approval in October 2000.

Section 9, Phase 2, Part A is a 11.24-acre phase north of Village Club Drive west of the new Sawmill Parkway. The design includes the extension of Indian Springs Drive and High Wind Drive and the completion of Pine Bank Drive. The golf course is located to the east side of the development. This part is entirely single family residential with a density of 2.644 du/ac with 0 acres of open space.

**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 **Golf Village, Section 9, Phase 2, Part A** to the RPC.

**Commission / Public Comments**

*Mr. Gladman made a motion for Final approval of Golf Village, Section 9, Phase 2, Part A. Mr. Fowler seconded the motion. VOTE: Majority For, 0 Opposed. Motion carried.*

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**43-00.9.B Golf Village, Section 9, Phase 2, Part B – Liberty Twp. - 38 lots, 17.06 acres**

**Applicant:** Paul Coppel, M/I Schottenstein Homes, Inc.

**Subdivision Type:** Planned residential (single family)

**Location:** North side of Village Club Dr., about 600 feet west of Sawmill Parkway, Liberty Twp.  
**Current Land Use:** Agriculture and woods  
**Zoned:** Planned Residence (PR)  
**Utilities:** Del-Co water and Delaware County sanitary sewer  
**School District:** Olentangy  
**Engineer:** Bauer, Davidson & Merchant, Inc.

**Staff Comments**

Golf Village is a 932.7 acre planned residential (single family, multi-family apartments and condominiums) and retail /office commercial community surrounding a new golf course, along the recently extended Sawmill Parkway from Seldom Seen Road to Home Road, in Liberty Township. The 231.42-acre golf course will serve as permanent private open space. The overall density will not exceed 1.5 units/acre (1246 units /837 residential and golf course acres), with the minimum lot size being 10,400 Sq. Ft. Golf Village received overall preliminary approval in October 2000.

Section 9, Phase 2, Part B is a 17.06-acre phase north of Village Club Drive west of the new Sawmill Parkway. The design includes the completion of Indian Springs Drive, High Wind Drive and Shallow Creek Drive. The golf course surrounds this part with Section 9, Phase 2, Part A directly to the south. This part is entirely single family residential with a density of 2.76 du/ac with 0.795 acres of open space.

**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 **Golf Village, Section 9, Phase 2, Part B** to the RPC.

**Commission / Public Comments**

*Mr. Gladman made a motion for Final approval of Golf Village, Section 9, Phase 2, Part B. Mr. Fowler seconded the motion. VOTE: Majority For, 0 Opposed. Motion carried.*

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**45-95.1.3 The Woodlands @ Loch Lomond, Sec. 1, Ph. 3 - Liberty Twp. 14 lots, 15.6 acres**

**Applicants:** Ken Manning, Woodlands Ltd., Inc.  
**Project Engineer:** Arthur Hergatt, PS

**Staff Comments**

The applicant has requested a 30-day tabling of The Woodlands at Loch Lomond, Section 1, Phase 3.

**Staff Recommendation**

Staff *recommends approval* of the 30-day tabling of **The Woodlands at Loch Lomond, Sec.1, Ph. 3**, to the RPC.

**Commission / Public Comments**

*Mr. Gladman made a motion for approval of 30-day tabling of The Woodlands at Loch Lomond, Section 1, Phase 3. Mr. Schmidt seconded the motion. VOTE: Majority For, 0 Opposed. Motion carried.*

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**47-00.1.1 North Orange, Section 1, Phase 1 – Orange Twp. – 05 lots / 77.82 acres**

**Applicant:** Planned Communities, Inc.  
**Engineer:** Stults and Associates, Inc.

**Staff Comments**

The applicant is requesting a 90-day tabling due to not having obtained the required signatures. This phase was previously tabled for 90-days on February 28, 2002.

**Staff Recommendation**

Staff recommends *approval* of the 90-day tabling of **North Orange, Section 1, Phase 1 Subdivision** to the RPC.

**Commission / Public Comments**

*Mr. Gladman made a motion for approval of 90-day tabling of North Orange, Section 1, Phase 1. Mr. Schmidt seconded the motion. VOTE: Majority For, 0 Opposed. Motion carried.*

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**47-00.2.1 North Orange, Section 2, Phase 1 – Orange Twp. – 02 lots / 01.08 acres**

**Applicant:** Planned Communities, Inc.  
**Engineer:** Stults and Associates, Inc.

**Staff Comments**

The applicant is requesting a 90-day tabling due to not having obtained the required signatures. This phase was previously tabled for 90-days on February 28, 2002.

**Staff Recommendation**

Staff recommends *approval* of the 90-day tabling of **North Orange, Section 2, Phase 1 Subdivision** to the RPC.

**Commission / Public Comments**

*Mr. Gladman made a motion for approval of 90-day tabling of North Orange, Section 2, Phase 1. Mr. Schmidt seconded the motion. VOTE: Majority For, 0 Opposed. Motion carried.*

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**47-00.3.1 North Orange, Section 3, Phase 1 – Orange Twp. – 48 lots / 21.77 acres**

**Applicant:** Planned Communities, Inc.  
**Engineer:** Stults and Associates, Inc.

**Staff Comments**

The applicant is requesting a 90-day tabling due to not having obtained the required signatures. This phase was previously tabled for 90-days on February 28, 2002.

**Staff Recommendation**

Staff recommends *approval* of the 90-day tabling of **North Orange, Section 3, Phase 1 Subdivision** to the RPC.

**Commission / Public Comments**

*Mr. Gladman made a motion for approval of 90-day tabling of North Orange, Section 3, Phase 1. Mr. Schmidt seconded the motion. VOTE: Majority For, 0 Opposed. Motion carried.*

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**26-00.4 Orange Point Commerce Center, Phase 4, Part 1 – Orange Twp. - 4 lots / 17.66 acres**

**Applicant:** Raif Webster, Duke Realty Limited Partnership  
**Subdivision Type:** Industrial  
**Location:** North & south of Orange Point Drive, 450 feet East of Graphics Way, Orange Twp.  
**Current Land Use:** Vacant  
**Zoned:** PID  
**Utilities:** Del-Co water, public sewer  
**School District:** Olentangy  
**Engineer:** LJB Engineers, Inc.

**Staff Comments**

A portion of this phase (8.3 acres) was originally proposed to be 2 lots with direct access to Orangepoint Drive. Now the plan is to create 4 smaller lots on Commerce Court, a cul-de-sac. This phase will be platted in two parts. Phase 4, Part 1 includes Commerce Court and the western 2 lots along with 15.371 acres directly to the north across Orangepoint Drive. Phase 4, Section 2 will be the remaining 2 lots on the eastern side of Commerce Court, south of Orangepoint Drive. Section 4 was given preliminary approval February 2002.

Surrounding land uses are commercial and light industrial to the south, a vacant field to the north (including overhead transmission lines), a vacant field to the west, and the Norfolk and Southern railroad tracks to the east. The site is flat and drains from east to west. Storm water will be detained on the AEP site to the east and an existing pond to the south in Phase 1.

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

**Staff Recommendations**

Staff recommends *Final approval* of **Orange Pointe Commerce Center, Phase 4**, to the RPC.

**Commission / Public Comments**

*Mr. Gladman made a motion for Final approval of Orange Point Commerce Park, Phase 4, Part 1. Mr. Fowler seconded the motion. VOTE: Majority For, 0 Opposed. Motion carried.*

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**V. EXTENSIONS**

26-98.1.5/6 extension Scioto Reserve, Sec. 1, Ph.'s 5 & 6 – Concord Twp. – requesting 6 month

**Applicant:** Rockford Homes, Inc.  
**Consultant:** RD Zande and Associates

**Staff Comments**

Scioto Reserve, Section 1, Phase 5 and 6 received preliminary approval on March 26, 2001. The applicant has requested a 6-month extension to allow for completion of the final plat.

**Staff Recommendations**

Staff recommends *approval of the 6-month extension* of **Scioto Reserve, Sec. 1, Ph.'s 5 & 6** to the RPC.

**Commission / Public Comments**

*Mrs. Foust inquired if this was the application's first extension. Mr. Deel stated that it was their first extension.*

*Mr. Ward made a motion for approval of the 6-month extension of Scioto Reserve, Section 1, Phases 5 & 6. Mrs. Warthman seconded the motion. VOTE: Majority For, 0 Opposed. Motion carried.*

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**VI. OTHER BUSINESS**

- Consideration for approval: Contracted Professional Services: Loveland & Brosius Attys. \$2,270.25

Holly Foust, Chairwoman

Joe Clase, Co-op Student

**Mr. Gladman made a motion for approval the expenditure of \$2,270.25 to pay Loveland & Brosius. Mr. Schmidt seconded the motion. VOTE: Majority For, 0 Opposed. Motion carried.**

- Consideration for approval: Contracted Professional Services: Gardner Architects \$2,885.00

**Mr. Schmidt made a motion for approval the expenditure of \$2,885.00 to pay Gardner Architects. Mrs. Poland seconded the motion. VOTE: Majority For, 0 Opposed. Motion carried.**

- Consideration for approval: Computer Upgrades: Dell Computers \$11,429.00  
Mr. Laurien stated that with an increase in software technology, the staffs computers are experiencing memory and performance problems. Mr. Laurien stated that this amount will purchase three new computers (to replace 4 to 5 year old machines) and upgrade five existing computers. Mr. Ward inquired if the Commission should vote to approve the expenditure for a little more incase prices increase or estimates are low. Mr. Spanner stated that he thought Mr. Ward's suggestion was good.

**Mr. Spanner made a motion for approval the expenditure of \$12,000 to pay for staff computer upgrades. Mr. Schmidt seconded the motion. VOTE: Majority For, 0 Opposed. Motion carried.**

## **VII. POLICY / EDUCATION DISCUSSION**

Mr. Laurien reminded the Commission that staff will be strictly enforcing the mylar submission deadline on the day final subdivision applications are due. He stated that all mylar sheets will be required to be turned into the office at this time and will be held until all signatures are obtained and required revisions are made.

Mr. Laurien stated that the lease for 109 N. Sandusky has been drafted and is in the staff's hands. He stated that he hopes to have bid numbers by the next RPC meeting. He estimates move in on September 1<sup>st</sup>.

Some commission members stated their concern for Mr. McNealy representing the applicants of Glen Oak, while at the same time representing the Commission in the Butterfield and similar cases. Chairwoman Foust indicated she felt this was a conflict and the RPC should seek alternative legal counsel.

**Mr. Gladman motioned to adjourn the meeting. Mr. Ward seconded the motion. Meeting was adjourned at 8:45pm.**

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**The next meeting of the Delaware County Regional Planning Commission will be Thursday, May 30, 2002 7:00PM at the Delaware Joint Vocational School North Campus, 1610 St. Rte. 521, Delaware, Ohio 43015.**

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