



**DELAWARE COUNTY  
REGIONAL PLANNING COMMISSION**

109 N. Sandusky Street, Delaware, Ohio, 43015 Phone 740-333-2260 Fax 740-833-2259

Philip C. Laurien, AICP, Executive Director

**\*MINUTES\***

**Thursday, April 24, 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 March 27, 2003 RPC Minutes
- Executive Committee Minutes of April 16, 2003
- Statement of Policy

**II. VARIANCES (none)**

**III. ZONING MAP/TEXT AMENDMENTS**

- 21-03 Harlem Twp. Zoning Commission – Harlem Twp. – text amendments
- 22-03.A Planned Communities – Orange Twp. – 81.7 acres from FR-1 to PC
- 22-03.B Planned Communities – Orange Twp. – 65.074 acres from FR-1 to SFPRD
- 22-03.C Planned Communities– Orange Twp. – 37.186 acres from FR-1 to MFPRD
- 22-03.D Planned Communities – Liberty Twp. – 66.323 acres from FR to PR
- 23-03 Glenna Miller – Liberty Twp. – 44.23 acres from FR to PR
- 24-03 Best Corporate Real Estate – Genoa Twp. – 4.78 acres from non-conforming RR to PD2

**IV. SUBDIVISION PROJECTS**

**Township      Lots/Acres**

**Preliminary**

- 07-03 Cumorah Court Liberty 03 lots / 05.02 acres
- 15-02.3 T Estates of Glen Oak, Section 3 Orange 53 lots / 16.90 acres

**Preliminary/Final (none)**

**Final**

- 21-02 T Winding Creek Estates, Section 4 Berlin 10 lots / 15.50 acres
- 29-98.4.10 Scioto Reserve, Section 4, Ph. 10 Concord 60 lots / 21.10 acres
- 20-02 T Myers Glen Delaware 09 lots / 17.42 acres
- 48-00.3.A.II Genoa Farms, Sec. 3, Ph. A, Pt. II Genoa
- 48-00.3.B Genoa Farms, Sec. 3, Ph. B Genoa 42 lots / 21.97 acres

- 06-01.2 Willow Bend, Section 2 Genoa 39 lots / 17.54 acres
- 43-89.1 Resubd. Lot# 1759, The Campus at Hidden Ravines Orange 03 lots / 03.82 acres

**T=TABLED, W=WITHDRAWN**

**V. EXTENSIONS (none)**

**VI. OTHER BUSINESS**

**VII. POLICY / EDUCATION DISCUSSION**

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**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, Robert Hedrick, Gary Spanner, Fred Fowler, Gary Gunderman, Tom Hopper, Leslie Warthman, Cy Schmidt, Holly Foust, Dick Gladman, Bill Thurston, Sandra Stults and Marvin Miller. Alternates present: Dusty Gurney, Jack Smelker, Scott Pike, and George Mason. Staff present: Phil Laurien, Paul Deel, Scott Sanders, Da-Wei Liou, Bob Sochor and Stephanie Matlack.

**# Approval of the March 27, 2003 RPC Minutes**

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

**# April 16, 2003 Executive Committee Minutes**

**1. Call to order**

Exec. Admin. Assistant Stephanie Matlack called the meeting to order. Roll call. *Present:* Holly Foust, Dick Gladman, Leslie Warthman, Steve Burke and Jim Ward. *Staff present:* Phil Laurien and Stephanie Matlack.

**2. Executive Committee Position Nominations/Vote**

Mrs. Matlack asked for nominations for Chairperson. Mr. Gladman nominated Holly Foust. Hearing no further nominations, *Mrs. Foust made a motion to close the nominations, seconded by Mr. Gladman. VOTE: Unanimously For, 0 Opposed. Motion carried. Mr. Gladman made a motion to appoint Holly*



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

- b. April RPC Preliminary Agenda** – Mr. Laurien presented the preliminary agenda, which included 7 rezoning applications, 2 preliminary and 7 final applications. Mr. Burke stated that Winding Creek Estates, Section 4 and Myers Glen would not be able to be signed by the Health Department until the Boards meeting on the 29<sup>th</sup>. Mr. Laurien stated that since the Commission does not have conditional approval for final applications the developers would need to table these two applications until the May RPC meeting. All agreed.

Mrs. Warthman expressed concern regarding plat delineation of preserve areas. She noted times where preservation areas were shown on the preliminary plan but at final platting they were removed from the plat. Prior to zoning signature of the plat, she found that they were removed from the plat and the preserve areas were clear-cut. Mr. Laurien suggested speaking with their attorney for enforcement procedures. He also said the subdivision regulations might be able to regulate this. Chairwoman Foust asked about the progress of the subdivision regulations with attorney Brosius. Mr. Laurien stated that he has not been able to reach Mr. Brosius regarding this. He asked Chairwoman Foust for her assistance in getting Mr. Brosius's comments on the proposed amendments.

## 6. Other Business

### a. Contract Updates

- 1.) **Sunbury** – next week's meeting, staff will present future development and goals
- 2.) **Trenton** – working on recommendations chapter
- 3.) **Ashley** – to begin late summer with assistance with Joe Clase
- 4.) **Scioto** – Scott to begin late summer
- 5.) **Liberty** – zoning amendments
- 6.) **Genoa** – zoning amendments
- 7.) **Sewer Master plan** – possible new contract on a time and materials basis

## 7. Personnel - (none)

## 8. Adjourn

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

Meeting adjourned at 10:30 am.

*The next regular Executive Committee meeting will be Wednesday, May 21, 2003 at 8:30 a.m.  
at 109 North Sandusky Street, 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

### 21-03 Harlem Twp. Zoning Commission – Harlem Twp. – text amendments

**Applicant:** Harlem Township Zoning Commission

**Request:** Review and make recommendations on Township zoning amendments.

### General

The Harlem Township Zoning Commission reviewed their current zoning resolution and are initiating the following:

- Eliminate Planned Residential (PR) and Planned Commercial and Office (PC) Districts and replace with Planned Unit Development (PUD) District;
- Make Sexually Oriented Businesses a conditional use in the Industrial (I) District;
- Modify language in all residentially zoned districts restricting temporary structures to non-residential uses
- "Housekeeping" type updates and amendments to improve clarity.

### Amendments

#### A.) Article IV – Definition of Terms

Delete Adult Entertainment and Adult Entertainment Facility. Add definition for Sexually Oriented Businesses and related terms. **Staff comment:** Why not alphabetize the terms associated with Sexually Oriented Businesses rather than listing them as a subset of Sexually Oriented Businesses? We also suggest updating the definition for single-family dwelling to include permanently sited manufactured housing with the following:

Dwelling, detached single family- detached, individual dwelling units, which accommodate one family related by blood, adoption, or marriage, or up to five unrelated individuals living as one housekeeping unit. The type of construction of such units shall conform either to the OBOA, or CABO One and Two family dwelling code, or other applicable building code, or be classified as an Industrialized Unit under the Ohio Basic Building Code, or conform to the Ohio Revised Code 3781.06 definition of permanently-sited manufactured home as provided for in ORC 519.212.

#### B.) Article V – Districts and Boundaries

Amend to reflect deletion of Planned Residential and Planned Commercial and Office Districts and addition of Planned Unit Development District. **Staff comment:** none.

#### C.) Article VII – Agricultural Residential District (AR-1)

7.03 – Permitted Uses g) eliminates manufactured/mobile homes for temporary residential use. Only temporary structures for nonresidential uses will be permitted. **Staff comments:** Many communities allow temporary structures for residential use while a permanent dwelling is constructed. This is a matter of local choice.

#### D.) Article VIII – Farm Residential District (FR-1)

8.03 – Permitted Uses e) eliminates manufactured/mobile homes for temporary residential use. Only temporary structures for nonresidential uses will be permitted. **Staff comments:** same as C.) above.

#### E.) Article IX – Low Density Residential District (R-2)

9.02 – Application. No proposed changes. **Staff comments:** This section should reference Article X (new PUD article) rather than Article XI (old PRD article). Also, for clarification, the text should state all lands zoned R-2 instead of all lands to be used for residential lots.

9.03 – Permitted Uses d) eliminates manufactured/mobile homes for temporary

residential use. Only temporary structures for nonresidential uses will be permitted. **Staff comments:** same as C.) above.

#### F.) Article X – Planned Unit Development District (PUD)

This is a new Article replacing the Planned Residential and Planned Commercial and Office Districts. It is intended to provide for well-planned mixed-use developments that include residential uses with commercial/office establishments. **Staff comments:** This Article is intended to provide flexibility to the landowner in developing a mixed-use neighborhood. The problem is that it is too flexible. There is no maximum density, no minimum lot size, no setback standards, no open space criteria for type or amount (nor is it listed as a permitted use), no ratio between residential and commercial and no criteria for approval. It simply lists 18 items that the Zoning Commission must consider, some of which are very subjective. Without a clear set of minimum/maximum standards or any link to a community vision, this resolution invites conflict between developer, zoning commission and neighbors. It also invokes the general welfare standard, which Ohio townships do not have, and cannot state.

The second issue is that the code states that this PUD is adopted pursuant to ORC 519.021c. Chapter 519.021c provides for the adoption of PUD regulations and simultaneous amendment to the Zoning Map for a parcel or parcels to PUD. The affected areas on the map would still retain the original underlying zoning until the property owner requests the application of the PUD regulations to his property. The initial adoption and amendment to the zoning map is subject to referendum, but the subsequent action of approving a PUD final development plan is administrative and not subject to referendum. The proposal by Harlem Township does not amend the zoning map, but states that the property owner shall request a rezone to PUD with a preliminary development plan, which would not repeal the underlying zoning district. A final development plan would be required, which would not be subject to referendum. Staff believes that as proposed the PUD regulation is more reflective of ORC 519.021a, which provides for the adoption of PUD regulations only. A property owner could then request a rezone to PUD, which would be subject to a referendum. A final development plan for zoning compliance would be administrative and not subject to referendum

Staff strongly advises the township to consult with the County Prosecutor's Office for an opinion on the proposed PUD regulation. We would also be available to assist the township to tighten up the PUD and make it more reflective of the community's vision for mixed-use developments.

#### G.) Article XI – Planned Residential District.

Deleted. **Staff comments:** see F) above.

H.) Article XV – Planned Commercial and Office District Deleted. **Staff comments:** see F) above.

I.) Article XVII – Industrial District (I) Section 17.04 g) makes Sexually Oriented Business a conditional use. **Staff comments:** none.

J.) All other changes are corrections/clarification and corrections to references. **Staff comments:** none.

**Staff Recommendation**

Staff recommends **conditional approval** of the Harlem Township Zoning text amendments, **except for the proposed PUD regulations**, *subject to staff comments*, to the DCRPC, the Harlem Twp. Zoning Commission, and the Harlem Twp. Trustees. Staff suggests that the Zoning Commission continue to work on the PUD with RPC Staff assistance.

**Commission / Public Comments**

Mr. Laurien asked Mr. Cy Schmidt if the PUD code was based on someone else’s code. He said no; the Zoning Commission worked with Harry Welsh on it. Mr. Laurien stated that the RPC staff would like the opportunity to sit down with the Commission and possibly Mr. Welsh to talk about some of these issues.

**Mr. Gladman made a motion to recommend conditional approval of the Harlem Twp. Zoning Code amendments, subject to staff comments. Mrs. Warthman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.**

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**22-03.A Planned Communities – Orange Twp. – 81.7 acres from FR-1 to PC**

**Location:** East side of Columbus Pike (US Route 23), north of Lewis Center Road in Orange Township, by Planned Communities.

**I. Conditions**

- Present Zoning:** FR-1
- Proposed Zoning:** PC
- Present Use:** Vacant agriculture
- Proposed Uses:** Mixed use office and commercial
- Existing Density:** 1 unit/acre

- Proposed Density:** NA
- School District:** Olentangy
- Utilities Available-** Del Co Water, Delaware County sanitary sewer.
- Soils:** GwA Glynwood 0-2% slope  
GwC Glynwood 6-12% slope  
Pw- Pewamo  
BoA- Blount 0-2 % slope

**II. Issues**

This 81.7 acres is part of the 286.387-acre Olentangy Crossing development proposed to straddle the east and west sides of US 23 north of Lewis Center Road. Olentangy Crossing is a mixed planned unit development that will be segmented into four zoning cases for each of the individual tracts.

The Olentangy Crossing Development is intended to conform to the locally adopted land use plans for each of the tracts. The 2001 adopted township Comprehensive Plan recommended this 81-acre area for Planned Commercial.

The development is also intended to conform to the recommendations of the US 23 Access Management Standards by ODOT. A new traffic signal will be installed at the intersection of new road “C” and US 23. Parallel “backage” roads will service the local traffic. Access from Orangewick Drive to US 23 will be restricted to right turn in only because of concerns from Orangewick residents about commercial and multi family traffic using their small residential street as a short cut to US 23.

**III. Conformance with Development Standards**

**1.) Sanitary Sewer-** by letter dated April 18, the Delaware County Sanitary engineer has noted “At the present time there is sufficient capacity for the proposed development of 320 residential units (290 gallons per day per unit) plus 80 acres of planned commercial development. Physical access to the central sewer system is available in two ways: 1) Upon completion of the Perry-Taggart Trunk Sewer, or 2) the gravity sewer system in the North Orange Development.

Availability of sanitary capacity is dynamic, and is subject to decrease pending the ongoing development of this and the downstream tributary areas. For these reasons, this letter of sanitary sewer capacity is valid for one (1) year from the date of this letter.”

**2.) Water**

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

- 3.) Other Utilities- Verizon phone, Columbia Gas and AEP electric can all provide service.
- 4.) Proposed Traffic Patterns and their relationship to existing conditions- as mentioned previously under issues, the traffic issues are being resolved in accordance with the US 23 ODOT access management standards. Orangewick Drive south will connect to new road “E” and thus have access to the full-signalized intersection at US 23 and road “D”. This will improve safety on US 23 and for Orangewick residents. No actual commercial users are being proposed, just the land being rezoned. This is somewhat unusual, but ODOT is aware of the project and in agreement with the improvements.
- 5.) Compatibility with existing and future probable uses- the commercial uses at this location are appropriate and conform to the 2001 Orange township Comprehensive Plan. Adequate buffering must be provided between new road “D” and the south side of Orangewick house lots.
- 6.) Compliance with all requirements of the Planned Districts-
  - a.) No landscaping plan is included. The proposal is to plant street trees along the public roads 1.5” in caliper, planted 4 feet behind the sidewalk or public road ROW, 75 feet on center. A “rolling mound comprised of an evergreen hedge or dense planting of evergreen shrubs not less than 6’ in height” is proposed between commercial and residential uses. The township may require a more detailed landscape plan as part of their review.
  - b.) Generalized drainage is shown, using the five ravines west of US 23 as discharge points. Drainage from this development will run to the Olentangy, a state scenic river. ODNR Scenic rivers staff may have approval authority over some of the drainage design due to proximity to the Olentangy River. Check with Tim Peterkoski at 614-265-6422.
  - c.) Architectural design criteria- a set of verbal criteria are given, and are worded specifically enough that they may be acceptable to the township for the rezoning. Renderings of commercial buildings will be the subject of administrative site plan review by the township if the zoning were passed as a “blank canvas”, that is, without uses or site plan for each of the individual commercial lots. A set of non-primary colors and hues is offered to show potential colors that would be in the developer’s palette.

- d.) Divergence requested- the applicant requests a divergence for a specific timetable for construction, since their users are not yet determined.

**IV. Required Findings for PC** - The Zoning Commission and Trustees may approve a Planned Commercial and Office District zoning provided they find that the proposed use complies with all of the following requirements:

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

**DCRPC Staff Finding:** The overall development plan is generally consistent with the general standards of the resolution, but a detailed landscape plan and preliminary drainage calculations should be submitted to assure that adequate stormwater retention and landscaping are provided.

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

**DCRPC Staff Finding:** The 2001 Comprehensive Plan recommends Planned commercial and Office for the site, the use conforms to the plan.

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

**DCRPC Staff Finding:** The development plan generally does advance the health, safety and morals of the township.

**V. DCRPC Staff Recommendation**

Staff recommends **conditional approval** of the proposed zoning change for 81.7 acres of Planned commercial and Office to Planned Communities to the DCRPC, Orange Twp. Zoning Commission, and the Orange Twp. Trustees, **subject to:**

1. Inclusion of a detailed landscape plan with cross sections.
2. Submission of preliminary stormwater calculations to demonstrate that adequate retention is shown.
3. Check with ODNR Scenic Rivers Division (Tim Peterkoski, 614-265-6422) on possible stormwater runoff issues and design constraints.

**Commission / Public Comments**

Mr. Jack Brickner, Director of Development at Planned Communities was present. They are working with the Township on the landscaping. The on-site water quality detention areas would be grouped together to minimize the number of basins. They have walked the site and had some discussions with Tim Peterkoski with ODNR and will continue to work with him. They will continue to work with the County Engineer and ODOT on traffic patterns and traffic light locations. There have also been meetings with the Orangewick residents to address traffic cut through possibilities. He believes with the County Engineer and ODOT that problem has been solved.

Ms. Mary Reed (390 Lewis Center Road) stated that she doesn't believe there has been any consideration given to residents on the south side of Lewis Center Road. There is no buffer against the commercial area. She would like to see the condominium units facing Lewis Center Road residents rather than flanking the High School and move the commercial to the west by the practice fields. If the commercial can't be moved she suggested a buffer along Lewis Center Road.

Mr. Mark Korzenko (170 Lewis Center Road) stated that he will be able to look out his front yard into the proposed Kroger site. He asked why there is no buffer to the south. Mr. Brickner stated that all the improvements (buffers) would be done on the north side of Lewis Center Road.

Mr. Laurien asked Mr. Gladman what the requirements would be for the buffer between the commercial and the residential. Mr. Gladman stated that in the past the Township has required a 3 foot (30"-36" mound) with plantings to reduce headlight glare to adjacent residents.

Ms. Judy Brozek (944 West Orange Road) questioned why the school was buffered and not the residents to the south.

Mr. Gunderman asked where the appropriate place is to resolve the issues raised by the residents. Mr. Laurien stated that the issues regarding the buffering to the residential to the south should be handled at Orange Township where they have the power to enforce their code. A "standard" 20' wide, rolling, mound was proposed by Planned Communities. The Orange Township Zoning Commission can require a landscape plan with cross sections to determine if the buffer is adequate.

***Mr. Miller made a motion to recommend conditional approval of the zoning***

***request by Planned Communities from FR-1 to PC, subject to staff comments and issues raised by adjacent residents. Mr. Cy Schmidt seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.***

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**22-03.B Planned Communities – Orange Twp. – 65.074 acres from FR-1 to SFPRD**

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

**I. Conditions**

**Present Zoning:** FR-1

**Proposed Zoning:** PRD

**Present Use:** Vacant agriculture

**Proposed Uses:** Single family detached housing, 104 lots with common open space

**Existing Density:** 1 unit/acre

**Proposed Density:** 1.59 units/acre

**School District:** Olentangy

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

**Soils:** GwB Glynwood 2-6% slope

GwC Glynwood 6-12% slope

LyD2- Lybrand 12-18% slope

LyE2-Lybrand 18-25% slope

**II. Issues**

1. This 65 acres is part of the 286.387-acre Olentangy Crossing development proposed to straddle the east and west sides of US 23 north of Lewis Center Road. Olentangy Crossing is a mixed planned unit development that will be segmented into four zoning cases for each of the individual tracts.

2. The Olentangy Crossing Development is intended to conform to the locally adopted land use plans for each of the tracts. The 2001 adopted township Comprehensive Plan recommended these 65 acres of land for Planned Residential Use at 2 units per acre with sanitary sewer service.

3. The development is also intended to conform to the recommendations of the US 23 Access Management Standards by ODOT. A new traffic signal will be installed at the intersection of new road "C" and US 23. Access to the new residential

subdivisions would be by new roads B and C. Road B will be the western extension of Lewis Center Road. Parallel “backage” road “A” will service the local traffic.

4. Preservation of Stream corridors- setbacks are provided to reduce siltation and runoff.
5. Wildlife corridors- there is a significant wildlife population that still moves through these ravines to the Olentangy River. Natural tree stands should be saved wherever possible. The detention basin east of lot 76 and north of lot 10 requires clear-cutting a stand of trees directly adjacent to a ravine. If this basin could be relocated east of lot 104 it would preserve the trees.
6. Useable open space- Orange Township requires 20% open space, and the development plan includes 20%, but virtually all of the open space is either in the 10 detention basins or on steep hillsides of 18-25% slope. The application says that trails are to be provided, but no trails are shown on the development plan. The developer is proposing to lower his overall project density from 2.7 units per acre to 2 units per acre by donating 38 acres of land on North Road east of Olentangy High School to the township for a park. This dedication would increase overall open space to 42%. While this may be acceptable to the township, there still needs to be useable open space within this neighborhood. There should be at least ½ acre of level, useable open space centrally located within the neighborhood (104 lots in Orange Township and 46 lots in Liberty Township). An ideal location would be in the area where lots 41, 42 and 51 are located.
7. Loss of some potential commercial ground- the 2001 Orange Township Comprehensive Plan recommended Planned Commercial 800’ west of US 23. This development plan proposes only 450 feet of commercial depth. The comprehensive plan was schematic, and this development plan is proposing a single-loaded commercial backage road, so this seems an acceptable depth.

### **III. Conformance with Development Standards**

**1.) Sanitary Sewer-** by letter dated April 18, the Delaware County Sanitary engineer has noted “At the present time there is sufficient capacity for the proposed development of 320 residential units (290 gallons per day per unit) plus 80 acres of planned commercial development. Physical access to the central sewer system is available in two ways: 1) Upon completion of the Perry-Taggart Trunk Sewer, or 2) the gravity sewer system in the North Orange Development.

Availability of sanitary capacity is dynamic, and is subject to decrease pending the ongoing development of this and the downstream tributary areas. For these

reasons, this letter of sanitary sewer capacity is valid for one (1) year from the date of this letter.”

#### **2.) Water**

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

**3.) Other Utilities-** Verizon phone, Columbia Gas and AEP electric can all provide service.

**4.) Proposed Traffic Patterns and their relationship to existing conditions-** as mentioned previously under issues, the traffic issues are being resolved in accordance with the US 23 ODOT access management standards. ODOT is aware of the project and in agreement with the improvements.

**5.) Compatibility with existing and future probable uses-** the residential uses at this location are appropriate and conform to the 2001 Orange Township Comprehensive Plan. Adequate buffering must be provided between new road “A” and the east side of new house lots.

#### **6.) Compliance with all requirements of the Planned Districts-**

- a.) No landscaping plan is included. The proposal is to plant street trees along the public roads 1.5” in caliper, planted 4 feet behind the sidewalk or public road ROW, 75 feet on center. A “rolling mound comprised of an evergreen hedge or dense planting of evergreen shrubs not less than 6’ in height” is proposed between commercial and residential uses. The township may require a more detailed landscape plan as part of their review.
- b.) Generalized drainage is shown, using the five ravines west of US 23 as discharge points. Setbacks from the ravines are proposed to reduce silt runoff. Drainage from this development will run to the Olentangy, a state scenic river. ODNR Scenic rivers staff may have approval authority over some of the drainage design due to proximity to the Olentangy River. Check with Tim Peterkoski at 614-265-6422.
- c.) Architectural design criteria- a set of verbal criteria is given, and is worded specifically enough that it might be acceptable to the township for the rezoning.
- d.) Divergence requested- the applicant requests a divergence for a specific timetable for construction, since their users are not yet



determined.

**IV. Required Findings for PRD** - The Zoning Commission and Trustees may approve a Planned Residential Development provided they find that the proposed use complies with all of the following requirements:

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

**DCRPC Staff Finding:** The overall development plan is generally consistent with the general standards of the resolution.

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

**DCRPC Staff Finding:** The 2001 Comprehensive Plan recommends residential at 2 units per acre with sewer and some planned commercial and Office for the site. The proposed use conforms to the plan.

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

**DCRPC Staff Finding:** The development plan generally does advance the health, safety and morals of the township.

**V. DCRPC Staff Recommendation**

Staff recommends **conditional approval** of the proposed zoning change for 65.074 acres of Planned Residential to the DCRPC, Orange Twp. Zoning Commission, and the Orange Twp. Trustees, **subject to:**

1. Inclusion of a detailed landscape plan with cross sections if requested by the township.
2. Consideration of moving the detention basin north of lot 10 to a location east of lot 104 to save the trees.
3. Identifying recreational trails on the development plan, or, in the alternative, providing ½ acre of useable, level, centrally located open space within the development.
4. Check with ODNR Scenic rivers division (Tim Peterkoski, 614-265-6422) on possible stormwater runoff issues and design constraints.

**Commission / Public Comments**

Mr. Jack Brickner, Planned Communities stated that design calculations for the basins were done on a fairly detailed preliminary engineering sizing so they are anticipating that they should be pretty close to the size they would be needing. The basins will be located above the ravine areas not down in the ravines. The recreational trails have been looked at and their land planners will present the plan to the Township.

*Mr. Miller made a motion to recommend conditional approval of the zoning change from FR-1 to SFPRD, subject to staff comments. Mr. Gunderman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

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**22-03.C Planned Communities–Orange Twp– 37.186 acres from FR-1 to MFPRD**

**Location:** East side of Columbus Pike (US Route 23), north of Lewis Center Road in Orange Township, by Planned Communities.

**I. Conditions**

**Present Zoning:** FR-1  
**Proposed Zoning:** MFPRD  
**Present Use:** Vacant agriculture  
**Proposed Uses:** 150 multi family condominiums  
**Existing Density:** 1 unit/acre  
**Proposed Density:** 4 units/net acre of condos  
**School District:** Olentangy  
**Utilities Available-** Del Co Water, Delaware County sanitary sewer.  
**Soils:** GwB Glynwood 2-6% slope  
BoA Blount 0-2 % slope  
Pewamo 0-2 %

**II. Issues**

1. This 37 acres is part of the 286.387-acre Olentangy Crossing development proposed to straddle the east and west sides of US 23 north of Lewis Center Road. Olentangy Crossing is a mixed planned unit development that will be segmented into four zoning cases for each of the individual tracts.

2. The Olentangy Crossing Development is intended to conform to the locally adopted land use plans for each of the tracts. The 2001 adopted township Comprehensive Plan recommended these 37 acres of land for Planned Commercial and office south of the Orangewick subdivision and Planned Residential Use at 2 units per acre with sanitary sewer service east of Orangewick.
3. The development is also intended to conform to the recommendations of the US 23 Access Management Standards by ODOT. A new traffic signal will be installed at the intersection of new road “C” and US 23. Parallel “backage” roads will service the local traffic. Access from Orangewick Drive to US 23 will be restricted to right turn in only because of concerns from Orangewick residents about commercial and multi family traffic using their small residential street as a short cut to US 23. Access to the new condominiums would be by new roads D, E and F. Access will be extended to Olentangy High School to the east, giving them a front door to US 23.
4. Preservation of Stream corridors- setbacks are provided to reduce siltation and runoff.
5. The developer is proposing to lower his net condo density of 4/acre, and his overall project density from 2.7 units per acre to 2 units per acre overall by donating 38 acres of land on North Road east of Olentangy High School to the township for a park. This dedication would increase overall open space to 42%.
6. Loss of some potential commercial ground- the 2001 Orange Township Comprehensive Plan recommended Planned Commercial for all the land south of Orangewick subdivision. Approximately 15 acres of this planned commercial land is seeking zoning for condominiums. The comprehensive plan was schematic, so consideration of condominiums is not unreasonable, so long as the density does not exceed the comprehensive plan density, which it will not with the donation of the 38 acres on North road for a park.
7. The land east of Orangewick is recommended for single family at 2 units per acre on the comprehensive Plan. This land also lies just west of the Olentangy High School football stadium, which has powerful night lights and noise that might not be acceptable for a single family neighborhood, but might be tolerated more by the multi family condominiums users. The condominium use seems reasonable at this location as long as the density does not exceed the Comprehensive Plan, and again, with the donation of 38 acres on North Road east of the HS, the overall Orange Township density stays at 2/acre.

### **III. Conformance with Development Standards**

**1.) Sanitary Sewer-** by letter dated April 18, the Delaware County Sanitary engineer has noted “At the present time there is sufficient capacity for the proposed development of 320 residential units (290 gallons per day per unit) plus 80 acres of planned commercial development. Physical access to the central sewer system is available in two ways: 1) Upon completion of the Perry-Taggart Trunk Sewer, or 2) the gravity sewer system in the North Orange Development.

Availability of sanitary capacity is dynamic, and is subject to decrease pending the ongoing development of this and the downstream tributary areas. For these reasons, this letter of sanitary sewer capacity is valid for one (1) year from the date of this letter.”

#### **2.) Water**

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

**3.) Other Utilities-** Verizon phone, Columbia Gas and AEP electric can all provide service.

**4.) Proposed Traffic Patterns and their relationship to existing conditions-** as mentioned previously under issues, the traffic issues are being resolved in accordance with the US 23 ODOT access management standards. ODOT is aware of the project and in agreement with the improvements.

**5.) Compatibility with existing and future probable uses-** the residential uses at this location are appropriate and generally conform to the 2001 Orange Township Comprehensive Plan. Adequate buffering must be provided between new roads “D and F” and the condominiums.

#### **6.) Compliance with all requirements of the Planned Districts-**

a.) No landscaping plan is included. The proposal is to plant street trees along the public roads 1.5” in caliper, planted 4 feet behind the sidewalk or public road ROW, 75 feet on center. A “rolling mound comprised of an evergreen hedge or dense planting of evergreen shrubs not less than 6’ in height” is proposed between commercial and residential uses. The township may require a more detailed landscape plan as part of their review.

b.) No detailed drainage plan is shown. Two drain swales through the

two condo sites lead to five ravines west of US 23 as discharge points. It is possible that there will need to be site plan revisions upon completion of more drainage analysis for these two sites. Drainage from this development will run to the Olentangy, a state scenic river. ODNR Scenic rivers staff may have approval authority over some of the drainage design due to proximity to the Olentangy River. Check with Tim Peterkoski at 614-265-6422.

- c.) Architectural design criteria- a set of verbal criteria and color renderings is submitted.
- d.) Divergence requested- the applicant requests a divergence for a specific timetable for construction, since their users are not yet determined.

**IV. Required Findings for MFPRD** - The Zoning Commission and Trustees may approve a Planned Residential Development provided they find that the proposed use complies with all of the following requirements:

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

**DCRPC Staff Finding:** The overall development plan is generally consistent with the general standards of the resolution.

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

**DCRPC Staff Finding:** The 2001 Comprehensive Plan recommends residential at 2 units per acre with sewer and some planned commercial and office for the site. The proposed use does not conform to the exact recommendation of the comprehensive plan, but the overall density conforms to the plan, albeit with some 15 less acres of commercial. The overall effect is general compliance with the plan. It is suggested the township consider modification of the plan if they concur with the proposed zoning.

- 3.) That the proposed development advances the general

welfare of the township and the immediate vicinity.

**DCRPC Staff Finding:** The development plan generally does advance the health, safety and morals of the township.

**V. DCRPC Staff Recommendation**

Staff recommends **conditional approval** of the proposed zoning change for 37.186 acres of Planned Multi Family Residential to the DCRPC, Orange Twp. Zoning Commission, and the Orange Twp. Trustees, **subject to:**

- 1. Inclusion of a detailed landscape plan with cross sections if requested by the township.
- 2. Check with ODNR Scenic Rivers Division (Tim Peterkoski, 614-265-6422) on possible stormwater runoff issues and design constraints.
- 3. Extension of the new road “D” to the Olentangy High School, as shown.
- 4. Donation of the 38 acres on North Road to the Township to achieve the overall density of 2 units per acre.

**Commission / Public Comments**

Mr. Brickner, Planned Communities stated that it was their intent to extend the road to the property line of the school. The exact location was coordinated with Mr. Denny Lowry (Olentangy Schools). The 38 acres would be transferred to the Township as part of this zoning approval.

Ms. Reed (390 Lewis Center Road) expressed her concern of the lack of buffering along Lewis Center Road. She would prefer seeing the condominium units proposed to be adjacent to the school fields to be moved to the south and the commercial by the school fields.

Mr. Tim Peterkoski, ODNR, stated that there is a substantial amount of hydric-soils and wetlands that should be preserved on the 38-acre tract.

Mrs. Warthman asked the value of the 38-acre tract. Seeing that there is very little access and with the amount of hydric-soils, what other use could there be for this tract? How will it benefit the Liberty Twp. residents? What is the purpose of that 38 acres other than to adjust the density? Mr. Laurien stated that the RPC received a faxed letter today from Mr. Tim Hetrick with the Orange Twp. Parks and Rec. committee asking that consideration be given for that area as parkland. Mr. Gladman stated that there has been discussion of three possible uses. The school would like to have the northwest corner for an addition to the school. An additional firehouse could be constructed leaving enough area for a park.

Mrs. Warthman asked which phase the 38 acres would be dedicated. Mr. Brickner stated that is would be part of the first platting.

Mr. Gladman stated that the Township hearing is scheduled at the Township hall on May 13<sup>th</sup>, 7:30 p.m.

***Mr. Miller made a motion to recommend conditional approval of the zoning request for FR-1 to MFPRD, subject to staff comments. Mr. Cy Schmidt seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.***

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**22-03.D Planned Communities – Liberty Twp. – 66.323 acres from FR to PR**

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

**I. Conditions**

**Present Zoning:** FR-1

**Proposed Zoning:** PR

**Present Use:** Vacant agriculture

**Proposed Uses:** Single family detached housing, 46 lots with common open space

**Existing Density:** 1 unit/acre

**Proposed Density:** .69 units/acre

**School District:** Olentangy

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

**Soils:** GwC Glynwood 6-12% slope

HeF-Heverlo Silt Loam, 25-70 % slope

LyE2-Lybrand 18-25% slope

**II. Issues**

1. This 66 acres is part of the 286.387-acre Olentangy Crossing development proposed to straddle the east and west sides of US 23 north of Lewis Center Road. Olentangy Crossing is a mixed planned unit development that will be segmented into four zoning cases for each of the individual tracts.

2. The Olentangy Crossing Development is intended to conform to the locally adopted land use plans for each of the tracts. The adopted Liberty Township Comprehensive Plan recommended these 66 acres of land for Planned Residential Use at 1 unit per acre. Lots below the 900' MSL elevation are intended to be 1 acre, or in the case of PR, may be reduced by divergence if granted by the Zoning Commission. A divergence would be required for the proposed development plan since some of the lots are as small as 120' x 140' (16,800 square feet). DCRPC staff supports the divergence provided the trail system described in the application is constructed as part of the subdivision improvements and is clearly added to the development plan.

3. The development is also intended to conform to the recommendations of the US 23 Access Management Standards by ODOT. A new traffic signal will be installed at the intersection of new road "C" and US 23. Access to the new residential

subdivisions would be by new roads B and C. Road B will be the western extension of Lewis Center Road. Parallel "backage" road "A" will service the local traffic.

4. Preservation of Stream corridors- setbacks are provided to reduce siltation and runoff. Detention basins are appropriately off-ravine.

5. Wildlife corridors- there is a significant wildlife population that still moves through these ravines to the Olentangy River. Natural tree stands should be saved wherever possible.

6. Open space- Liberty Township does not require a minimum % open space in a PR district, but does want to see the ravines preserved. The development plan shows virtually all of the open space is either in the ravines, detention basins or on steep hillsides of 18-25% slope. The application says that trails are to be provided, but no trails are shown on the development plan.

**III. Conformance with Development Standards**

1.) Sanitary Sewer- by letter dated April 18, the Delaware County Sanitary engineer has noted "At the present time there is sufficient capacity for the proposed development of 320 residential units (290 gallons per day per unit) plus 80 acres of planned commercial development. Physical access to the central sewer system is available in two ways: 1) Upon completion of the Perry-Taggart Trunk Sewer, or 2) the gravity sewer system in the North Orange Development.

Availability of sanitary capacity is dynamic, and is subject to decrease pending the ongoing development of this and the downstream tributary areas. For these reasons, this letter of sanitary sewer capacity is valid for one (1) year from the date of this letter."

2.) Water

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

3.) Other Utilities- Verizon phone, Columbia Gas and AEP electric can all provide service.

4.) Proposed Traffic Patterns and their relationship to existing conditions- as mentioned previously under issues, the traffic issues are being resolved in accordance with the US 23 ODOT access management standards. ODOT is aware of the project and in agreement with the improvements.

5.) Compatibility with existing and future probable uses- the residential uses at

this location are appropriate and conform to the 1995 Liberty Township Comprehensive Plan.

6.) Compliance with all requirements of the Planned Districts-

- a.) No landscaping plan is included. The proposal is to plant street trees along the public roads 1.5” in caliper, planted 4 feet behind the sidewalk or public road ROW, 75 feet on center. The township may require a more detailed landscape plan as part of their review.
- b.) Generalized drainage is shown, using the five ravines west of US 23 as discharge points. Setbacks from the ravines are proposed to reduce silt runoff. Drainage from this development will run to the Olentangy, a state scenic river. ODNR Scenic rivers staff may have approval authority over some of the drainage design due to proximity to the Olentangy River. Check with Tim Peterkoski at 614-265-6422.
- c.) Architectural design criteria- a set of verbal criteria is given, and is worded specifically enough that it might be acceptable to the township for the rezoning.
- d.) Divergence requested- the applicant requests a divergence for a specific timetable for construction, since their users are not yet determined.

**IV. Required Findings for PRD** - The Zoning Commission and Trustees may approve a Planned Residential Development provided they find that the proposed use complies with all of the following requirements:

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

**DCRPC Staff Finding:** The overall development plan is generally consistent with the general standards of the resolution, but a divergence for lot size (not density) must be granted by the Zoning Commission because lot are smaller than the .75 acre prescribed in the comprehensive plan. This is a reasonable request given the preservation of the ravine system in open space, provided the trail system described in the application are shown on the development plan and constructed as part of the subdivision

improvements.

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

**DCRPC Staff Finding:** The 1995 Comprehensive Plan recommends residential at 1 units per acre; the proposed use conforms to the plan.

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

**DCRPC Staff Finding:** The development plan generally does advance the health, safety and morals of the township.

**V. DCRPC Staff Recommendation**

Staff recommends **conditional approval** of the proposed zoning change for 66.136 acres of Planned Residential to the DCRPC, Liberty Twp. Zoning Commission, and the Liberty Twp. Trustees, **subject to:**

1. Inclusion of a detailed landscape plan with cross sections if requested by the township.
2. Identifying recreational trails on the development plan, and constructing them as part of the subdivision improvements.
3. Check with ODNR Scenic rivers division (Tim Peterkoski, 614-265-6422) on possible storm water runoff issues and design constraints.

**Commission / Public Comments**

Mr. Jack Brickner, Planned Communities, stated that there are significant ravines within this area of the development. All stormwater flow will be picked up prior to any stormwater being discharged to the ravine area so they can be treated. They have asked for a divergence to allow lots smaller than 0.7 acre. A Phase 1 environmental report has been done. Representatives from the EPA have walked the site. Mr. Tim Peterkoski has also walked the site.

Mr. Tim Peterkoski, ODNR, said that this is one of the few properties in central Ohio that has an “intact forest community” that has no invasive subspecies (not a lot of bush honey suckles, things that drive out the native species that are there). He recommends that the Developer, Township, and County look at

using Clean Ohio funds to purchase and preserve this property rather than develop it. Big Run (that runs through the property) is the last remaining tributary in the urbanizing sections of the Olentangy Watershed that is still in compliance with the Clean Water Act.

Ms. Judy Brozek (944 W. Orange Rd.) expressed her concern of preserving the ravines. She stated that OSU has used this as a study area for 30 years.

Ms. Susan Doherty (6511 Taggart Rd.) stated that she and her husband tried to purchase this piece of property 3 years ago to preserve it but due to funding could not. She suggested preserving this piece and developing the 38-acre tract (proposed Orange Twp. park set aside).

Mr. Laurien asked how the Clean Ohio program worked. Mr. Peterkoski stated that one of the local government agencies (or a non-profit agency) would have to apply for funds to the ENRAC Committee. Mr. Laurien asked if there are funds available. Mr. Peterkoski stated that there are close to \$2 million available for the district that Delaware County is in.

Mrs. Warthman asked where the infrastructure (sewer) lines come into the project. Mr. Brickner stated that all the utilities are coming in along US 23. There are 2 options for sanitary lines. The County is working in the Perry-Taggart gravity line being extended on the 315 corridor. If that gravity line were to be installed in time to proceed with this project then they would be extending it into this project then going to the easement to Taggart Rd. If the line is delayed and this project moves forward, they would put in a lift station at a low point and extend a force main to the North Orange project.

Mrs. Warthman asked the width of a clear-cut easement. Mr. Brickner stated a gravity line is typically 40', a permanent easement is typically 20'. If a force main was used, 20' would be adequate for construction and the permanent easement could be 20' or maybe less.

Mrs. Warthman asked how long the process is for the Clean Ohio application. Mr. Peterkoski stated that the last funding round was just completed. So you would have to wait to apply next year.

Mr. Laurien asked the timing on this phase. Mr. Brickner stated that development would start at US 23 and head west. The first part of this that would go in would be the sanitary. It would flow down to the west.

**Mr. Spanner made a motion to recommend conditional**

**approval of the rezoning request for Olentangy Crossing, subject to staff comments. Mr. Poland seconded the motion. VOTE: Majority For, Some Opposed. Motion carried.**

**Mr. Miller made a motion to recommend that Liberty Township, the developer and ODNR work together to investigate obtaining Clean Ohio funds to preserve the Liberty Township portion of Olentangy Crossing. Mrs. Warthman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.**

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**23-03 ZON Glenna Miller – Liberty Twp. – 44.23 acres from FR-1 to PR**

**Location:** 4494 Seldom Seen Road

**Conditions**

**Present Zoning:** Farm Residential (FR)

**Proposed Zoning:** Planned Residential (PR)

**Present Use:** Agriculture

**Proposed Use:** 66 single family homes on 10,400 square-foot lots

**Existing Density:** 1 unit per acre

**Proposed Density:** 1.5 units per gross acre

**School District:** Olentangy

**Utilities Available:** Del Co Water, Public sewer

**Soils:** BoA Blount Silt Loam, 0-2% slope

GwB Glynwood Silt Loam, 2-6% slope

PwA Pewamo Silty Clay Loam, 0-1% slope.

**Surrounding Land Use**

To the north and west is Woods on Seldom Seen with lots all roughly 1 acre. To the south are deep, 2-acre road frontage lots, each roughly 92' wide. To the east is Golf Village, with 12,000 s.f. lots (1/3 acre) in the City of Powell, and Woods on Seldom Seen in Liberty Township.

**General Comments**

1. The application states that the comprehensive plan calls for 1.5 units per gross acre for this site. The 1995 Liberty Township Comprehensive Plan when mapped 5500' east of Riverside Dr.,

recommends 1.25 units per acre for 33 acres, and 1.5 units/ac. for 11 acres. This would reduce the number of lots to 58 and allow the design to include more usable open space toward the center of the project.

2. The application states that this development is a conservation subdivision. However, only half the lots face open space. Good conservation design requires at least 85% of the lots face open space.
3. Because the site is former agricultural land, the natural features of the site are limited to woods and the drainage swale. While the woods are preserved, the design places the swale along property lines. This swale could be included as a feature of the open space
4. The open space that is provided is not centrally located. A large area exists in the southeastern corner of the site plan, but access to this area is limited because the only way to reach it is from the end of the cul-de-sac to the south. The other access would be from the east, but this access is somewhat blocked by the drainage swale.

#### **Conformance with Development Standards**

The following are issues within the listed development standards of the Planned Residential District:

The application requests divergences on the following items:

1. The front yard setback be reduced from 60' to 25'. There are no stated garage setbacks, meaning that "snout houses" with fully projecting garages in front of the houses are possible.
2. The side yard setback be reduced from 25' to 12.5'.
3. The minimum lot size be reduced to from half acre to 10,400 s.f. (1/4 acre).
4. That the driveway location be reduced from 100' from the closest intersection to 30' from the closest intersection.
5. That the rear setback of any accessory uses be reduced from 25' to 20'.

#### **Staff Comment**

These divergences bring the proposal into similarity with lots in Golf Village, but do not assist in the stated project goal of "marrying the two differing adjacent land uses." The development plan shows that half the lots will not benefit from adjacency to open space. These lots, several of which are back-to-back with similar

Golf Village lots, would be better served by either being redesigned to be larger, or with the location of a spine of open space separating this development from lots in Golf Village.

#### **Criteria for Approval**

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

**Staff finding:** Except for the divergences requested, the submitted plan meets the general zoning standards of the township code.

*"2) In conformity with the comprehensive plan or portion thereof as it may apply."*

**Staff finding:** The application states that the comprehensive plan calls for 1.5 units per gross acre for this site. The 1995 Liberty Township Comprehensive Plan when mapped 5500' east of Riverside Dr., recommends 1.25 units per acre for 33 acres, and 1.5 units/ac. for 11 acres. This would reduce the number of lots to 58 and allow the design to include more usable open space toward the center of the project.

*"3) Advances the general welfare of the County and the immediate vicinity."*

**Staff finding:** The preliminary development plan, if changed to reflect 1.25 units per acre, does advance the public health, safety and morals of the vicinity.

#### **DCRPC Staff Recommendation**

Staff recommends to the DCRPC, the Liberty Township Zoning Commission and the Liberty Township Trustees that the change in zoning from FR to PR for 66 units of SF housing on 10,400 sq. ft. lots be denied. DCRPC staff could support the PR zoning provided:

1. The number of lots be reduced to reflect the correct density calculation (58 lots).
2. The project be redesigned to create a centralized useable open space.
3. 85% of the lots face open space.
4. A garage setback is established preventing snout houses or fully-projecting garages
5. Minimum lot size be established at 12,000 sq. ft., minimum lot width 90'.
6. No rear yard divergence.

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

Mr. Jeff McNealey, attorney on behalf of Dominion Homes was present. He stated that they attempted to follow the conservation design principles. Mr. Gary Schmidt, Schmidt Land Design, stated they tried to transition the



development from east to west. Approximately 2/3 of the lots would be on open space. Sidewalks would provide access to the open space. The plan preserves all the natural features (wetlands, a stream and 2 wooded areas) on the site.

Mr. Laurien stated that if they reduce the project to 58 units and delete 8 lots (in the center) there could be a centralized open space. Move a few of the lots to the southern portion of the project.

Chairwoman Foust stated that Liberty Twp. Comp. Plan clearly states that the maximum density is the maximum. You'll have to work real hard to get it. You are not entitled to it.

**Mr. Miller made a motion to recommend conditional approval of the zoning from FR to PR, subject to items 1-6 in the staff recommendations. Mrs. Warthman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.**

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**24-02 ZON      Best Corporate Real Estate – Genoa Twp. – 4.78 acres from non-conforming RR to PD2**

**Location:** 7001, 9001 and 9134 Sunbury Road

**Conditions**

**Present Zoning:** Rural Residential (RR)

**Proposed Zoning:** Planned Commercial-Office District (PD-2)

**Present Use:** Non-conforming Residential (Bait shop and boat storage)

**Proposed Use:** New bait shop and relocation of boat storage

**School District:** Westerville

**Utilities Available:** Del Co Water, On-site Septic

**Soils:** JmA Jimtown Silt Loam, 0-2% slope  
BeA Bennington Silt Loam, 0-2% slope  
BeB Bennington Silt Loam, 2-4% slope

**Surrounding Land Use**

Directly north and west are single-family homes on 1-2 acres. Further west is Barrington Estates with quarter-acre lots. To the southwest is Mariner's Cove in the City of Westerville at just under quarter-acre lots. To the east and south is City of Columbus-owned land surrounding the Hoover Reservoir.

**General Comments**

Applicant is requesting a change from RR to PD-2 for property that has been used commercially since before the introduction of township zoning in 1951. The applicant is planning to raze the current structure and build a new building setback 100 feet from Sunbury Road. Boat storage will move behind the building and the view from Sunbury Road will be blocked by a 6-foot fence with landscaping. The site will have two access points, one on Sunbury Road 200' north of the intersection with Maxtown Road, the other will be off Maxtown Road. The boat storage area will be accessed via a second entrance further east on Maxtown. An existing building in the rear of the site will be used as an office. The floorplan shows that the building will include space for the bait shop, a gift shop, and flexible space for potentially three more small businesses.

**Conformance with Development Standards**

The following are issues within the listed development standards of the Planned Commercial and Office District:

- 1) **Tract size:** The Planned Commercial-Office District has a 5-acre minimum lot size, which is slightly larger than the site. The applicant sought a variance from the size requirement from the BZA and was denied. Now the applicant seeks to rezone with an area divergence in a planned commercial district.

**Staff Recommendation:** *Because this is an existing, non-conforming use and is surrounded by large areas of open space around the Hoover Reservoir, this zoning change will bring the use into conformance. Staff believes the area divergence is reasonable and recommends that it be granted.*

- 2) **Green Buffer:** The zoning text requires a 75' buffer between commercial and residential uses. The applicant has stated plans to install fencing and landscape buffering. However, the boat storage area is adjacent to and near residential lots and has the potential to be unsightly.

**Staff Recommendation:** *Given the applicant's plan to provide fencing and landscaping, a 75' buffer may not be warranted and will improve an existing situation. The applicant should work closely with the township when determining the proper amount of buffering required. Staff also recommends a wider green strip along Sunbury Road, a busy arterial road, to avoid visual clutter.*

- 3) **Traffic Study:** The application states that because the business is already in operation, a traffic study is not warranted. It states that one will be conducted if required.

**Staff Recommendation:** *Because the new commercial structure includes bays for potential additional uses, a traffic impact analysis based on potential trip generation from the ITE manual should be completed to determine the impact of a multi-tenant strip center.*

- 4) **Access:** The plan shows two accesses – a curb cut on Sunbury Road and wide apron of access on Maxtown Road.

**Staff Recommendation:** *The applicant should work closely with the County Engineer's Office to determine whether the Sunbury Road access should be right-in, right-out only. The applicant should also limit the size of the access on Maxtown Road to a standard width, thereby reducing conflicts with traffic headed to the boat access ramps. The Engineer's office will also determine the extent to which the site will be impacted by the committed improvement to the Maxtown Road/Sunbury Road intersection noted on the 2001 Delaware County Thoroughfare Plan.*

- 5) **Parking:** The parking area noted in the plan seems excessive, even given the possibility of other business uses in the strip center. Because of the site's location in the watershed of the Hoover Reservoir and its proximity to the body of the reservoir, it is important that impervious surfaces, such as roofs and paved areas, be limited to only what is necessary. Furthermore, it would be appropriate to consider a GravelPaved™ (grid-stabilized) surface.

**Staff Recommendation:** *The applicant should review the parking requirements with Genoa Township and only provide the minimum necessary.*

#### **DCRPC Staff Recommendation**

Staff recommends the change in zoning from RR to PD-2 to the DCRPC, the Genoa Township Zoning Commission and the Genoa Township Trustees be **conditionally approved** subject to the applicant addressing the following staff recommendations:

- 1) **Tract size divergence:** Because this is an existing, non-conforming use and is surrounded by large areas of open space around the Hoover Reservoir, this zoning change will bring the use into conformance but the size will remain non-conforming. Staff believes this is a reasonable divergence and recommends that it be granted.
- 2) **Green Buffer:** Given the applicant's plan to provide fencing and landscaping, a 75' buffer may not be warranted. The applicant should work closely with the township when determining the proper amount of buffering required Staff also recommends a wider green strip along Sunbury Road to avoid visual clutter along this busy arterial road.
- 3) **Traffic Impact Analysis:** Because the new commercial structure includes bays for potential additional uses, a traffic analysis should be completed to determine the trip generation impact of a multi-tenant strip center.
- 4) **Access:** The applicant should work closely with the County Engineer's Office to determine whether the Sunbury Road access should be right-in, right-out only. The applicant should also limit the size of the access on Maxtown Road to a standard width, thereby reducing conflicts with traffic headed to the boat access ramps. The Engineer's office will also determine the extent to which the site will be impacted by the committed improvement to the Maxtown Road/Sunbury Road intersection noted on the 2001 Delaware County Thoroughfare Plan.
- 5) **Parking:** The applicant should review the parking requirements with Genoa Township and only provide the minimum necessary. Consideration should be given to a pervious but stabilized surface such as GravelPave™.

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

Mr. Randy Best of Best Corp. Real Estate was present to answer any questions from the Commission.

Mr. Scott Pike stated that the County Engineer does not consider that leg of Maxtown Road to be a public road. They believe it ends at Sunbury Rd. That is basically an access drive back to the City of Columbus boat launch facility. He doesn't believe the County Engineer has any jurisdiction over the access

point. He agrees with the staff on limiting it.

Mr. Best stated that they do have a letter from the City of Columbus stating that Columbus owns it.

**Mr. Gladman made a motion to recommend conditional approval of the zoning request by Best Corp. Real Estate, subject to staff comments. Mr. Mason seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.**

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**IV. SUBDIVISION PROJECTS**

**Preliminary**

**07-03 Cumorah Court – Liberty Twp. -03 lots / 05.02 acres**

**Applicant:** Dimon R. McFerson  
**Subdivision Type:** Single Family Residential (CAD)  
**Location:** East side of Liberty Road, 400 feet south of Carriage Road, Liberty Township  
**Current Land Use:** wooded  
**Zoned:** FR-1 (Farm Residential District)  
**Utilities:** Del-Co Water, public sewer system  
**School District:** Olentangy  
**Engineer:** ADR & Associates

**Staff Comments**

Cumorah Court is a proposed 3-lot CAD subdivision of 5.02 acres. It is located on the east side of Liberty Road approximately 400 feet south of Carriage Road. The site is mostly wooded with steep slopes and a creek straddling the south boundary. Each lot has frontage along Liberty Road (2 are flag lots), but will only be accessed by the CAD, which runs along the south side of the subdivision. The lot sizes are 1.3, 1.56, and 1.96 acre with the 2 rear lots owning the CAD. This development will be served by Del-Co water and public sewer.

Surrounding land use is residential, including large lot (1+ acre) to the north along Liberty Road and Carriage Road and Deseret subdivisions to the east and south. Further south is higher density residential subdivisions including Canterbury, Quail Meadows, and proposed Lakes at Silverleaf. Liberty Middle

and Wyandot Run elementary schools are to the north and west. Cumorah Court subdivision is zoned Farm residential, which requires a minimum lot size of 1 acre.

**A technical review was held on April 15, 2002, after which the applicant has addressed all of the required changes.**

**Staff Recommendation**

Staff recommends *Preliminary approval* of Cumorah Court to the RPC

**Commission / Public Comments**

Mr. Dave Krock, ADR Associates was present.

**Mr. Miller made a motion for Preliminary approval of Cumorah Court, seconded by Mr. Gladman. VOTE: Unanimously For, 0 Opposed. Motion carried.**

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**15-02.3 Estates of Glen Oak, Sec.3 – Orange Twp. - 53 lots / 16.90 acres**

**Applicant:** Dominion Homes  
**Consultant:** Jeffrey Strung, EMH & T

**Staff Comments**

The consultant has requested a 90-day tabling in order to resolve issues concerning Blue Holly Drive street connection.

**Staff Recommendation**

Staff recommends *approval* of the 90-day table request of the **Estates of Glen Oak, Section 3** to the RPC.

**Commission / Public Comments**

**Mr. Miller made a motion to approve the 90-day table request for Estates of Glen Oak, Section 3, seconded by Mr. Mason. VOTE: Unanimously For, 0 Opposed. Motion carried.**

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**Preliminary/Final (none)**

**CONSENT AGENDA**

**Final**

**21-02 Winding Creek Estates, Section 4 – Berlin Twp. - 10 lots / 15.50 acres**

**Applicant:** Michael B. Fox  
**Engineer:** Floyd Browne Associates

**Staff Comments**

The applicant has requested a 90-day tabling to obtain Health Department approval.

**Staff Recommendation**

Staff recommends approval of the 90-day tabling of **Winding Creek Estates, Section 4** to the RPC.

**Commission / Public Comments**

*Mr. Gunderman made a motion to approve the 90-day table request for Winding Creek Estates, Section 4. Mrs. Warthman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

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**29-98.4.10 Scioto Reserve, Section 4, Phase 10 – Concord Twp. - 60 lots / 21.10 acres**

**Applicant:** Home Road, LTD.  
**Subdivision Type:** Single-family residential  
**Location:** North of Home Road, North and South sides of Scioto Parkway, 120 feet West of Scioto Chase Boulevard, Concord Township  
**Current Land Use:** Former Agriculture  
**Zoned:** PRD  
**Utilities:** Del-Co water, alternative sewer with land application (County owned and maintained)  
**School District:** Buckeye Valley and Olentangy  
**Engineer:** R.D. Zande & Associates, Inc.

**Staff Comments**

Scioto Reserve Section 4, Phase 10 is a 60 lot phase of Scioto Reserve. The current land is open, former agricultural land with several tree lines. It is an extension of Scioto Parkway to Scioto Chase Boulevard, which will complete the loop between the eastern and western portions of Scioto Reserve. It also includes Greyson Drive, which extends to the north and west of the parkway and a street stub, Letterman Drive, to the northern property line. The golf course wraps around this phase to the west and south. A twenty-foot tree preservation easement has been noted on the northern edge of the project, which does not preclude the installation of utilities if necessary.

This section is surrounded by other phases of Scioto Reserve, including the golf course to the east, west, and south. The land to the north is agricultural/undeveloped and is not part of the overall development. Preliminary approval was granted in February 2002 and a 6-month extension was approved in February 2003.

*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 **Scioto Reserve, Section 4, Phase 10** to the RPC.

**Commission / Public Comments**

*Mr. Gladman made a motion for Final approval of Scioto Reserve, Section 4, Phase 10, seconded by Mr. CY Schmidt. VOTE: Unanimously For, 0 Opposed. Motion carried.*

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**20-02 Myers Glen – Delaware Twp. - 09 lots / 17.42 acres**

**Applicant:** Mr. Frank Goode  
**Consultant:** Floyd Browne Associates

**Staff Comments**

The consultant has requested a 90-day tabling for Myers Glen in order to acquire the Board of Health approval. Their meeting is not scheduled until the week following the RPC hearing. Also, there is an outstanding issue regarding the water service for this site. Del-Co Water Company and the City of

Delaware are still determining which entity will serve the development in accordance with their recent service agreement.

**Staff Recommendation**

Staff recommends *approval* of the 90-day table request for **Myers Glen** to the RPC.

**Commission / Public Comments**

*Mr. Gunderman made a motion to approve the 90-day table request for Myers Glen. Mrs. Warthman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

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**48-00.3.A.II            Genoa Farms, Sec. 3, Ph. A, Pt. II – Genoa Twp. -15 lots / 07.08 acres**

**Applicant:** Dominion Homes  
**Subdivision Type:** Single-family residential  
**Location:** West side of Old 3C Highway, about 650 feet north of Freeman Road  
**Current Land Use:** Agricultural  
**Zoned:** PD-1 with Conservation features  
**Utilities:** Del-Co water and Delaware County sewer systems  
**School District:** Westerville  
**Project Engineer:** R.D. Zande and Associates, Inc.

**Staff Comments**

This subdivision consists of a former agricultural tract of 7.081 acres, west of Covington Meadows along Old 3C Highway. The overall development has 52.9% of open space and a density of 1.98 du/ac. Section 3, Phase A, Part II completes the loop road, Genoa Farms Boulevard, between Section 3, Phase A, Part I and Section 3, Phase B. The township bike trail runs along its western border. This section includes a large reserve with a mowed walking path.

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

**Staff Recommendation**

Staff recommends *Final approval* of **Genoa Farms, Section 3, Phase A, Part II** to the RPC.

**Commission / Public Comments**

*Mr. Gladman made a motion for Final approval of Genoa Farms, Section 3, Phase A, Part II, seconded by Mr. Cy Schmidt. VOTE: Unanimously For, 0 Opposed. Motion carried.*

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**48-00.3.B            Genoa Farms, Sec. 3, Ph. B – Genoa Twp. - 42 lots / 21.97 acres**

**Applicant:** Dominion Homes  
**Subdivision Type:** Single-family residential  
**Location:** West side of Old 3C Highway, about 650 feet north of Freeman Road  
**Current Land Use:** Agricultural  
**Zoned:** PD-1 with Conservation features  
**Utilities:** Del-Co water and Delaware County sewer systems  
**School District:** Westerville  
**Project Engineer:** R.D. Zande and Associates, Inc.

**Staff Comments**

This subdivision consists of a former agricultural tract of 21.97 acres, west of Covington Meadows along Old 3C Highway. The overall development has 52.9% of open space and a density of 1.98 du/ac. Section 3, Phase B has direct access to Old 3C Highway via the loop street, Genoa Farms Boulevard. The section includes two large reserves, with tree preservation areas, a mowed active use area, a preserved farming structure and a mowed walking path.

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

**Staff Recommendation**

Staff recommends *Final approval* of Genoa Farms, Section 3, Phase B, to the RPC.

**Commission / Public Comments**

*Mr. Gladman made a motion for Final approval of Genoa Farms, Section 3, Phase B, seconded by Mr. Cy Schmidt. VOTE: Unanimously For, 0 Opposed. Motion carried.*

**06-01.2 Willow Bend, Section 2 – Genoa Twp. - 39 lots / 17.54 acres**

**Applicant:** Big Walnut Associates  
**Subdivision Type:** Single-family Residential  
**Location:** South side of Big Walnut Road, west of Worthington Road  
**Current Land Use:** Vacant, former agriculture  
**Zoned:** Planned Residential Development (PD-1)  
**Utilities:** Del-Co water and county sewer system  
**School District:** Olentangy School District  
**Project Engineer:** EMH&T

**Staff Comments**

Willow Bend Subdivision is a 123-lot subdivision on 87.60 acres. The overall density of the development is 1.4 units per acre with 26.5 acres of open space. Section 2 includes the extension of two roads, Willow Bend Court with 17 lots and Lynbrook Lane with 21 lots. An open space reserve is located along the southern edge of this section, with a gravel walking path from Lynbrook Lane toward the south and into Section 1. Tree preservation areas are located along the rear of approximately half the lots.

*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 Willow Bend, Section 2, to the RPC.

**Commission / Public Comments**

*Mr. Gladman made a motion for Final approval of Willow Bend, Section 2, seconded by Mr. Cy Schmidt. VOTE: Unanimously For, 0 Opposed. Motion carried.*

**43-89.1 Resubd. Lot# 1759, The Campus at Hidden Ravines –**

**Orange Twp. – 03 lots / 03.82 acres**

**Applicant:** Don Kenney/3S Hidden Ravines LLC  
**Subdivision Type:** Commercial/Office  
**Location:** North side of Hidden Ravines Drive  
**Current Land Use:** Two office buildings and partially vacant  
**Zoned:** Planned Commercial and Office  
**Utilities:** Del-Co water and county sewer system  
**School District:** Olentangy School District  
**Project Engineer:** EMH&T

**Staff Comments**

This site houses two office buildings and related parking to the west. The eastern portion toward U.S. 23 is vacant and generally flat, with a ravine that splits the site running from north to south. The original office lot (1.77 acres to the west) was split in 1997. The applicant seeks to split the eastern portion of the site into two new building sites. Because this is the last lot to be split from an original platted lot, RPC requires a new plat for the entire area.

*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 the **Resubdivision of Lot 1759, The Campus at Hidden Ravines** to the RPC.

**Commission / Public Comments**

*Mr. Gladman made a motion for Final approval of Resubdivision of Lot 1759, The Campus at Hidden Ravines, seconded by Mr. CY Schmidt. VOTE: Unanimously For, 0 Opposed. Motion carried.*

**V. EXTENSIONS (none)**

**VI. OTHER BUSINESS**

- Chairwoman Foust informed the Commission that Hansel Waugh, the Scioto Township Representative and zoning officer had passed away (4/17/03). ON behalf to the Commission, expressed sympathy for his family. Mrs. Sandra Stults (Alternate for Scioto Twp.) explained the staff that Mr. Waugh’s wife; Lila Jean Waugh would be taking over zoning officer duties until the Township found a replacement.

**VII. POLICY / EDUCATION DISCUSSION (none)**

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

Meeting adjourned at 9:15 p.m.

***The next meeting of the Delaware County Regional Planning Commission will be Thursday, May 29, 2003, 7:00PM at the Delaware Hayes Services Building, 140 N. Sandusky Street, Conference Room G-35, Delaware, Ohio 43015.***