

**DELAWARE COUNTY
REGIONAL PLANNING COMMISSION**

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

Philip C. Laurien, AICP, Executive Director

MINUTES

**Thursday, May 27, 2004 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 April 29, 2004 RPC Minutes
- Executive Committee Minutes of May 19, 2004
- Statement of Policy

II. VARIANCES (none)

III. PUBLIC CONSTRUCTION PROJECTS (none)

IV. ZONING MAP/TEXT AMENDMENTS

- 22-04 ZON North Star LLC – Kingston Twp. – 773.287 acres from FR-1 and 93.183 acres from Planned Recreational to PRD
- 23-04 ZON Augusta Roth – Harlem Twp. – 8.708 acres from AR-1 to FR-1
- 24-04 ZON Michelle Parks – Harlem Twp. – 13.198 acres from AR-1 to FR-1
- 25-04 ZON Troy Twp. Zoning Comm.– text amendments (Sections 11:02, 15:02, 18:02)
- 26-04 ZON Berlin Twp. Zoning Commission – review of Comprehensive Plan
- 27-04 ZON Peter Hill – Berlin Twp. – 10.694 acres - development plan amendment
- 28-04A ZON Don Kenney Sr. – Liberty Twp. – 183.484 acres from FR-1 to PR
- 28-04B ZON Don Kenney Sr. – Liberty Twp. – 36.301 acres from FR-1 to PC
- 19-04 ZON Triangle Real Estate – Concord Twp. – 238.7 acres from FR-1 to PRD
- 29-04 ZON The Galbury Group – Genoa Twp. – 7.67 acres from RR to SR
- 30-04 ZON Centex Homes – Orange Twp. – 34.61 acres from FR-1 to SFPRD
- 31-04A ZON TruGreen Limited Partnership – Liberty Twp. - 3.444 acres – PC – development plan amendment
- 31-04B ZON TruGreen Limited Partnership – Lib.Twp. - 103.168 acres from FR-1 to PC

V. SUBDIVISION PROJECTS

<u>Preliminary</u>		Township	Lots/Acres
16-04	Eagle's Ridge	Berlin	64 lots / 87.82 acres
34-98.20/21	Tartan Fields, Phases 20 & 21	Concord	98 lots / 66.38 acres
15-04	Whisper Trace	Concord	13 lots / 28.63 acres
13-04	Windsong	Liberty	11 lots / 10.86 acres
14-04	The Preserve at Seldom Seen	Liberty	39 lots / 44.28 acres
18-04	Olentangy Falls	Liberty	132 lots / 211.50 acres
17-04	Edgewater Estates	Scioto	05 lots / 21.10 acres

Preliminary/Final (none)

Final

11-03.1	Killdeer Meadows, Section 1	Berkshire	15 lots / 09.69 acres
01-98.4.A T	Sage Creek, Section 4, Phase A	Berk./Tre.	11 lots / 38.30 acres
01-98.4.B T	Sage Creek, Section 4, Phase B	Berk./Tre.	09 lots / 24.09 acres
29-98.GC	Scioto Reserve Golf Course	Concord	05 lots / 263.25 acres
29-98.4.6	Scioto Reserve, Sec. 4, Ph. 6	Concord	26 lots / 08.48 acres
29-98.4.12	Scioto Reserve, Sec. 4, Ph. 12	Concord	51 lots / 21.08 acres
24-03	Davis Acres	Kingston	02 lots / 06.75 acres
63-92.13 T	The Shores, Section 13	Orange	20 lots / 10.74 acres

T=TABLED, W=WITHDRAWN

VI. EXTENSIONS

VII. OTHER BUSINESS

- Consideration of approval: \$4,000 for purchase of a plotter

VIII. POLICY / EDUCATION DISCUSSION (none)

IX. RPC STAFF AND MEMBER NEWS

- Da-Wei Liou – GISP certified

I. ADMINISTRATIVE BUSINESS

#Call to Order

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

Roll Call

Representatives present: Paul Snajd, John Schmidt, Robert Hedrick, Fred Fowler, Jim Ward, Steve Jefferis, Tom Hopper, Leslie Warthman, Dave Lavallo, Holly Foust, Dick Gladman, Bill Thurston, Shawn Leininger, Lloyd Shoaf, Bill Berry, Robert Jones, and Bonnie Newland. **Alternates present:** Dusty Gurney, Scott Pike, and Nancy Duffee. **Arrived after roll call:** Gary Spanner (R), and Kris Jordan (R). Staff present: Phil Laurien, Paul Deel, Scott Sanders, Joe Clase, Da-Wei Liou, Bob Sochor and Stephanie Matlack.

Approval of the April 29, 2004 RPC Minutes

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

May 19, 2004 Executive Committee Minutes

1. Call to order

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

2. Approval of Executive Committee Minutes

a. April 21, 2004 – Mr. Ward made a motion to approve the minutes of the last meeting, seconded by Mrs. Warthman. VOTE: Unanimously For, 0 Opposed. Motion carried.

3. Old Business

a. Subdivision Regulations – Mr. Laurien explained that revisions requested from attorney Don Brosius have been incorporated into the Subdivision Regulations and are awaiting his final review. Mr. Laurien stated that Mr. Brosius has not reviewed those amendments yet due to time constraints. He suggested going ahead with the Subdivision Regulation Technical Review Committee to start the review process. The Executive Committee agreed. Mr. Laurien asked Mrs. Matlack to send the list of members to the Committee to review for additions.

4. New Business

a. Financial / Activity Reports for April 2004

The financial reports for April were presented.

REGIONAL PLANNING RECEIPTS		APRIL	TD TOTAL
General Fees (Lot Split)	(4201)	\$1,685	\$3,720
Fees A (Site Review)	(4202)	\$400	\$1,400
Insp. Fees (Lot Line Transfer)	(4203)	\$100	\$360.00
Membership Fees	(4204)	\$7961	152,751.90
Planning Surcharge (Twp. Plan. Assist.)	(4205)	\$5867.43	33,648.87
Associate Membership Fees	(4206)	\$1,500	\$1,500
Charges for Serv. A (Prel. Appl.)	(4230)	\$4,028	\$40,326.03
Charges for Serv. B (Final. Appl.)	(4231)	\$5,288	\$19,871.19
Charges for Serv. C (Ext. Fee)	(4232)	\$350	\$800
Charges for Serv. D (Table Fee)	(4233)	\$400	\$1,000
Charges for Serv. E (Appeal/Var.)	(4234)		\$600.00
General Sales	(4220)	\$276.10	\$2,783.77
OTHER DEPT. RECEIPTS			
Health Dept. Fees	(4242)	\$800	\$2,630

Soil & Water Fees	(4243)	\$724	\$2,387
MISCELLANEOUS REVENUE			
Other Reimbursements	(4720)		\$40.00
Other Reimbursements A	(4721)	\$6.87	\$21.33
Other Misc. Revenue (GIS maps)	(4730)	\$217	\$1,105.43
Other Reimbursements B	(8092)		
Canceled Warrants	(8099)		
Interfund Revenues	(8701)		
TOTAL RECEIPTS		\$29,603.40	\$264,945.52

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

b. May RPC Preliminary Agenda – Mr. Laurien explained that there is a full agenda with some controversial cases. There are 12 rezoning/text amendments, 7 preliminary and 8 final applications. Staff has been working on getting draft reports to applicants in order to clarify items prior to the Commission in order to clarify some items of controversy.

c. Sewer update - Chairwoman Foust asked about the progress of the County Commissioners and the City of Delaware regarding an agreement. Mr. Ward stated that both sides are working on an agreement but nothing has been signed yet. Mr. Laurien stated that the OEPA wants the City and County to work things out on their own and has allowed the City's sewer plant funding to move forward.

5. Other Business

a. Printers / Plotter equipment – Mr. Laurien explained the need to replace the current high output printer used by Bob Sochor for zoning maps, comp. plan maps and large quantity comprehensive plan documents (prints up to 11x17). The printer is failing after 30,000 copies. It was not intended for volume use. The price for a comparable machine is \$999.00. The Committee agreed to the purchase. Mr. Laurien explained that the plotter, which was purchased 7 years ago for \$8,500 also needs to be replaced. On a daily basis the machine fails to print complete maps causing wasted ink and paper. The comparable model to this machine is \$3,895.00. Mrs. Warthman made a motion to recommend approval of the purchase of a plotter for up to \$4000.00 to the Commission. Mr. Gladman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

6. Personnel (none)

7. Adjourn

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

Meeting adjourned at 9:40 a.m.

The next regular Executive Committee meeting will be Wednesday, June 16, 2004 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. PUBLIC CONSTRUCTION PROJECTS (none)

IV. ZONING MAP/TEXT AMENDMENTS

22-04 ZON North Star LLC – Kingston Twp. – 773.287 acres from FR-1 and 93.183 acres from Planned Recreational to PRD

I. Existing Conditions

Existing Zoning: Farm Residential (FR-1, 773.287 acres) and Planned Recreational (93.183 acres for the golf course)

Proposed Zoning: Planned Residential Development (PRD)

Present Use: Agriculture and woods

Proposed Uses: 866.47-acre Planned Residential Development golf course community

Existing Density: 1.95-acre minimum lot size in FR-1

Proposed Density- .84 units per gross acre in PRD with divergences requested for lot size (10,000 square foot minimum where 21,780 square feet is required) and density (one unit per 1.2 acres where one unit per 1.95 acres is required).

School District: Big Walnut

Utilities Available- Del Co Water

II. Introduction

North Star is a 1700-acre proposed Planned Unit Development (PUD) that spans two townships, Berkshire and Kingston. The land lies east of I-71 and north of US 36/SR37.

The Berkshire Township 828-acre portion of NorthStar includes commercial, single and multi-family residential development, and nine holes of an 18-hole golf course that also serves as part of the irrigation area for a proposed on-site sewage treatment system. The Berkshire Township land was zoned Planned Commercial/Office (PCD) and Planned Residential (PRD) in 2001.

The Kingston Township 866.47 acres portion of NorthStar was zoned Planned Residential Development in 2002 by the Trustees but was overturned by referendum. The applicant subsequently requested and received Planned Recreational Zoning for the 93.183 acres of golf course.

The applicant, NorthStar LLC has re-filed for PRD zoning for the entire 866.47 acres in Kingston Township, and is seeking to dissolve its 93.183 acres of Planned Recreational Zoning in order to count the golf course acreage for density calculations. The applicant has reduced the number of houses from 723 to 716.

The applicant has elected to submit a preliminary development plan (Section 8.05, 1), which gives general information about development character, size and location of the PRD, utilities and traffic in accordance with Section 8.05 B) 1,2,4,5, & 8. If approved, the zoning map is amended to PRD. This is a legislative act and subject to referendum. The applicant submits a final development plan after the referendum period is completed.

Other attributes of the North Star Kingston PRD:

- 93.183 acres are devoted to nine holes of the 18 hole golf course;
- 36.2 acres are dedicated to future use as an elementary and middle school site;
- 33 acres are devoted to a sewage treatment plant facility that is to be turned over to the County Sanitary Engineer for ownership and permanent maintenance;
- 103.6 acres of land are dedicated to permanent passive parkland and spray irrigation area;
- 191.6 acres of land are dedicated to the Township Trustees for permanent farmland preservation and spray irrigation areas;
- 85.3 acres of common open space are distributed about the site in small parks.
- A network of sidewalks and neighborhood pathways are proposed.

- A 200' x 200' area will be dedicated to Del Co Water for a water tower site.

III. Issues: Preliminary Development Plan Requirements

The issues to be reviewed for the preliminary plan and PRD rezoning under Section 8.05 B., 1,2,4,5, and 8 relate to:

A. 8.05, 1.) The proposed size and location of the PRD

DCRPC Staff Comment: Adequately shown.

B. 8.05, 2.) The General Development character of the tract including the limitations or controls to be placed on residential and related uses, with probable lot sizes, minimum set back requirements and other development features including landscaping.

DCRPC Staff Comments- Adequately shown, but not in total compliance with development standards.

There are four primary areas of concern:

1.) Density-Kingston Township provides for a Planned Residential Development as a PUD, allowing for flexible design. The overall density allowed is one unit per 1.95 acres if 50% open space is provided, or $866.47/1.95 = 444$ units of housing. The applicant seeks a divergence to allow 716 units of housing.

2.) Minimum lot size- Kingston Township allows a minimum PRD lot size of 21,780 square feet. The applicant seeks a divergence for a minimum lot size of 10,000 square feet.

Because the residential areas are laid out in the style of a Conservation Subdivision, smaller lots yield more lots abutting common open space or golf course. The township must determine if it wishes to defend the 21,780 square foot lot size, or permit a smaller lot in order to maximize the amount of lots fronting on open space.

3.) Open Space Ownership – The Kingston PRD provides four types of Open Space ownership:

- dedication to the township of fee simple title;
- ownership by the homeowner's association;

- ownership by a condominium association;
- dedication of easements to the township for land held by the condominium or homeowner's association.

The application (Section "E" p. 6) states that "all open space will be owned as follows:"

- A. Open space for Spray Fields- All open space for spray fields will be owned by a homeowner's association pursuant to Section 8.06 C (2) ...or a condominium association pursuant to Section 8.06 (C) (3) of the Kingston Township Zoning Code. This meets the requirement.
- B. Wooded Open Space- "near the school site (103.6 acres) has been offered to the Big Walnut School District...or to either Kingston Township or to a homeowner's association". This meets the requirement.
- C. Farm Preservation field (191.6 acres) – "the land will be owned by a homeowners's association....North Star LLC will transfer all development rights by conservation easement to Kingston Township." This meets the requirement.
- D. Golf Course- (as amended by e mail from NorthStar LLC Attorney Jill Tangeman May 13, 2004) "the golf course will be owned by a homeowner's association formed by the developer for specific lots abutting the golf course. Membership in the association will be mandatory for these specific lots. As part of their membership in the homeowner's association, residents in this area will be given memberships to NorthStar Golf Course. The Homeowners association will lease the golf course to a third party private corporation, for the purpose of maintaining and operating the golf course." This meets the requirement.

4.) Setbacks- The proposed development standards in Section "M" of the original application do not agree with those proposed by Robert Weiler in a telephone conversation with P. Laurien of the DCRPC on 10/30/02, and former Addendum "A", "Architectural Design Standards, Roads, Parking, curbs, sidewalks, Landscaping and Setbacks. Staff has confirmed by phone conversation with Robert Weiler on May 11, 2004 that this is an application error. The applicant's attorney Jill Tangeman has corrected these standards by e mail of May 13, 2004 as follows:

- a. Minimum lot size- 10,000 square feet is proposed
- b. Minimum lot width- 100' is proposed
- c. Front yard setback- 25' setback from street right-of-way for homes with front porches, 35' setback from street right-of-way for homes without front porches is proposed.
- d. Front setback for garages- 40' setback from street right-of-way for front-load garages and 25' setback from street right-of-way for side-load garages is proposed.
- e. Side yards –10' side yards (each side) for houses and front-load garages are proposed, with air conditioners and chimneys permitted to encroach up to 2'. 0' side yards for garages made of full masonry construction when used as part of an approved party wall to the adjoining lot, and when located fully behind the residence (whether attached or detached). 22' side setback for side load garages is proposed, with a 2' grass strip between the property line and the paved surface.

C. 8.05. 4.) The proposed provisions for water, sanitary sewer and surface drainage with engineering feasibility or other studies or evidence of reasonableness.

DCRPC Staff Comments- At this time, there are letters from Del- Co Water, the Fire Departments, and electric companies regarding provision of utility service. Most importantly, the applicant submitted a letter from the Delaware County Sanitary Engineer indicating that the centralized sewer system with land application is feasible. By phone conversation May 10,2004, the Sanitary engineer confirmed the irrigation area has been calculated using the new county soils data, bulletin 860 and the more restrictive OEPA land application standards. A companion letter from Columbus does not object, provided the sewage treatment plant system is owned and maintained by Delaware County, as proposed.

Regarding drainage, there are two creeks that wind through the property, so surface drainage should be no problem. Care must be taken to avoid 100-year flood plains with new housing. This requirement is adequately addressed.

D. 8.05. 5.) The proposed traffic patterns showing public and private streets and other transportation facilities, including their relationship to existing conditions, topographical and otherwise.

DCRPC Staff Comments

A traffic study has been completed by EMH&T. A letter from Greg Channel of ODOT indicates acceptance of the conceptual relocation/extension of Wilson Road intersection with US 36. The Delaware County Engineer has completed a “preliminary” review of the applicant’s traffic study by EMH&T. By letters dated September 12, 2002 to Robert Weiler and the Kingston Township Zoning Commission, and by Memorandum of 10/1/02 the issues regarding the traffic study and major responsibility for improvements have been addressed.

E. 8.05. 8.) The proposed time schedule for development of the site including streets, buildings, utilities and other facilities.

DCRPC Staff Comments- The applicant states “The project will be developed over several phases. It is expected to take approximately 15-20 years to completely finish the entire development.” While these comments are very generalized, the applicant would have to refine scheduling with the construction of the golf course and development of the irrigation areas in the initial stages. More detail would be helpful, but for the preliminary plan this is adequate.

IV. Criteria for Approval

In approving an application for a Planned Residential Development under section 8.05 C., the reviewing authorities (i.e. Kingston Township Zoning Commission and Trustees) shall determine:

1.) If the proposed development is consistent in all respects with the purpose, intent and general standards of this Zoning Resolution.

DCRPC Staff Comment- Conforms to purpose and intent, but not to density or lot size.

Density- The Township allows a maximum of 444 houses at one unit per 1.95 acres with 50% open space. The applicant exceeds the open space requirement, and request a divergence for 716 homes. When the Township divides the project acreage by 1.95 to determine the number of housing units it also sets a standard of ½ acre lots and 50% open space. It is possible- even likely- that a parcel of land can meet both the ½ acre lot and 50% open space standards and have left-over land that does not earn additional density credit. That appears to

be the case here.

If an applicant can show that he can feasibly provide all one-half acre lots and 50% open space and still obtain more than 444 units of housing (and this is conceivable) this could support a divergence for additional homes.

Lot size- DCRPC staff feels that the issue of lot size is one of local choice. But given that choice, it is better planning to provide more, smaller lots with frontage on the common open space than larger lots with fewer of them fronting the common open space. If the township adheres to the 21,780 square foot standard lot size, then the configuration of the development would have to be changed. If they would accept a smaller lot size (10,000 square foot minimum) the proposed configuration dedicates 542.883 of 866.47 acres to open space and public uses, or 62.65% where 50 % is required. There needs to be an adequate minimum lot size to avoid inappropriate urban neighborhoods in this suburban and rural township. The proposed 10,000 square feet minimum lot size with 100 feet of frontage should be adequate.

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

DCRPC Staff Comment-

- Kingston Township does not have an adopted stand-alone comprehensive plan. A comprehensive plan was prepared by the DCRPC with a local steering committee. The committee has continued making revisions but at present there is no adopted comprehensive plan.
- The 2001 Delaware County Thoroughfare Plan shows a need for a traffic signal at the intersection of North Galena Road and US 36. Traffic counts in 1995 were 5,900 in 1995 on N. Galena, and are anticipated to be 18,900 in 2020, without the increase in density proposed by North Star. The TF plan used land use forecasts within traffic zones to estimate future population and trip generation. Kingston Township was expected to have a 2020 population of 1,566 based on 595 housing units. North Star will exceed the anticipated traffic impacts and would add significant unplanned new trips on local roads. If the developer will commit, and he has stated publicly that he will, to pay his fair share to upgrade the surrounding roads and intersections, and work with the county engineer and the Ohio Department of Transportation in doing so, he will satisfy the intent of the Thoroughfare Plan to plan ahead for roadway improvements and seek developer contributions.

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

DCRPC Staff Comment-

There are aspects of the development plan that advance the health and safety of the township and the immediate vicinity:

- Deal with one developer as opposed to piecemeal developments over time.
- Significant (54-62%) open space preserved, given to parks or other public entities.
- Significant farmland preserved without taxpayer subsidy, the first such effort in Kingston Township.
- Centralized sewer provided and dedicated to county maintenance.
- Relocated Wilson Road terminates at US 36 rather than Carters Corner Road.
- Middle and elementary School site dedicated.
- Fire Station site to be dedicated.
- Del Co water tower site to be dedicated.

There are also aspects of the plan, the density and proposed 10,000 square foot minimum lot size, and the resultant traffic that may not be acceptable to all of the residents of the township, however neither the density nor the lot size threatens the health, or safety of the township because of the provisions of centralized sewer service and 50% open space. The issue of general welfare (traffic, change in character of the area) is an issue of local preference. The collateral issues are well understood by the township; the applicant developer has suggested he will petition to detach from the township if his zoning is unsuccessful in this attempt.

V. DCRPC Staff Recommendation:

The DCRPC staff recommends **conditional Approval** of Planned Residential Development zoning for 866.47 acres for NorthStar LLC in Kingston Township, *subject to:*

1. The total number of houses approved shall be a minimum of 444 and a maximum of 716, based upon the township's determination as follows:
 - A. Minimum density of 444 is calculated as follows: 866.47 ac. / 1.95 = 444 homes. The golf course would have to be considered recreational use available to the residents.
 - B. Maximum density (with a divergence) could be calculated as

follows (the following formula has not been adopted by the township but is used in other communities to determine planned unit development density without having to design a yield plan):

Step One- Subtract 15% of the gross acreage as devoted to roads

$866.47 \times 15\% = 129.97$ acres devoted to roads and utilities.
 $866.47 - 129.97 = 736.4995$ remaining acres

Step Two- Determine the net developable acreage by subtracting all 100 year floodplain, National Wetlands Inventory, powerline easements and slopes greater than 20%.

736.4995 acres
- 7.32 acres in 100 year flood plain
- 3.579 acres in National Wetlands Inventory
- 2.057 in slopes greater than 20%
= 723.5435 net developable acres

Step Three- Set aside 50% open space

Multiply $723.54 \text{ ac} \times 50\% = 361.77 \text{ ac}$ open space & 361.77 ac for houses

Step Four- Calculate number of houses

$361.77 \text{ acres for housing} / 21,780 \text{ per house} = 723.54 \text{ houses}$

How much density divergence, if any, should be granted? That is a matter of local choice.

The applicant is proposing significant additional open space and public land dedication in return for a smaller lot size.

- Some of this is self-serving, since he needs additional irrigation lands to make the sewer system feasible. But this is a benefit to the public health and it also helps retain the lands in the township.
- Some of the proposed open space is a generous dedication of lands to the public interest such as a school site, farmland preservation to be owned by the township, and many large and small park sites for public ownership or control by the homeowner's association.

- The end result of a density divergence and lot size divergence will be smaller lot size and more lots, but also more than the 50% more open space normally required.
- No one can tell the township what the number must be- they must determine that for themselves.
- To bolster his argument for 716 homes, the applicant could also provide a "yield plan" showing how many house lots of 21,780 square feet could be yielded and still provide 50% open space.

The DCRPC staff would support the applicant's request for 716 units of housing on this site if all of the conditions 2-9 below were satisfied.

2. Establish a minimum lot size of 21,780 square feet for house lots that abut neither the common open space nor the golf course.
3. Establish setbacks on 21,780 square foot lots as follows:
 - a.) Front setback for homes with a front porch- 40' from street right of way.
 - b.) Front setback for homes without a front porch-50' from street right of way.
 - c.) Front setback for front-load garages- 50' from street right of way.
 - d.) Front setback for side- load garages 30' from street right of way.
 - e.) 15' side yards for houses and front load garages, with no encroachments.
 - f.) 22' side setback for an access apron for side-load garages, with a 2' grass strip between the property line and the paved surface of the driveway
4. Establish a minimum lot size of 10,000 square feet for lots that abut either common open space or the golf course.
5. Establish minimum setbacks on 10,000 square foot lots:
 - a.) Front setback for homes with a front porch: 25' from street right of way.
 - b.) Front setback for homes without a front porch: 35' from street right of way.
 - c.) Front setback for front-load garages: 40' from street right of way.
 - d.) Front setback for side-load garages: 25' from street right of way.
 - e.) Alley setback- 15' from paved alley surfaces for garages accessed from back alleys.
 - f.) Side yards- 10' side yards (each side) for houses and front load garages, with air conditioner and chimneys permitted to encroach up to 2'.

- g.) Side yards- 0’ side yard for front load garages made of full masonry construction when used as part of an approved party wall to the adjoining lot.
 - h.) 22’ side setback for an access apron for side load garages, with a 2’ grass strip between the property line and the paved surface of the driveway.
6. Provide for all open space (including the golf course) to be owned by the homeowner’s association or the township.
 7. Link the open space with a network of trails or paths.
 8. Obtain a written “fair share” developer’s commitment to adjacent road impacts caused by North Star development. Work with township legal counsel, ODOT and the County Engineer to obtain the proper language for such agreement.

Commission / Public Comments

Mr. Robert Weiler was present to answer questions from the Commission.

Mr. Mike O’Brien, Sunbury Village Administrator, was representing the Mayor, Village Council and the residents of Sunbury. He stated that there have been no official discussions of annexation with Sunbury Village Council. The Village Council members would be reluctant to oppose a decision of Kingston Twp. They strongly support the rights of their neighbors. Sunbury is very concerned of the adverse effect of traffic generated on routes 36/37, east of I-71, if the proper infrastructure upgrades are not implemented before a project such as North Star begins. Sunbury will be striving to work with the quality of life concerns of the neighbors and jurisdictions.

Ms. Tracy Trout (Kingston Twp. resident) stated that Kingston Twp. is being coerced by Berkshire Twp. to approve the North Star rezoning. Berkshire Twp. has threatened to detach the North Star portion in Kingston Twp. if the rezoning is not approved. This threat creates a corrosive environment destructive of good will and mutual problem solving. Kingston Twp. residents have been forced to pay nearly \$50,000 to defend themselves from a developer who prefers to use legal means rather than leave zoning issues in the hands of local residents. Ms. Trout requested that the RPC staff recommendation be rejected.

Chairwoman Foust stated that she did not interrupt Ms. Trout because she did want to hear what she had to say about the rezoning application. She reminded the Commission and public that comments should be limited to the rezoning application itself and not to annexation or detachment issues.

Ms. Elaine Martin (Kingston Twp. resident) stated that the Commission exists to

represent the needs and wants of the residents. Fast growth should not be at the expense of smart and reasonable growth. North Star may satisfy the County’s desire for continued fast growth and Berkshire’s desire for commercial revenue but at what cost? Sacrifices will be made by residents to accommodate this massive development. Everyone will pay in money, convenience and lifestyle changes. Kingston is a very rural community with little or no community services. At present the closest shopping district is 15 miles away. A project of this magnitude needs careful attention and planning, as it is the same size as a whole village. It was spoken clearly with the zoning resolution approval that the residents did not want quarter acre lots. The zoning also specifies that a golf course does not count under the open space definition. The resolution is a density neutral system, which gives the average guy the same right to use his land as a developer. “Why should Mr. Weiler have a right to a higher density than I do? Furthermore, what is the point of having a zoning code if it will be ignored.”

Mr. Jim McCord (lives across the street from the proposal) stated that the referendum was only won by 20 votes.

Mr. Jim Martin (Wilson Rd. resident) stated that the mantra of the Kingston Twp. zoning code was to protect the rural view of the community and have managed growth. This project will take Wilson Rd. from 58 mailing addresses to 1600 mailing addresses. The current roads will not handle the massive amounts of traffic that will be created with this development. Mr. Weiler has stated that he would pay his fair share but the definition of his fair share has not been defined. Mr. Martin requested that a performance bond be required, which would protect the residents and the developer. Currently the Big Walnut High School is at or near its capacity with 965 students. This development would add approximately 1,000 new students. At least one new school would be needed just to support this development. This new school would be paid for by the Big Walnut school district long before that development has the residents paying their fair share. This is a tax burden and impact fees can not be used. He strongly recommended hiring the professional engineering groups necessary to perform several mandatory technical studies such as; traffic, roadway, taxation, schools, eminent domain forecasts, EPA, performance bond issue, health, safety, fire, police.

Louise Douce (Kingston Twp. resident) stated that the application is incomplete and does not clearly represent the zoning classification change in an understandable manner. She does not believe this development is in the best public interest.

Mr. Dave Lavalley, Kingston Twp. Zoning officer and Representative of Kingston Twp. to the Regional Planning Commission, stated that Township zoning carries

the burden of moral responsibility and the zoning power always lies in the hands of the voters. According to the County Auditor, Kingston Twp. has the smallest budget of any Township or municipality in the County. In 1990, the population was just over 1,000 people and only added 600 people by the 2000 census. “This rezoning cannot be approved because it is at an acute angle and at moral odds with our zoning compact.” Mr. Lavalley said, “Be assured the privately held for-profit commercial golf course will never be counted as open space to justify an even higher number of homes.” Mr. Lavalley disagreed with bringing the detachment issue into the staff report. He stated his disagreement with the staff recommendation and asked that the Commission vote against the zoning request.

Chairwoman Foust questioned whether Kingston Twp. had adopted a stand-alone comprehensive plan. Mr. Laurien confirmed that they had not. Chairwoman Foust agreed that the issue of general welfare, traffic change and character in the area is an issue of local preference and can be reflected by adopting a local comprehensive plan.

Mr. Laurien stated that Townships don’t have the authority to ask for impact fees. They can get improvements by negotiation in a planned district with the developer. Nothing has been nailed down but there have been hours of discussions with the County Engineer and the developer. He believes ODOT, County Engineer and the developer have to sit at the table and determine what they really think those impacts are. There has been a fairly significant traffic study done to try to arrive at an agreement. The staff position recommends the PRD zoning but does not tell the Township how many units they should grant. It’s a matter of local choice. The detachment comment in the staff report was made to say that it is not part of the zoning issue. However, it should be realized by the community, that when they began their comprehensive planning process, the number one goal was to preserve open space. When asked if every household had a 2-acre lot in the township and it was a checkerboard of 2 acre lots, would that be rural character, the answer was overwhelmingly no. It would be better to preserve some permanent open space. This proposal, although not perfect, is the best we’ve seen at trying to accommodate the two very diverse interests of having large lots and preserving open space. The staff recommendation was for the PRD zoning, the density issue is up to the Township.

Mr. Laurien stated that the staff completed a draft Kingston Comprehensive Plan in January 2003. Since that time the Township has been working independently to make revisions. He believes they are close to coming to a consensus and to adopting a plan.

Mr. Lavalley stated that they are working to complete the plan. Within the last month, Mr. Laurien has approached the Zoning Commission with a proposal to suggest that the densities are incorrect and that the Township should consider

coming back into the sewer district. The Township has made it clear that they under no circumstances want county sewer. “So he has given us additional things to consider, which has postponed their ability to complete the land use plan in a timely fashion,” said Mr. Lavalley. The township is considering asking for interim growth controls for 90-120 days to allow time to finish the plan.

Mrs. Warthman asked if the comprehensive plan had been adopted would the staff recommendation be the same. Mr. Laurien stated that the Township’s inability to come to consensus in almost a year and a half speaks for itself: there is a division of opinion. He did not approach the Township, as was characterized by Mr. Lavalley, but was asked to come and spend an evening answering questions that seemed to be bothering the Zoning Commission. If the Township did have a concisely worded adopted plan that maintained 1 unit per 1.95 acres, yes it would be influential tonight. The fact that the Township was relatively evenly divided in the referendum, pretty much speaks for the same problem that the Zoning Commission seems to have had in coming to a consensus in finishing the plan.

Mr. Robert Jones, Sunbury Representative, asked how consistent this plan is with the plan approved in Berkshire Twp. Mr. Laurien stated that the density for the residential portion in Berkshire is 1.25units/acre, there is a 300-acre section west of North Galena Rd. and north of US 36/37 that has been zoned Planned Commercial. At the time it was zoned, Planned Commercial also allowed multi-family dwelling units with no density limitations. Since that time, Berkshire Twp. has revised its zoning code to reduce the densities (to 4 units per acre). Due to the final development plan not receiving final approval, Mr. Weiler would have to operate under the regulations that establish a density cap.

Mrs. Warthman suggests requiring the developer to do periodic assessments on impacts. Mr. Laurien stated that the Commission could attach any condition to its recommendation. Mr. Pike stated that they have been working with Mr. Weiler on determining the triggers for the improvements.

Mr. Laurien stated that on the issue of detachment, he personally thinks it’s terrible. He hopes that the Townships can move forward and come to an agreement.

Mr. Snajd stated that Berkshire Township has not aggressively pursued detachment.

Chairwoman Foust made a motion to recommend conditional approval of the North Star rezoning subject to staff comments and the requirement of periodic impact assessments be provided to the Township. Mrs. Warthman seconded

the motion. HAND VOTE: 7 For, 12 Opposed. Motion failed.

Mr. Gladman made a motion to deny the North Star rezoning application, Mr. Shoaf seconded the motion. HAND VOTE: 13 for denial, 5 Opposed, 2 abstained (Berkshire Twp. and Jim Ward). Motion carried.

23-04 ZON Augusta Roth – Harlem Twp. – 8.708 acres from AR-1 to FR-1

I. Request

The applicant, Augusta Roth, is requesting an 8.708-acre rezoning from AR-1 to FR-1. Rezoning this parcel will allow the applicant the potential to subdivide up to a maximum of 3 additional buildable lots from this original tract.

II. Conditions

- Location:** 10200 Adams Road, Harlem Township
- Present Zoning:** Agricultural Residential (AR-1)
- Proposed Zoning:** Farm Residential (FR-1)
- Present Use(s):** Single-family Residence / Wooded
- Proposed Use(s):** Single-family residential
- Existing Density:** 1 du / 5 acres
- Proposed Density:** 1 du / 2 acres
- School District:** Big Walnut Local School District
- Utilities Available:** Del-Co Water and private on-lot septic systems
- Critical Resources:** Stream and ravine on the western portion of the site
- Surrounding land uses:** Scattered single-family residences and agricultural land
- Soils:** BeA: Bennington Silt Loam (0 to 2% slopes)
CeB: Centerburg Silt Loam (2 to 6% slopes)
LbF: Latham-Brecksville Complex (20 to 70% slopes)
PwA: Pewamo Silty Clay Loam (0 to 1% slopes)

III. Issues

The landowner should consult with the Health Department to assure that there is adequate area for additional septic systems. Some soil types on this property may not be suitable for on-site septic treatment.

The 1988 Harlem Township Comprehensive Plan shows the proposed site as agriculture. The plan recommends that residential development in this area be on large lots but does not recommend minimum lot acreage.

Surrounding land uses include scattered single-family homes along Adams Road surrounded by woods and agricultural fields. The typical lot size in this area of the township is between 1 and 3 acres, so FR-1 zoning is in character with the neighborhood.

IV. Staff Recommendations

Staff recommends **Approval** of this rezoning case from AR-1 to FR-1 for Augusta Roth to the DCRPC, the Harlem Township Zoning Commission and the Harlem Township Trustees.

Commission / Public Comments

No one was present to represent the applicant.

Mr. Schmidt made a motion to recommend approval of the zoning request by Augusta Roth, seconded by Mr. Shoaf. VOTE: Unanimously For, 0 Opposed. Motion carried.

24-04 ZON Michelle Parks – Harlem Twp. – 13.198 acres from AR-1 to FR-1

I. Request

The applicant, Michelle Parks is requesting a 13.198-acre rezoning from AR-1 to FR-1.

II. Conditions

- Location:** 5120 Harlem Road, Harlem Township
- Present Zoning:** Agricultural Residential (AR-1)
- Proposed Zoning:** Farm Residential (FR-1)
- Present Use(s):** Single-family Residence / Wooded
- Proposed Use(s):** Single-family residential
- Existing Density:** 1 du / 5 acres
- Proposed Density:** 1 du / 2 acres
- School District:** Big Walnut Local School District
- Utilities Available:** Del-Co Water and private on-lot septic systems
- Critical Resources:** Streams south of the site
- Surrounding land uses:** Scattered single-family residences and agricultural land

- Soils:** BeA: Bennington Silt Loam (0 to 2% slopes)
CeB: Centerburg Silt Loam (2 to 6% slopes)
CnA: Condit Silt Loam (0 to 1% slopes)
LvB: Loudonville Silt Loam (2 to 6% slopes)
SsA: Smothers Silt Loam (0 to 2% slopes)
SsB: Smothers Silt Loam (2 to 4% slopes)

III. Issues

Current zoning would allow this parcel to be subdivided into two lots of at least 5 acres each. This lot has 175 feet of frontage on Harlem Road. The Township Zoning Code requires 60 foot of frontage for all flag lots. In order to subdivide any more than one additional buildable lot, the applicant will be required to plat a public road to generate frontage for the additional lots. A CAD may also be possible if determined appropriate at the sketch plan review.

The landowner should consult with the Health Department to assure that there is adequate area for additional septic systems. Some soil types on this property may not be suitable for on-site septic treatment.

The 1988 Harlem Township Comprehensive Plan shows the proposed site as agriculture. The plan recommends that residential development in this area be on large lots but does not recommend minimum lot acreage.

Surrounding land uses include scattered single-family homes along Harlem Road surrounded by woods and agricultural fields, so FR-1 zoning would be in character with the neighborhood.

IV. Staff Recommendations

Staff recommends **Approval** of this rezoning case from AR-1 to FR-1 for Michelle Parks to the DCRPC, the Harlem Township Zoning Commission and the Harlem Township Trustees.

Commission / Public Comments

No one was present to represent the applicant.

Mrs. Warthman made a motion for recommendation of approval of the rezoning request by Michelle Parks. Mr. Shoaf seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

25-04 ZON Troy Twp. Zoning Commission – text amendments (Sections 11:02, 15:02, 18:02)

Applicant: Troy Township Zoning Commission
Request: Review and Comment on Application language of Planned Districts

I. General

The Troy Township Zoning Commission initiated a clarification revision to the Application section of their Planned Districts to eliminate archaic and vague language. No actual changes were made to the standards of any of the districts, nor were any map changes made. The text changes were based on the draft crafted between the DCRPC staff and the County Prosecutor’s office to clarify ambiguous language.

II. Contents of text amendments

The proposed amendments apply to Article XI, Planned Residential Development, Article XV Planned Commercial and Article XVIII, Planned Industrial.

The intent of the Zoning Commission is to delete Sections 11.02, 15.02 and 18.02 of the Troy Township Zoning Resolution in their entirety, and substitute, in lieu thereof, the following:

Section 11.02 PRD APPLICATION: The provisions of this Article of the Zoning Resolution may be applied only to lands of the Township that have been approved for a zoning map amendment to PRD. An owner of land in the township that is served by centralized water and sanitary sewer may submit an application for change to PRD zoning under the provisions of this Article. The action of the Township upon an application processed pursuant to this Section shall be considered a legislative act, subject to referendum.

Section 15.02 APPLICATION: The provisions of this Article of the Zoning Resolution may be applied only to lands of the Township that have been approved for a zoning map amendment to PCD. The action of the Township upon an application processed pursuant to this Section shall be considered a legislative act, subject to referendum.

Section 18.02 APPLICATION: The provisions of this Article of the Zoning Resolution may be applied only to lands of the Township that have been approved for a zoning map amendment to PID. The action of the Township upon an application processed pursuant to this Section shall be considered a legislative act, subject to referendum.

III. Staff Recommendation

Staff finds that the Troy Township “housekeeping” text amendments for Sections 11.02, 15.02 and 18.02 are appropriate and recommends **Approval** to the DCRPC, Troy Township Zoning Commission, and Trustees.

Commission / Public Comments

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

26-04 ZON Berlin Twp. Zoning Commission – review of Comprehensive Plan

Applicant: Berlin Township Zoning Commission
Requests: Map Amendments to the Comprehensive Plan

I. General

The Berlin Township Zoning Commission initiated a revision to the 1999 Comprehensive Plan map to change eight areas from residential to future Planned Commercial or Planned Office.

II. Staff Comments -Locations and proposed changes:

1. **Three B’s and K Road, west side, north of Biancone industrial building.** These are 26 acres owned by Biancone, and 5.3 acres by Stambaugh. These lands lie between Commercial and Industrial zoning and across the street from Commercial in Berkshire Township. They have access to county sewer. Recommend Planned Commercial. Also recommend that the 9.6-acre back lot to the south owned by Biancone and currently zoned Industrial be changed to residential at one unit per acre. This change can be made by the Zoning Commission at its hearing.
2. **US 36 North of Africa Road.** Lands of Will, Raus, Hey and Mazur. Generally south of the deep ravine, parallel to US 36 and west of North 3 B’s and K Road. These lands have access to sewer and are facing commercial on US 36 and on 3 B’s and K Road. Recommend Planned Commercial.
3. **US 36 South and west of Africa Road.** Approximately 9 acres owned by Sander, Armstrong and Link. These lands have

access to sewer, face commercial on Africa Road (Jerry Greer), and will flank a future County EMS station to be located at the corner of Africa and US 36. Recommend Planned Commercial.

4. **Northeast corner of US 36 and N. Old State Road.** Lands of Keller Chase William and Jones, approximately 22 acres. These lands will someday have access to sewer according to the County Sewer Master Plan 2004. They face commercial on the south side of US 36 (Alum Creek RV) and west side of N. Old State (Buckeye Tractor). Recommend Planned Commercial.
5. **NE corner of US 36 and Lackey Old State.** Approximately 40 acres owned by Elizabeth Ann Huntley. These lands will someday have access to sewer according to the County Sewer Master Plan 2004. They face commercial on the southwest corner of US 36 and Lackey Old State (model home sales). Recommend Planned Commercial.
6. **SE corner of US 36 and Lackey Old State.** Approximately 7 acres owned by Elizabeth Ann Huntley. These lands will someday have access to sewer according to the County Sewer Master Plan 2004. They face commercial on the southwest corner of US 36 and Lackey Old State (model home sales). Recommend Planned Office. The good quality single family homes on the west side of Lackey Old State road must be shielded by tall mounds and evergreen trees if the Huntley land develops for office. The Zoning Commission might wish to trim back the amount of Planned Office to a swath 200 feet south of and parallel US 36 so as to not create greater impact on those houses on the west side of L. Old State.
7. **Peachblow Road, south side, east of US 23.** Lands of Sherman and Cain. The 1999 Comprehensive Plan tried to retain these lands as suburban core residential, but the city of Delaware is planning on annexing land north of Peachblow Road, to include a new hospital and medical park. There is no reason to hold this as residential now. These lands will have sewer service either from Delaware or the County, and be facing future commercial on the north and commercial on the east. These lands are recommended for Planned Commercial.
8. **Peachblow Road, north side of US 23.** Lands of Evans and Lee Family, approximately 200 acres. The 1999

Comprehensive Plan tried to retain these lands as a suburban core residential, but the city of Delaware is planning on annexing land north of Peachblow Road, to include a new hospital and medical park. There is no reason to hold this as residential now. These lands will have sewer service either from Delaware or the County. Recommend Planned Commercial.

III. Findings and Recommendation

Staff finds that the amendments from one unit per acre of residential density to proposed Planned Commercial or Planned Office for the tracts described above and shown on the attached Comprehensive Plan amendment are appropriate and recommends **Approval** to the DCRPC, the Berlin Township Zoning Commission and the Berlin Township Board of Trustees.

Commission / Public Comments

Mrs. Warthman asked if there are proper tributary setbacks in the zoning code. Mr. Laurien stated that those requirements are in the comprehensive plan but not the zoning code.

Mr. Gladman made a motion to recommend approval of the amendments to the Berlin Twp. Comprehensive Plan. Mr. Schmidt seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

27-04 ZON Peter Hill – Berlin Twp. – 10.694 acres - development plan amendment

I. Request

The applicant is proposing amendments to their approved 1998 PCD development plan. They are proposing to reduce the size of a planned office building for the purpose of adding a car wash to their plan. This amendment would also include the removal of various planned but unconstructed buildings. DCRPC previously reviewed this case (#05-04 ZON) in January 2004 and (#03-98 ZON) in January 1998.

II. Conditions

- Location:** 160 South 3 B's & K Road, Berlin Township
- Present Zoning:** Planned Commercial and Office District (PCD)
- Proposed Zoning:** Planned Commercial and Office District (PCD)
- Present Use(s):** Commercial: 5 storage unit buildings and outdoor storage
- Proposed Use(s):** Commercial: addition of 2 storage buildings & 1 car wash
- School District:** Olentangy Local School District
- Utilities Available:** Del-Co Water and County Sewer

Critical Resources: Swale on the northwestern and southwestern corners

- Soils:**
- BeA – Bennington Silt Loam (0 to 2% slopes)
 - BeB – Bennington Silt Loam (2 to 4% slopes)
 - CaB – Cardington Silt Loam (2 to 6% slopes)
 - CaC2 – Cardington Silt Loam (6 to 12% slopes)
 - LbF – Latham-Brecksville Complex (25 to 50% slopes)

III. Issues

- 1) Surrounding land uses include Hill's Blacktop office and yard to the north, the ODOT maintenance facility to the east, and Hill's Stone Company and a single-family residence to the south. Open land and woods stretch to the west toward Alum Creek State Park. The surrounding zoning is Planned Industrial and Industrial Districts to the north (PID and I) and Neighborhood Commercial (NCD) to the west and south. The land in Berkshire Township to the east is zoned Planned Commercial Office District (PCD) and Farm Residential District (FR-1).
- 2) Five storage unit buildings are currently located on this site with a fenced outdoor storage area along the south property line. The applicant is proposing to amend their previously approved development plan in order to add a car wash. This amendment would remove 35,000 square feet of proposed storage space, remove 20,000 square feet of office space and convert 25,000 square feet of proposed office to storage units in order to add a 7,000 square foot car wash to the plan. This application also includes a proposed outdoor storage lot on the western edge of the property.
- 3) The applicant has submitted a phasing plan in order to anticipate project completion. They plan to have the car wash and outdoor storage lot completed within 3-years of zoning approval. The 2 additional storage buildings are planned to open within 5 years of approval.
- 4) There are two (2) existing access points to the property from 3 B's & K Road: (1) a drive on the north to access the storage units and (2) a drive on the south to access the outdoor storage. Both entrances are paved. One additional drive is proposed between them to access the storage units and proposed offices.
- 5) The Berlin Township Comprehensive Plan proposes a new parallel "backage" road "H" to connect 3 B's & K Road with Africa Road in the approximate location of the car wash. Although the road alignment is suggestive, and can be moved, the general idea was to avoid a 30 foot deep ravine that divides the land between the Hill property and Jerry Greer. This road would align with an east/west connection road through the MTB land

on the east side of 3 B's & K Road in Berkshire Township. A preliminary alignment of Road H was drawn by R.D. Zande Associates for MTB Corp. showing the Road H running under the Hi-Tension power lines on the Hill property. The development plan indicates a possible alignment for this future backage road that is acceptable, but the County Engineer's office has concerns regarding the proposed detention basin that is proposed on the western portion of this alignment. This needs to be resolved prior to the plat being filed for the amended PCD development plan.

- 6) It doesn't appear that the planned storm-water drainage system has been installed. A phasing of this system should be included in the project timetable.

IV. Conformance with Development Plan Standards

The submitted plan may not conform to the following development standard listed the Berlin Township Zoning Resolution:

- 1) *Article XV, Section 15.07(d): Maximum Lot Coverage:* "On no lot or parcel in (the PCD) zoning district shall structures and paving cover more than fifty percent (50%) of the lot area. Structures shall cover no more than twenty-five percent (25%) of the lot or parcel area."

The development plan indicates that 16% of the site will be paved and an additional 56% will be gravel. This lot coverage issue should be addressed with the Township. The applicant may request a divergence.

V. Criteria for Approval

- 1) If the proposed development is consistent in all respects with the purpose, intent and general standards of this Zoning Resolution.

Staff Finding: Yes, except for the lot coverage issue.

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

Staff Finding: Yes. This plan reflects the recommended land use and the backage road has been shown on the plan.

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

Staff Finding: Yes.

VI. Staff Recommendations

Staff recommends **conditional Approval** of this rezoning case from PCD to PCD for the amended development plan for Peter Hill to the DCRPC, the Berlin Township Zoning Commission and the Berlin Township Trustees, *subject to:*

1. *Delineation of stormwater management plans for when the backage road and revised development plan is platted.*
2. *Resolution of lot coverage issues with Berlin Township.*

Commission / Public Comments

Mr. Barry Waller attorney for the applicant was present. He stated that they have worked with several government agencies to work out the issues from the previous meeting.

Mr. Laurien said that the 50% requirement for non-impermeable surfaces in a commercial district is pretty restrictive; it's well under what it would normally be in most places. If the applicant asks for a divergence, since 16% is paved and 56% is gravel, the Township may look favorably.

Mr. Spanner made a motion to recommend conditional approval of the rezoning request by Peter Hill, subject to the staff comments. Mr. Snajd seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Berlin Twp.). Motion carried.

28-04A ZON Don Kenney Sr. (Golf Village North) – Liberty Twp. – 183.484 acres from FR-1 to PRD

This rezoning application is submitted by Don Kenney Sr. for a 183-acre Planned Residential Development, located north of zoning case 28-04.B ZON (requesting Planned Commercial) on the north side of Home Road and east of Olentangy Liberty High School. The plan includes a 3700' extension of Sawmill Parkway.

I. Conditions

Present Zoning: Farm Residential (FR-1)

Proposed Zoning: Planned Residential (PR)

Present Use: Former agriculture
Proposed Use: 275 housing units (condominiums)
Existing Density: 1 unit per acre
Proposed Density: 1.5 units per acre
School District: Olentangy
Utilities Available: Del-Co Water, County sewer
Soils: BoA Blount Silt Loam, 0-2% slope
BoB Blount Silt Loam, 2-4% slope
GwB Glynwood Silt Loam, 2-6% slope
GwC2 Glynwood Silt Loam, 6-12% slope
PwA Pewamo Silty Clay Loam, 0-1% slope

Surrounding Land Use: To the west is Olentangy Liberty High School and associated parking and recreational facilities. To the north is an AEP electrical substation. To the east is Chessie Railroad tracks with large acreage (3-12 ac.) single-family lots beyond. To the south is Home Road and commercial zoning within existing un-built sections of Golf Village (City of Powell).

II. General Comments

This overall project includes a 3700' extension of Sawmill Parkway to the north, which provides access for 275 condominium units, as well as a Planned Commercial and Office development on the north side of Home Road (RPC#28-04.B ZON). Sawmill Parkway will directly access the High School site at two locations and will include a multi-purpose trail along its western edge.

The general alignment of Sawmill Parkway has been checked by the County Engineer. The office is comfortable with the proposed alignment south of the power lines but, with a corridor study underway, flexibility is needed at the northern end. The route may progress to the northwest as shown, or may proceed directly north. It likely will not take the alternate northeast path shown as this takes it into the electrical substation at Hyatts Road.

The residential development includes two distinct areas.

- Sub Area A includes 96 total units in 4-unit buildings on 26 acres.
- Sub Area B includes 179 single family detached units and two small parks on 36.42 acres. All units are accessed with private internal streets and rear alleys. The design preserves 105 acres of open space at the northern end of the development.

III. Planned Residential Zoning

The Liberty Township PR zoning is a Planned Unit Development district adopted pursuant to Ohio Revised Code 519.021-A. It is a one-step process that demands a final development plan at the time of the application for rezoning. There is a process for major or minor deviation from the development plan after rezoning. In this case

the development plan leaves out much design and textual information, so much so that staff anticipates a great deal of “administrative review” after the zoning, and after the citizens’ right of referendum has lapsed. This process could be fraught with pitfalls as residents and abutters learn more about many of the missing details, but have no opportunity to object to the “real plan” due to the referendum period having expired.

IV. Comprehensive Plan

The 1995 adopted Liberty Township Comprehensive Plan map Planning Unit One notes the Sawmill corridor is a transitional area and states:

“This unit is to be planned as a coordinated, mixed use corridor parallel to the new Sawmill Parkway...Land uses to the east of the Parkway should be non-residential.

“Consider a compatible mixture of low density office, retail, light industrial, and institutional uses throughout the remainder of the corridor north of Seldom Seen Road, only after development patterns are committed south of Seldom Seen Road, the alignment of Sawmill is finalized, and improvements to intersecting east-west roadways are also committed.”

Planning Unit Nine discusses allowable residential use at 1.0 units per gross acre, with a minimum lot size of .75 acre. Higher densities may be allowed along the railroad.

V. Issues

The concerns with this proposal boil down to three major issues: **use, density and design.**

A. Use – The proposal is for all residential multi-family use and unspecified commercial in an area expected to be a mixed-use (commercial, office, light industrial, and some residential) between Sawmill Parkway and the railroad. This is a tax and jobs base corridor for the township. The requested use eliminates any commercial, office or industrial use on these 183 acres, and puts commercial outlots and a potential strip mall site at the northeast corner of Home Road and Sawmill Parkway.

What the Comprehensive Plan loosely suggests in Planning Unit One would today be called a Town Center, or Traditional Neighborhood Development of mixed uses, drawn at a pedestrian scale with grid streets and multiple access points. A well-designed TND would be appropriate here, and could comply with the township’s Comprehensive Plan. What is proposed, however, is a piecemeal approach to perhaps the most critical street corner left in the township.

B. Density – Using a gross acreage that includes the 105-acre open space

and 13.8 acres within the Sawmill Parkway right-of-way, the overall density of this proposal is 1.5 dwelling units per gross acre. The 1995 Liberty Township Comprehensive Plan sets a density for this area at 1 du/ac, but acknowledged that higher densities might be granted near the railroad. Surrounding conditions have also changed since the plan was adopted, bringing sewer, a new high school, and a four-lane parkway to the area. It must be noted that the developer is not only providing right-of-way for Sawmill Parkway, but also building it. Funds for this infrastructure may be generated by expanding the New Community Development Authority of Golf Village, or shared by the County Commissioners, or both.

The Liberty Township PR zoning allows a maximum of 2 du/ac for single-family units and up to 6 du/acre for multi-family. The proposed density of 1.5 units/acre is less than the maximum allowable density in the zoning code but more than the recommendation of the Comprehensive Plan.

The design shows that 57% of the site is open space and 7% is right-of-way for Sawmill Parkway and Home Road. The large amount of open space and right-of-way is resulting in smaller lots that are not in character with the area. Planned districts typically cluster residential uses to preserve open space. Liberty Township has not required such open space. In this proposal, the overall density is based on the dedication of 105 acres of open space north of the condominiums. However, the development plan specifically excludes this area from maintenance by the Homeowners Association and does not commit to a schedule for its dedication, nor details for its development. The site is appropriate for open space, as it buffers the railroad and the electrical substation. However, the residential units could be reconfigured to allow the open space to extend further south along the railroad. Condos could then be shifted to the north, beyond the electrical easement and into the open space. The result would be open space that is a buffer along the railroad and is more accessible by the residents.

C. Design – The single-family detached condos in Sub Area B have certain aspects of Traditional Neighborhood Design. Roads are designed in somewhat of a grid pattern, two pocket parks are located within walking distance of all units, street cross sections include sidewalks and street trees, and units have garages which are accessed from an alley. Nonetheless, the proposal misses several critical aspects of a true TND. There is no connection, either by auto or pedestrian, to the adjacent proposed commercial zoning to the southwest. Proposed mounding and landscaping buffers help the units “turn their back” on the commercial area instead of integrating it in the design. The major service road that enters the northern edge of the commercial site could be built to serve as a “front door” entrance to Sub Area B, leading to the central green area. There is also no relationship between the 4-unit condos and the single-family detached area or with the open space to the north or with Olentangy Liberty High School, which some residents likely will attend.

Streetscapes do not include a wide sidewalk with a tree lawn.

Generally, the shape of Sub Area B is not conducive to a grid street pattern with alleys unless cross connections are made. The benefit of a street grid is that it distributes traffic, giving residents several trip options. This proposal uses a single access point to reach Sub Area B. This is unsafe, unacceptable and unsatisfactory design. These 179 units have the potential to generate 1,160 trips per day funneled through one point. This condition also encourages a higher than expected amount of traffic on alleys as residents find the shortest route home. A better layout would likely result if the southeastern detached units (Phases 3 and 4) were switched with the 4-unit buildings in Sub Area A, and/or if the grid street pattern extended multiple access points to the commercial area.

The Comprehensive Plan recommends a minimum lot size of .75 acres. Lot size minimums generally do not apply to condominium developments. However, Sub Area B will have lots that are approximately 38’x120’, or 4,560 square feet, representing one tenth of an acre. This is comparable to 9.5 units per net acre. At such high densities, proper design and quality materials are critical. For example, the Homestead at Scioto Reserve are detached condos on Home Road that are on small lots (generally 6,000 s.f.), but include proper standards of architectural detail and materials, including a varied but muted color palette, sidewalks and street trees in a proper tree lawn, and a perimeter of open space.

Although this proposal indicates sidewalks and trees, the sidewalks are located directly adjacent to the street and the trees are between the sidewalk and the units. Wide sidewalks should be provided throughout the development with at least a 5’ tree lawn between the sidewalk and street. Building footprints are shown at too small a scale to determine how the garages are arranged and what each resident would consider to be their “yard”. The back alleys look like a no-man’s land of unfriendly blank wall garages. There are no back yards.

There is great potential for this PR to be a low quality environment of exceptionally high density and inadequate traffic access.

VI. Development Plan: The following are areas of concern or comment from the Development Plan requirements of the zoning text:

A. Provision of Utilities and surface drainage. Letters from the Sanitary Engineer indicate 300 taps are available from existing capacity through Golf Village. The application states that 227 taps will be used for the condominiums, leaving 73 taps for the commercial portion to the southwest. When and if additional capacity can be gained via the Perry Taggart sewer line, the remaining 48 residential units will be constructed. The developer’s consulting engineer has studied several

scenarios to determine the amount needed for the commercial portion of the proposal. If the commercial site is built out without needing all 73 taps, any remaining taps will be allotted to the residential section. Storm water will be managed for the commercial and residential areas with ponds between Sawmill and the condominiums.

B. Traffic Patterns. As noted in Section II-B, internal circulation uses private streets with limited entry and exit points. In addition to the design-based reasons for additional access points, emergency vehicles must be considered. At least two additional access should be designed where the southeastern section of condos is adjacent to the proposed commercial area. Ideally, a true grid street pattern would allow emergency vehicles access from all directions, a critical issue with high densities.

A private street cross-section is provided showing 6" roller compacted concrete with two layers of asphalt and an extruded curb. The township should adopt the County Engineer's design manual standard cross sections and require they be used on private streets in condominiums, as these developments escape platting review and the quality of the street base and surface is totally up to the developer. The township should demand underdrains as well as side road drainage and a paving designed to last 20 years. This must be done as a condition of zoning since there is no subdivision review.

C. Relationship of the development to existing and probable uses of surrounding areas. The residential uses and open space buffer to the substation is noted in the application as fulfilling the goals of the Comprehensive Plan. However, these uses do not relate to each other in a way that builds community or promotes accessibility. In fact, Sub Areas A, B, and C do not relate in any way to one another. They are three separate entities, when they could form an integrated Town Center.

D. Proposed Timetable for Development. The developer commits to construct Sawmill Parkway with engineering beginning immediately upon zoning approval.

E. The applicant has requested the following divergences.

- Request that water impoundments be allowed between Sawmill Parkway and the condominium units where the Zoning Code does not allow them in front yards. *Staff comment: This is potential safety issue. A recent traffic accident on Sawmill Parkway south of Home Road resulted in a drowning when an auto sank in a stormwater retention pond. The County Engineer should review the proposed pond locations and depths to determine if there is a safety issue. The ponds may be better located in the center of the development as an amenity.*

- Driveway width for alleys is proposed at a 12' width where the code requires 20'. *Staff comment: 12' is inappropriate for shared alleys.*
- A total of three subdivision sales signs shall be erected prior to platting. *Staff comment: this is reasonable.*
- Request for a zoning divergence from the 25' building separation (with masonry walls, the separation can be no less than 15') reducing it to 8! The applicant notes that the BOCA Building Code states that buildings may be 6' apart if walls have no exterior openings (windows) and that walls are fire rated. *Staff comment: Without building details, it is difficult to know what the developer is proposing. Structures are proposed at 8' apart, resulting in structures that have blank walls creating a cold, sterile environment. If the layout does not meet the fire safety measures required by the township, then the layout should be changed. The township has a right to promote fire safety. Staff will not recommend a divergence.*
- Permanent identification signs – 4 requested at each entry. *Staff comment: this is reasonable.*
- Density divergence – *the zoning relates density to the Comprehensive Plan. The applicant seeks 1.5 times the density on the Comprehensive Plan. Staff could agree with a density increase along the railroad but only if a well-designed TND were proposed. Staff does not agree with a density divergence for this plan.*

VII. Conformance with Development Standards

The application addresses the General Development Standards for the Planned Residential District as well specifically addresses standards for each Sub Area.

- Lighting detail, mailbox, fencing and sign standards are included.
- Landscaping detail is included both for the entries and for general structures.
- Off-street parking standards will be met.
- Phasing plan is included, which commits to fencing and other features within the two small parks in Sub Area B.

VIII. Criteria for Approval

The township must find that the development is:

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

Staff finding: The submitted plan meets some of the general zoning standards of the township code but there is much detail missing. The plan is significantly incomplete, given the multiple requests for divergences, and the fact that this is a one-step PUD process.

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

Staff finding: No. The 1995 adopted Liberty Township Comprehensive Plan map notes this is a transitional area for office, commercial, light industrial and some residential use, at a maximum density of one unit per gross acre. It also acknowledges that higher densities may be allowed along the railroad. The stand-alone residential use and density does not conform to the plan.

“3) Advances the general welfare of the Township and the immediate vicinity.”

Staff finding: As proposed, the preliminary development plan does *not* advance the public health, safety and welfare of the vicinity. The design proposes three individual sub areas that do not relate to one another in a very dense pocket of development that is out of character with surrounding portions of the Township and the City of Powell. Building separations of 8’ jeopardize public safety.

IX. DCRPC Staff Recommendation

Staff recommends **Denial** of the change in zoning of 183.484 acres from FR-1 to PR to the DCRPC, the Liberty Township Zoning Commission and the Liberty Township Trustees.

Commission / Public Comments

Mr. Charlie Vince was present.

Chairwoman Foust asked who decided to dedicate the area for the school. Mr. Vince stated that it would be decided at the Township but that the school has stated their desire to obtain it.

Mr. Vince stated that he would work with the Township on density. They would not be doing single family residences due to the power lines.

Chairwoman Foust asked if this project would be contributing to the overpass. Mr. Vince stated that they would not be contributing to the overpass but would be continuing to build Sawmill Road as four lanes.

Mrs. Warthman made a motion to recommend denial of the zoning request by Don Kenney Sr., Mr. Berry seconded the motion. VOTE: Unanimously For denial, 0 Opposed. Motion carried.

28-04B ZON Don Kenney Sr. – Liberty Twp. – 36.301 acres from FR-1 to PCD

This rezoning application is submitted by Don Kenney Sr. for a 36-acre Planned Commercial and Office Development, just south of zoning case 28-04.A ZON for

Planned Residential on the north side of Home Road, east of Olentangy Liberty High School. The residential zoning proposal includes a 3700’ extension of Sawmill Parkway.

I. Conditions

Present Zoning: Farm Residential (FR-1)

Proposed Zoning: Planned Commercial (PC)

Present Use: Former agriculture

Proposed Use: Commercial and Office

Existing Density: 1 unit per acre

Proposed Density: N/A

School District: Olentangy

Utilities Available: Del-Co Water, County sewer

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

BoB Blount Silt Loam, 2-4% slope

PwA Pewamo Silty Clay Loam, 0-1% slope

Surrounding Land Use: To the west is Olentangy Liberty High School. To the north and east is zoning proposal 28-04.A for multi-family residential. To the south is Home Road and commercial zoning within existing un-built sections of Golf Village (City of Powell).

II. General Comments

This project will have 700’ of frontage on Home Road and approximately 1600’ on the extension of Sawmill Parkway. It includes one large interior 24-acre building site and nine out-parcels. The frontage lots are between 1.1 and 1.6 acres. Proposed access is via one full access from Home Road, one right-in/right-out from Sawmill Parkway and one full access from Sawmill at the northern edge of the site.

Tenants are not named in the proposal, but may include retail uses, restaurants and offices. Total square footage for the buildings will be 326,709 s.f.

Immediately to the south across Home Road is a zoned, but un-built 32-acre commercial node within existing Golf Village. The development plan for this corner includes 7 out-lots and a 22-acre interior lot.

III. Planned Commercial and Office Zoning

The Liberty Township PC zoning is a Planned Unit Development district adopted pursuant to Ohio Revised Code 519.021-A. It is a one-step process that demands a final development plan at the time of the application for rezoning. There is a process for major or minor deviation from the development plan after rezoning. In this case the development leaves out much design and textual information, so much so that staff anticipates a great deal of “administrative review” after the zoning, and after the

citizens' right of referendum has lapsed. This process could be fraught with pitfalls as residents and abutters learn more about many of the missing details, but have no opportunity to object to the "real plan" due to the referendum period having expired.

IV. Comprehensive Plan:

The 1995 adopted Liberty Township Comprehensive Plan map Planning Unit One notes the Sawmill corridor is a transitional area and states:

"This unit is to be planned as a coordinated, mixed use corridor parallel to the new Sawmill Parkway...Land uses to the east of the Parkway should be non-residential.

"Consider a compatible mixture of low density office, retail, light industrial, and institutional uses throughout the remainder of the corridor north of Seldom Seen Road, only after development patterns are committed south of Seldom Seen Road, the alignment of Sawmill is finalized, and improvements to intersecting east-west roadways are also committed."

Planning Unit Nine discusses allowable residential use at 1.0 units per gross acre, with a minimum lot size of .75 acre. Higher densities may be allowed along the railroad.

V. Development Plan: The following are areas of concern or comment from the Development Plan requirements of the zoning text:

- A. Architectural standards and exterior material.** The description of the design and construction materials standards is extensive. Buildings will include natural materials of brick, stone, or stucco, facades will be articulated with details for visual interest, entries shall include entrance features such as awnings, arches, peaked roofs, and canopies. These are appropriate features and descriptive details, but there are no sample elevations provided and no building footprints.
- B. Provisions for water, sanitary sewer, waste disposal, etc.** Letters from the Sanitary Engineer indicate 300 taps are available from existing capacity through Golf Village. The application states that 227 taps will be used for the residential units in RPC#28-04.A, leaving 73 taps for this application. When and if additional capacity can be gained via the Perry Taggart sewer line, the remaining 48 residential units will be constructed as well as any commercial/office uses not able to be served with the current allotment.

The developer's consulting engineer has studied several scenarios to determine the amount needed for the commercial portion of the proposal. If the commercial site is built out without needing all 73 taps, any remaining taps will be allotted to the residential section. Storm water will be managed

for the commercial and residential areas with ponds between Sawmill and the condominiums.

- C. Proposed traffic patterns, public and private streets, and their relationship to existing conditions.** The development plan shows entry points, but no internal road network. Frontage lots should gain access via a backage road. Direct access should not be allowed to any lot from Sawmill Pkwy. or Home Road. The plan is at a small scale and the text is silent on this issue.
- D. Relationship to existing and probable uses of surrounding areas.** The development plan shows no connection to the residential proposal to the northeast. While commercial and residential developments are often buffered from each other, this overall development plan provides an opportunity to integrate the different uses in a way that is beneficial to both. The full access from Sawmill into the northwestern corner of this site should be extended as a public street to an intersection that allows full access to the condo development to the north. This could provide an additional access for emergency vehicles as well. This could be a town center, a focal point and gathering place, but the weak design and lack of detail make it look like another suburban commercial strip.
- E. The applicant has requested the following divergences.**
- A total of two subdivision sales signs shall be erected prior to platting. *Staff comment: this is reasonable.*
 - Setback divergence at 25' for buildings and 10' for pavement from interior lot lines. *Staff comment: This is reasonable and comparable to other sites along Sawmill.*
 - Setback divergence at 50' for buildings and 35' for pavement from Planned Residential zoning, where the requirement is 1/3 of the sum of the height and depth of the structure, but no less than 100' from Residential Districts. *Staff comment: There are no constraints within the site itself that result in a need for a divergence.*
 - Specific phases within the commercial area are not determined at this time and will be market driven. *Staff comment: This is reasonable.*
 - Building heights of non-inhabitable architectural elements requested to a maximum of 60' where 40' is the current maximum. *Staff comment: Without more detail, this cannot be approved. The divergence may be appropriate, depending on the design and the location of such architectural elements. However, this divergence should not be approved for the entire site.*
 - A divergence from the parking requirements is requested. *Staff*

comment: The parking provided generally meets or exceeds the township's requirements. This is acceptable.

VI. Conformance with Development Standards

The application addresses the General Development Standards and specific detail for the PCD as well.

- Lighting detail, buffering, and sign standards are included.
- Landscaping detail is described for entry features and parking lot islands.
- Dumpsters and trash receptacles will be enclosed and rear building facades shall have architectural detail similar to front elevations.
- Unless previously noted, the application indicates the proposal will conform to the township's development standards.

VII. Criteria for Approval

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

Staff finding: The submitted plan meets some of the general zoning standards of the township code but there is detail missing. Building footprints, architectural elevations, and internal circulation should be added.

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

Staff finding: Yes. The 1995 adopted Liberty Township Comprehensive Plan map recommends mixed uses of commercial office and light industrial between Sawmill Parkway and the railroad.

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

Staff finding: A commercial node that includes the extension of Sawmill Parkway could advance the public health, safety and welfare of the vicinity, but not as partially designed.

VIII. DCRPC Staff Recommendation

Staff recommends **Conditional Approval** of the change in zoning of 36.301 acres from FR-1 to PC to the DCRPC, the Liberty Township Zoning Commission and the Liberty Township Trustees, *subject to:*

- 1) *A much more detailed development plan be submitted, showing backage roads along Home Road and Sawmill Parkway,*
- 2) *The development plan be designed as a town center, with the central commercial area having buildings pulled closer to Home and Sawmill Parkway, and parking located in parking courtyards to the side and rear,*
- 3) *The commercial design should tie in with potential residential or other uses via street connections and sidewalks in a grid pattern,*
- 4) *Divergences to be granted as itemized under item V.E above.*

Commission / Public Comments

Mr. Charlie Vince was present to represent the applicant.

Mr. Gladman made a motion for conditional approval of the rezoning request by Don Kenney Sr., subject to staff comments. Mr. Ward seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

Chairwoman Foust excused the Commission for a 10-minute break at 9:22 p.m.

Chairwoman Foust called the meeting back to order at 9:29 p.m.

19-04 ZON Triangle Real Estate (Scioto Reserve Expansion) – Concord Twp. – 238.7 acres from FR-1 to PRD

This rezoning application is submitted by Don Kenney and Triangle Real Estate for a 238-acre Planned Residential Development, located on the north and south sides of Hyatts Road, east of Riverside Drive, to the western edge of Liberty Township.

I. Conditions

Present Zoning: Farm Residential (FR-1)

Proposed Zoning: Planned Residential (PRD)

Present Use: Former agriculture and woods

Proposed Use: 300 housing units (160 single family homes with a minimum 9,100 s.f. lot size, 140 condominium units)

Existing Density: .66 units per acre (1 unit per 1.5 acre)

Proposed Density: 1.256 units per acre

School District: Buckeye Valley and Olentangy

Utilities Available: Del-Co Water, County sewer via extension of Scioto Reserve land application system and upgrade the treatment plant

- Soils:**
- BoA Blount Silt Loam, 0-2% slope
 - BoB Blount Silt Loam, 2-4% slope
 - GwB Glynwood Silt Loam, 2-6% slope
 - GwC2 Glynwood Silt Loam, 6-12% slope
 - PwA Pewamo Silty Clay Loam, 0-1% slope
 - SoA Sloan Silty Clay Loam, 0-2% slope
 - LsA Lobdell, Channery Substratum, 0-2% slope
 - LyD2 Lybrand Silt Loam Eroded, 12-18% slope

Surrounding Land Use: Surrounding the northern portion of the site are acreage tracts along Hyatts Road and smaller (1 to 2 acre) lots in Scioto Highlands and River Highlands subdivisions. To the east is undeveloped land and road frontage lots at a 1-acre minimum lot size. To the south is existing Scioto Reserve with quarter-acre lots and golf course open space. To the west is South Section Line Road and lot splits at a 1.5-acre size.

II. The Plan

This project is a 300-unit expansion of Scioto Reserve. Phase 1 includes 160 single-family units that provide two connections to existing Scioto Reserve streets. Roads extend to the north and provide an additional access at Hyatts Road. A 28.5-acre park is located at the southern edge of the project. Phase 2 is an area in the eastern portion of the site with 4-unit condominium buildings at a total of 80 units. Phase 3 extends from South Section Line Road into the site. A total of 60 condominium units is located in this phase in 3-unit condos. A total of 156.7 acres of open space is spread throughout the site, including a 24.4-acre school site is located north of Hyatts Road.

III. Conformance with Development Standards

The application lacks adequate detail regarding the following development standards required in the Planned Residential District:

- 1) The size of the single-family lots is comparable to the rest of Scioto Reserve.

The condo areas also include ravines, wooded areas and detention ponds. No detail is provided for the condominium areas except for entry points and main driveways. At higher densities, design becomes an important factor. The PRD zoning text empowers the township to impose additional development details such as building layout and architectural design standards.

The recently adopted Concord Township Comprehensive Plan recommends 1.25 units per acre in Sub Area 4. The proposal is consistent with the Comprehensive Plan.

IV. Development Plan

When applying for a PRD, the development plan is the exact expectation of what would be built if the PRD zone were approved. The development plan lacks several items, which are needed to be consistent with the general standards:

- 1) A landscaping plan, as well as architectural details for signs, mailboxes and light poles, are included.
- 2) Architectural design criteria for all structures is required. Exterior sheathing materials are defined, but no renderings are provided.

The Condo A units are described as 4-unit buildings typical “pinwheel” units as seen in nearby condo communities. Building footprints are not provided. If constructed with the attention to detail demonstrated by the Homestead at Scioto Reserve, such a development would be more appropriate. Without building footprints, it is difficult to determine the visual relationship between these condos and the single-family units.

The Condo B units with access to Section Line Road are described as three-unit buildings that are comparable to The Pointe at Scioto Reserve. This area may contain numerous wetlands and slopes greater than 20% that should be preserved rather than filled. Again, without building footprints, the layout of this area can not be fully determined.

- 3) Full street cross-sections are not provided. The development should include sidewalks or bike paths on both sides of public or private streets, similar to the existing sections of Scioto Reserve. This pedestrian network should also extend into the condominium developments as well.
- 4) Proposed traffic patterns showing public and private streets, including their relationship to existing conditions - The road network of the submitted plan misses several opportunities for connectivity which will be required at the subdivision phase but should be properly referenced at this time.

The “Condo A” area blocks a potential access to lands east of this development. A public street should be extended east to stub to the township line. Although Freesia Drive to the south in Section 4, Phase 13 stubs to the east, it was noted during preliminary subdivision review that a house is located in the path of such an extension of Freesia. During the preliminary plan review, the engineer stated that if Freesia could not be relocated further north, then an additional stub would be provided in a future phase of the subdivision.

The “Condo B” area includes a private road from the single-family section of

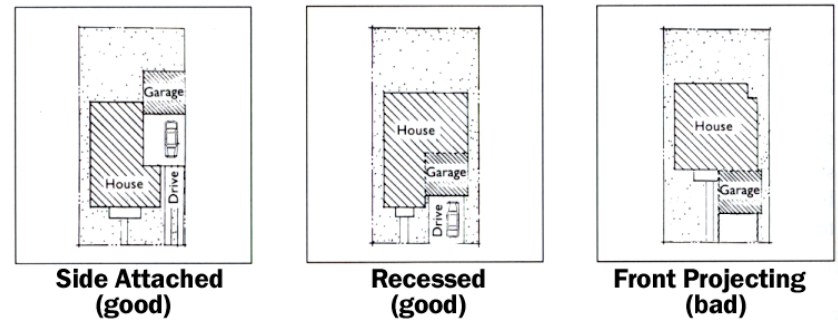
the development to S. Section Line Road. This blocks direct access from the single-family units. The Delaware County Thoroughfare Plan recommends that South Section Line Road be upgraded to three lanes, indicating that it will be a major north-south access through the township. This private road should become a public street with smaller private drives accessing individual or pairs of condo buildings.

- 5) The proposed size, location and use of nonresidential portions of the lot including usable open areas, parks, paths, school sites, etc. –
 - **Park Site:** A 28.5-acre park is located in the southern edge of the development. Although no detail is provided for the development of the park and no commitment is made for any active recreation facilities to be located there, the location is ideal to serve a large portion of overall Scioto Reserve. It has been previously noted that there is no public open space in the original Scioto Reserve. All open space is golf course and all recreational facilities are privately owned and intended for the use of members. At build-out, the size of this 28.5-acre park meets the open space recommendations of the National Recreation and Park Association (6.25-10.5 acres of close-to-home open space per 1,000 population). Active recreation should be provided, either by the developer, the township, or the Homeowners Association.
 - **School Site:** The developer committed to a Buckeye Valley school site in the original Scioto Reserve zoning request of 1998. It was originally proposed in what is now an area of condominiums. The new site has frontage on and direct access to Hyatts Road, which is a more accessible location. However, special consideration should be given to the pedestrian access across Hyatts Road and into the school site. The development should include the same road cross-section including sidewalks as the existing sections of Scioto Reserve.

- 6) The applicant has requested the following divergences:
 - A driveway intersection setback of 30' is requested where the code requires 100'. *Staff comment: This is a valid request, since these are internal circulation roads.*
 - Front yard setback from public roads is requested at 25' from interior streets, where the code requires 90' or as approved in the development plan. *Staff comment: 25' setback for houses; 35' setback for front-load garages to provide adequate off-street parking and prevent "snout houses".*

- Front yard setback from edge of pavement of private roads is requested at 25' where the code requires 90' or as approved in the development plan. *Staff recommendation: 25' from edge of pavement as proposed or 15' from the outside edge of the sidewalk (which should be provided everywhere) meaning the edge closest to the house or condo.*
- Request for a divergence from the phasing plan. *Staff comment: The applicant commits to the completion of Phase I which includes the major north/south roadway network from Scioto Chase to Hyatts Road This will provide a new access point for existing sections of Scioto Reserve and provide access for the condominiums.*

- 7) Lot size 70' x 130' (9,100 s.f.) is rather small for a neighborhood of children. Given the amount of useable open space provided, the size may be acceptable, but renderings of house footprints and elevations of condominiums should be submitted. What is the theme? Is there a theme or is it for each sub-developer to create his own? Shotgun houses work well on narrow lots. (See example below.)



- 8) Rear yards should be 30', not 20' as requested. 130' deep lots can easily maintain a 30' rear yard.
- 9) Side yards should be 7 1/2', not 5' as requested – this is very doable on a 70' wide lot; the builder must design a house to fit the lot, not ask for variances.
- 10) Private Street cross-section is provided showing 6" roller compacted concrete with two layers of asphalt and an extruded curb. The township should adopt the County Engineer's design manual standard cross sections and require they be used on private streets in condominiums. These

developments escape platting review and the quality of the street base and surface is totally up to the developer. Similar roads at the Pointe at Scioto Reserve have failed before the project is complete. Will residents be expected to pay for any repairs or reconstruction of these roads? The township should demand underdrains as well as side road drainage and a paving designed to last 20 years. **This must be done as a condition of township zoning since there is no subdivision review!**

- 11) The proposal states that the open space shall be maintained by a Homeowners Association. It also references the sample Deed Restrictions which states that the open space shall be maintained by the Golf Course Owner. This may be an error and should be resolved before the restrictions are adopted.

V. Criteria for Approval

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

Staff finding: The submitted plan meets some of the general zoning standards of the township code but there is detail missing. The plan is incomplete.

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

Staff finding: The 2004 adopted Concord Township Comprehensive Plan map recommends residential at 1.25 units per acre in PRDs in this area, the proposal conforms to the plan.

“3) Advances the general welfare of the Township and the immediate vicinity.”

Staff finding: If the deficiencies are addressed, the preliminary development plan could advance the public health, safety and welfare of the vicinity.

VI. DCRPC Staff Recommendation

Staff recommends **Conditional Approval** of the change in zoning of 238.7 acres from FR-1 to PRD to the DCRPC, the Concord Township Zoning Commission and the Concord Township Trustees, *subject to the following amendments being submitted to the township prior to any approval of the development plan:*

1. *That an additional public access be added to undeveloped land to the east through Condo A.*
2. *That the private road through the “Condo B” section be made a public street to South Section Line Road.*
3. *Architectural design criteria be submitted for condominiums, including renderings of building footprints, entrance features, etc.;*

4. *Sidewalks or bike paths be provided on every street, public or private, and 5’ wide tree lawns should be established between all sidewalks and edge of street pavement;*
5. *That the driveway spacing divergence and phasing divergence be approved, but that:*
 - a) *front yard setback reduction from 90’ to 25’ be granted, except for front-load garages which should be reduced only to 35’; and*
 - b) *front yard setback reduction on private streets from 90’ to 25’ be granted IF all private roads have sidewalks.*

Commission / Public Comments

Mr. Charlie Vince was present. He stated that he would work with the Township on the items raised by the RPC staff.

Mr. Ward made a motion for conditional approval of the rezoning request by Triangle Real Estate. Mrs. Warthman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

29-04 ZON The Galbury Group – Genoa Twp. – 7.67 acres from RR to SR

I. Request

The applicant, the Galbury Group, is requesting a 7.67-acre rezoning from RR to SR. The development plan indicates 11 lots on 7.67 acres. This is a gross density of 1.4 dwelling units per acre. This development includes a cul-de-sac street that extends west off of Sunbury Road into the site. All proposed lots will access off this cul-de-sac street.

II. Conditions

Location: 5766 Sunbury Road, Genoa Township
Present Zoning: Rural Residential (RR)
Proposed Zoning: Suburban Residential (SR)
Present Use(s): House / Wooded
Proposed Use(s): 11 single-family residential lots
Existing Density: 1 du / 2 acres
Proposed Density: 1 du / 0.46 acres
School District: Westerville City School District
Utilities Available: Del-Co Water and County Sewer

Critical Resources: None

Soils: UdB: Udorthents, clayey-urban land complex, undulating

III. Description

Staff visited this site on June 13, 2002 to conduct a site review (02-12-S) with other county offices. The following issues were raised for question and not addressed with this application:

1. The sight distance issue at the proposed access to Sunbury Road will need to be resolved with the County Engineer's office prior to application for subdivision approval.
2. No storm-water detention/retention is being shown with this application. The applicant should be aware that this development may require storm-water management in reserve lots that could effect the design of this development and the number of buildable lots.
3. Lot 3 appears to be smaller than the minimum lot size permitted in the SR district. The lot line dividing Lots 3 and 4 should be modified to allow this lot to contain at least 20,000 square feet, as required in Section 402.06 of the Genoa Township Zoning Resolution.
4. This site is wooded with a single-family residence that is being proposed for removal. The applicant should consider delineating no-build areas around the perimeter of this development to preserve some of the natural character.

The 1999 Genoa Township Comprehensive Plan labels this site in Planning Area 1. This area is recommended for residential development at densities no greater than 1.8 du / acre. This application conforms with the recommendations of the comprehensive plan. The plan also allows this density to be extended to 2.2 du / acre with conservation designed development. Surrounding land uses include Medallion Estates to the south, the Medallion Golf course to the west, 1 and 2 acre lots along Sunbury Road and the Hoover Reservoir to the northeast across Sunbury Road.

IV. Staff Recommendations

The Suburban Residential district is not a planned zoning district. This allows alteration in design through the subdivision process. The applicant is not locked into developing the site with this design, so staff would recommend the issues mentioned above be addressed prior to application for subdivision review.

Staff recommends **Approval** of this rezoning case from RR to SR for the Galbury Group to the DCRPC, the Genoa Township Zoning Commission and the Genoa Township Trustees.

Commission / Public Comments

Mr. Jeff Strung of EMH & T was present to represent the applicant. He stated that they understand the issues from staff and will address them with the Township.

Mr. Gladman made a motion to recommend approval from the Galbury Group, seconded by Mr. Schmidt. VOTE: Unanimously For, 0 Opposed. Motion carried.

30-04 ZON Centex Homes – Orange Twp. – 34.61 acres from FR-1 to SFPRD

Applicant: Centex Homes

Location: South of East Orange Road and east of South Old State Road, between Wilshire Estates and the future McCammon Estates. The new Olentangy Middle School is to the north.

I. Conditions

Present Zoning: Farm Residence (FR-1)

Proposed Zoning: SFPRD

Present Use: Woods.

Proposed Uses: PRD subdivision

- 47 single family lots, lot size typically 11,200 to 13,500 s. f. (10,000 s f. minimum)
- 10.7 acres of open space (31% of site).

Existing Density: 1 unit/acre in FR-1

Proposed Density: 1.36 unit/acre (gross density overall)

School District: Olentangy

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

Soils: CaB-Cardington 2-6 % slope

CaC2 Cardington 6-12 % slope

AmE Amanda 18-25% slope

II. Project Description

The proposed development, called Wilshire East, contains 47 lots on 34.61 acres (1.36 units/acre). The land is characterized as some of the most scenic in Orange Township due to its severe slopes in four ravines that traverse the site. These ravines are shown on the Orange Township Comprehensive Plan as being 28' deep (R1 on exhibit), 12' deep (R2), 20' deep (R3), and 14' deep (R4) at areas of potential road crossings. The design is intended to use the ravines as open space (10.5 acres / 31 % of site) and many of the homes will back up to these ravines using walkout basements. The layout includes the easterly extension of Pleasant Colony Drive from Wilshire Estates to the Walker Woods Boulevard in the future McCammon Estates to the east. Two cul-de-sacs (A and B on the exhibit) are proposed each on either side of the main thoroughfare and each crossing a ravine. The southern cul-de-sac (Street B) also contains a CAD extending from its terminus with the CAD crossing a third ravine. Earthen dams are proposed in 2 of the ravines for stormwater detention. A 150' electric easement and power lines run just north of the site along the Olentangy School Board property.

III. Conformance with Local Comprehensive Plans

The Orange Township 2001 Comprehensive Plan recommends single family residential at 2 dwelling units per acre. It also recommends that ravines be preserved as the township changes from a rural to suburban community.

IV. Conformance with Development Standards

- 1.) Provisions for utilities.
 - a.) Sanitary sewer – Sewer will be available through the McCammon Estates development to the east. There is capacity to serve this development. A letter of service availability has been provided from the Sanitary Engineer.
 - b.) Water – Del-Co water is available through an 8" line on Pleasant Colony Drive in Wilshire Estates.
 - c.) Other utilities – Service letters have been provided for gas (Suburban Natural Gas), electric (American Electric Power), and phone (Verizon).
- 2.) Storm water – Staff does not generally support the damming of ravines. Off-ravine stormwater detention is preferred and may be required as part of the platting process. The proposed detention within the ravines will require approval from the OEPA and the Army Corps of Engineers. The plan shows that both ponds encroach on residential lots. The ponds and/or lots should be

reconfigured so that the ponds are entirely within the reserve lots.

- 3.) Proposed Traffic Patterns and their relationship to existing conditions-
 - a.) A traffic impact study has not been submitted. The County typically will not require a study for developments of less than 100 single-family lots. However, since this proposal connects to both Wilshire Estates and future McCammon Estates, the developer should consult with the County Engineer to determine if either of the adjacent developments considered additional traffic from this site.
 - b.) Arrangement of streets in regard to existing or planned streets- The DCRPC staff does not support the proposed CAD on the southern cul-de-sac "B". The southeast part of this proposal would be better served with a connection to the future Walker Woods Boulevard extension. It would eliminate the need to cross a 20' deep ravine "R2" (2 are already crossed). We encourage the developer to work with the developer of McCammon Estates (MI Homes) to obtain a connection to Walker Wood Blvd. Such a connection may be a requirement of the platting process. This would give Road "B" entrance from Walker Woods Blvd.
 - c.) Sidewalks will be provided on both sides of all public streets.
- 4.) No divergences are being requested.

V. Required Findings for SFPRD

- 1.) That the proposed development is consistent in all respects with the purpose, intent, and general standards of this zoning resolution.
DCRPC Staff Finding: Yes.
- 2.) That the proposed development is in conformity with the comprehensive plan or portion thereof as it may apply.
DCRPC Staff Finding: Not completely – the comprehensive plan recommends leaving the ravines in a natural state to preserve rural character.
- 3.) That the proposed development advances the general welfare of the township and the immediate vicinity.
DCRPC Staff Finding: Yes, if the CAD is eliminated to avoid a 20' deep ravine and Road "B" takes its access from Walker Woods Blvd.

VI. DCRPC Staff Recommendation

Staff recommends **conditional Approval** of the zoning change from FR-1 to SFPRD, for case 30- 04 ZON, *subject to:*

- 1) *The elimination of the CAD*
- 2) *The relocation of stormwater detention ponds off of the residential lots and off-ravine*
- 3) *The connection of Road “B”, the southeast cul-de-sac, to Walker Woods Blvd. Orange Township should expect the platting process to require Road “B” to access through the McCammon lands to the east off Walker Woods Blvd.*

Commission / Public Comments

Mr. Jeff Strung of EMH & T was present to represent the applicant. He stated that there has been discussion of the alternate access with M/I Homes. They are willing to discuss this option.

Mr. Gladman made a motion to recommend conditional approval of the zoning request by Centex Homes, subject to staff comments. Mr. Spanner seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

31-04A ZON	TruGreen Limited Partnership – Liberty Twp. - 3.444 acres – PC – development plan amendment
31-04B ZON	TruGreen Limited Partnership – Liberty Twp. - 103.168 acres from FR-1 to PC

I. Request

Columbus State College, a state Community College, requests rezoning to PC for 106.612 acres to permit a future expansion campus. The land is located at the South West corner of Winter Road and US 23.

II. Conditions

Present Zoning: Farm Residence for 103.168 acres; PC for 3.444 acres

Proposed Zoning: Planned Commercial

Present Use: Office and agricultural research.

Proposed Uses: Higher Education, Community College campus

School District: Olentangy

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

Soils: GwA; Glynwood 0-2% slope

PwA- Pewamo 0-1% slope

BoA- Blount 0-2 % slope

III. General

Columbus State Community College is a state funded higher education institution that serves Franklin, Union, Delaware and Madison Counties. Due to the population growth in Delaware and Union the college is looking to build a second campus to complement its main campus in downtown Columbus. Such a public institution would be a permitted use in the PC district. The college is planning to retain the existing office facility on the 3.44-acre lot and use it for administrative offices or perhaps some classrooms. The steel building would be used for maintenance operations. The farmhouse and three barns will be removed.

The initial campus building would comprise 70,000 square feet with 400 parking spaces located adjacent to and with access from Winter Road. Future buildings would extend to the south. Overall campus build out is anticipated to take 20-30 years.

IV. Issues

A. Process- Liberty Township’s PC is a one-step Planned Unit Development adopted pursuant to ORC 519.021 A. The development plan is intended to show details of many site related issues. Due to the preliminary nature of the Community College approval process and the need to secure state funding and approval for construction, the applicant has submitted a reasonable, although technically incomplete development plan. It is understood that if the township rezones the land to PC on behalf of Columbus State and Tru Green that the referendum period will expire after 30 days and any amendments to the development plan will be handled by administrative review at the township level.

B. Roads and traffic- all campus traffic will enter Winter Road from US 23, a four lane limited access federal highway. A letter from Jack Marchbanks at ODOT district 6 indicates “with some modifications by the developer, safe ingress and egress can be accommodated”. A traffic assessment will be required when a final development plan is submitted for construction. A through street connection would eventually be made from Winter Road to Cornerstone Drive as it stubs north from the Grief Bros. Office park.

C. Sewer trunk line extension- The County does not currently provide wastewater service to this site, but this is part of the service area for the Perry Taggart sewer, which is approved and has been put out to bid. Sewer service should be available by early 2006.

D. Conformance to the Comprehensive Plan- the 1999 Liberty Township

Comprehensive Plan recommends Business use for a swath 1500 feet parallel to US 23. The Tru Green property extends west of that line. The Grief Brothers office park has been rezoned to PC west and south of the Tru Green lands, so the comprehensive plan should be amended to show the entire Tru Green lands for business.

E. Conformance with other Development Plan Standards in Section 10.06

1. Landscaping - no landscaping plan was submitted, but a list of plant materials was. A general theme of the landscape plan is provided, and with the sketches it is sufficient for this application in a preliminary form. More detail will be needed later. A landscape plan is required with the final development plan and subdivision plat.
2. Architectural Designs for structures and signs- general sketches are shown. Materials are proposed to be brick, concrete, pre-cast concrete and flat metal panels. All roofs will be flat with parapet walls to shield mechanicals. Details will be required by administrative review and plat.
3. Water-Del-Co can serve the site from an existing 12 inch main on US 23 and a 10-inch main on Winter Road.
4. Electric- AEP indicates that they can service the site.
5. Gas- Columbia Gas has a 3-inch main on winter road and a 4-inch main on US 23.
6. Phone-Verizon indicates they can serve the campus.
7. Fire Protection- Liberty township has indicated they can provide fire protection to the site.
8. Drainage- the existing pond will be retained and care will be taken to retain the natural drainage on site. Where additional storm water retention is needed in future phases, additional ponds will be constructed in a manner to blend with the green space.
9. Compatibility with existing and future probable uses- there are statements related to compatibility and the plan can certainly accomplish compatibility.
10. Timetable for development-20-30 years, depending on demand.
11. Side and rear yards setbacks- the college agrees to all prescribed setbacks.

Side and rear yards setbacks require 1/3 the sum of the height and depth or height and width of a building. Although the college agrees to this, normal side and rear yard setbacks should be relaxed for two reasons. First, the proposed buildings will be constructed of fireproof or fire retardant materials. Second, to make the campus as compact for walking as possible. This is especially important in winter months to reduce wind tunnel effects.

12. Divergences requested. Three story buildings will exceed the 40-foot height requirement, but will not exceed 60 feet.

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

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

- 1.) That the proposed development is consistent in all aspects with the intent, and applicable standards of this zoning resolution.
DCRPC Staff Finding: *Yes, with more details to follow.*
- 2.) That the proposed development is in conformity with the comprehensive plan or portion thereof as it may apply.
DCRPC Staff Finding: *Yes.*
- 3.) That the proposed development advances the general welfare of the township and the immediate vicinity.
DCRPC Staff Finding: *Yes.*

VI. DCRPC Staff Recommendation

DCRPC staff recommends **conditional Approval** for PC zoning for 106.612 acres in Liberty Township for the construction of a second Columbus State Community college Campus, *subject to the staff comments in Section V of this report.*

Commission / Public Comments

No one was present to represent the applicant.

Mr. Pike stated that there needs to be a study done regarding realignment of Winter Road and Peachblow with US 23.

Mr. Ward made a motion to recommend conditional approval of the rezoning request by TruGreen, subject to staff comments. Mr. Schmidt seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

V. SUBDIVISION PROJECTS

Preliminary

16-04 Eagle's Ridge – Berlin Twp. - 64 lots / 87.82 acres

Applicant: Grover & Mary Johnson
Subdivision Type: Single-family Residential
Location: Eastside of Africa Rd., north of Sherman Rd., Berlin Twp.
Current Land Use: Wooded / Agriculture
Current Zoning: Farm Residential (FR-1)
Utilities: Del-Co Water and County Sewer
Critical Resources: Ravines and Alum Creek tributary stream
School District: Olentangy Local School District
Engineer: Ryan Badger, ADR & Associates, LTD

I. Staff Comments

The applicant is proposing 64 lots on this 87.8 acre site. The gross density is 0.73 du / acre. There are four (4) reserve lots in this plan that are intended for storm water management. These lots comprise 2.7 acres or 3% of the development. A large ravine that acts as a tributary for the Alum Creek Reservoir crosses through the southern portion of this project.

There are two sections within Eagles Ridge. The first section, Section 1, will include the eastern extension of Eagle Crest Drive to intersect with Cliff View Drive (The Ravines of Alum Creek). Section 1 will also include the construction of Maple Trail Court south off of Eagle Crest Drive to provide access to a future street that will connect with the Estates of Sherman Lakes. Section 2 will include the extension of Eagle Crest Drive to Eagle Meadows Drive, a north/south road that will connect to Sherman Road. Section 2 also includes the construction of Stoney Brook Court, a loop street off the south side of Eagle Crest Drive.

A 50-foot electric easement crosses diagonally through the site. The applicant is proposing to relocate this easement along the northern and eastern property lines. The applicant is still negotiating this relocation effort with Ohio Edison Company (OEC). Doyle Minich, an OEC manager, has stated to staff that “the centerline of the relocated right-of-way will need to be 80’ from the property line” and that “Ohio Edison is not interested in an underground relocation.” Staff would not support this subdivision design if this relocation project does not occur, due to the significant number of lots that this easement would effect. The relocation of this electric line will need to be completed prior to final plat approval.

A 50-foot gas easement also crosses diagonally through the site. This 1,750-foot easement covers over 2 acres of this site. While driveways are permitted within the easement, houses and detention basins are not.

Surrounding land uses include Sherman Lakes and the proposed Estates of Sherman Lakes to the west, the Ravines of Alum Creek to the north. A five (5) acre single-family residence is located directly north of this development on Africa Road and one and two acre lots are located along Sherman Road and 3 B's & K Road. There is an Industrial zoned property adjacent to the northeast of this development that is likely to be partially developed as residential in the future.

Staff would encourage the applicant to work with Berlin Township to consider rezoning the site to FR-1/PRD to allow a conservation subdivision design that is more sensitive to the sites critical resources, and would not necessarily require relocation of the power line.

A technical review was held on May 18, 2004, after which the applicant has addressed all of the required changes, except:

- *Providing documentation that the electric line can be relocated.(submitted 5/27/04)*
- *Submitting revised site improvement plans to the DCRPC office reflecting changes made from the technical review meeting.*
- *Name of Subdivision should be Eagle's Ridge, Sections 1 & 2 instead of Eagles Ridge, Section 1, Phases A & B.*

Lot 27 was reconfigured after the technical review meeting to solve drainage issues. This redesign has created a difficult access for Lot 27's driveway. Staff would like to see this lot reconfigured to allow for vehicular access from Eagle Crest Drive without crossing the drainage easement.

II. Staff Recommendation

Staff recommends *conditional Preliminary Approval of Eagles Ridge Subdivision, Sections 1 & 2*, to the DCRPC, *subject to:*

1. *An approval/agreement from OEC for relocating the electric lines prior to final plat approval.*
2. *Satisfying unresolved issues from Technical Review, and*
3. *Creating better access for Lot 27 on Eagle Crest Drive.*

Commission / Public Comments

Mr. Tony Eyerma was present to represent the applicant. He stated that they are continuing to resolve these issues.

Mr. Rick Gemienhardt (Berlin Twp. resident) stated that this plan has not been positively accepted by himself or fellow trustee Tim Halter. He encouraged the applicant to submit for a PRD with a FR-1 overlay. There are some archeological sites that he has talked with the Ohio Historical Society about. There are wetlands, ravines, connectivity issues, and power line issues that need to be resolved.

Mr. Ward voiced his concern with the gas line being too close to the houses and through the catch basin. Mr. Eyerman stated that he has been working with Columbia Gas, which has requested and received a 50' easement. The lots (as many as possible) with the gas line running through have been over sized to give adequate space. The detention basin, in the open space, is not within the easement.

Mr. Ward made a motion for conditional Preliminary approval of Eagle's Ridge Subdivision, subject to staff comments. Mr. Schmidt seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

34-98.20/21 Tartan Fields, Phases 20 & 21 – Concord Twp. - 98 lots / 66.38 acres

Applicant: Saunders Enterprises, FLP
Subdivision Type: Single Family Residential
Location: South side of Harriott Road, 250' east of Archer Lane
Current Land Use: former agriculture
Zoned: PRD
Utilities: Del-Co Water, County Sewer
School District: Dublin
Engineer: R.D. Zande & Associates, Inc.

I. Staff Comments

The development is an extension of Tartan Fields, gaining access from existing phases by Rob Roy Drive and Brodie Blvd. Brodie will continue to the north and access Harriott Road. MacDonald Drive is a north/south road that parallels Brodie and a long cul-de-sac, Raynor Court, extends parallel to Harriott Road. Colt Court is a road stub to undeveloped property to the east, a request made at the time of zoning. The design shows 98 lots and features two areas of open space at a total of 7.79 acres. Minimum lot size is 12,600 s.f. (1/4 acre). The open space provided will mostly be preserved as wooded areas or used for stormwater detention.

An existing tree buffer along Harriott Road will be maintained and a wooded ravine will be preserved in the northern open space. The development will utilize

the same street cross-section as Tartan Fields, including sidewalks, street trees, street lights and mailboxes. This does not provide useable open space for the residents of the development. A 1.5-acre park is within walking distance in an existing phase of Tartan Fields.

A technical review was held on May 18, 2004, after which the applicant has addressed all of the required changes.

II. Staff Recommendation

Staff recommends *Preliminary Approval* of **Tartan Fields, Phases 20 & 21** to the RPC.

Commission / Public Comments

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

Mr. Schmidt made a motion for Preliminary approval of Tartan Fields, Phases 20 and 21, seconded by Mrs. Warthman. VOTE: Unanimously For, 0 Opposed. Motion carried.

15-04 Whisper Trace – Concord Twp. - 13 lots / 28.63 acres

Applicant: Whisper Trace, LLC
Subdivision Type: Single-family Residential
Location: 6424 Merchant Road, Concord Twp.
Current Land Use: Single family residence, vacant land
Zoned: Farm Residential District, (FR-1)
Utilities: Del-Co water and individual mound systems
School District: Buckeye Valley
Engineer: Chenevey and Piccin

I. Staff Comments

Whisper Trace is a proposed 13 lot subdivision on 28.63 acres on the north side of Merchant Road approximately 1,700 feet west of State Route 745 (Dublin Road). The site contains an existing residence that will remain on one of the proposed lots. An existing pond will also be preserved. The site is gently rolling and drains from east to west, except for the northeast corner, which flows to the east. Surrounding land use is mostly agricultural with single family residences on large lots fronting along Merchant Road. This site and the surrounding area is zoned Farm Residential (FR-1), which requires a minimum lot size of 1.5 acre, exclusive of easements and rights-of-way.

addressed all of the required changes.

As a result of addressing the County Sanitary Engineer’s comments from technical review, a 15-foot wide sanitary easement was added on the eastside of the proposed reserve. A five (5) foot swath of this easement is located in the delineated detention pond. Staff does not support this location, due to the need for sanitary to be able to access this area at all times. This easement should be moved five (5) feet to the east.

II. Staff Recommendation

Staff recommends *conditional Preliminary Approval* of **Windsong Subdivision**, to the RPC, *subject to moving the 15-foot sanitary easement on the reserve lot five (5) feet to the east (outside of the detention pond).*

Commission / Public Comments

Mr. George Switzer of Geographics was present. He agreed with the staff comment regarding moving the sanitary easement.

Mr. Ward made a motion for Preliminary approval of the Windsong Subdivision. Mrs. Warthman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

14-04 The Preserve at Seldom Seen – Liberty Twp. - 39 lots / 44.28 acres

Applicant: Romanelli & Hughes
Subdivision Type: Single Family Residential
Location: North side of Seldom Seen Road, 1200’ east of Filiz Lane
Current Land Use: former agriculture
Zoned: PR
Utilities: Del-Co Water, County Sewer
School District: Olentangy
Engineer: R.D. Zande & Associates, Inc.

I. Staff Comments

This site is located between the one-acre lots of Woods on Seldom Seen and the 1/3-acre lots of Golf Village. The land is slightly rolling, with a wooded swale crossing from east to west and a wooded area in the northwest corner.

The proposal includes an access to Seldom Seen Road via Shaffer Drive. Menderes Drive continues into the site from the east and loops to the south. Metler Court is a cul-de-sac that terminates in an area of open space. More than 13.73 acres of the site is open space, including the large 2.5-acre park in the center of the development. Lots are at least 17,000 s.f. (.39 acres).

A technical review was held on May 18, 2004, after which the applicant has addressed all of the required changes.

II. Staff Recommendation

Staff recommends *Preliminary Approval* of **The Preserve at Seldom Seen** to the RPC.

Commission / Public Comments

Ms. Lenell Sniechowski of RD Zande was present to represent the applicant.

Mrs. Warthman made a motion for Preliminary approval of The Preserve at Seldom Seen, Mr. Ward seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

18-04 Olentangy Falls – Liberty Twp. - 132 lots / 211.50 acres

Applicant: Planned Communities
Subdivision Type: Single Family Residential
Location: North and south side of Hyatts Road, east and west of Taggart Road
Current Land Use: vacant/former agricultural
Zoned: Planned Residential
Utilities: Del-Co Water, County Sewer
School District: Olentangy
Engineer: Floyd Browne Associates, Inc.

I. Staff Comments

The RPC recently reviewed in February a proposal under FR-1 zoning for the portion of this site on the south side of Hyatts Road. The design of that application was denied by the Commission and since that time, the applicant received rezoning approval to Planned Residential zoning.

South of Hyatts, the site includes rolling open terrain and ravines, with an elevation difference of over 100 feet from eastern lot line to the river valley. The former

residence (now razed) was surrounded by mature groves of tall pine trees. The development includes 40 acres of open space along the Olentangy River and is intended to be deeded to Liberty Township. North of Hyatts, numerous wooded ravines cross the site. An electric easement and high tension lines cross the northern edge of the property.

The design of the subdivision shows 95 lots south of Hyatts and east of Taggart accessing a single point on Hyatts. The interior loop road and cul-de-sacs are arranged so that rear lot lines follow the natural ravines of the site. Lots are all at least three-quarters of an acre. Seven larger, 1.5-acre lots have frontage on Farmstead Lane and Taggart, but will access the interior road (Farmstead) with no direct access to Taggart. The RPC staff has been consistent in noting that a full access should be provided to Taggart Road. Without it, 95 units have one access point. A full access could be shifted north to align with Elderberry Loop, bringing it closer to Hyatts Road and lessening its impact on Taggart.

A 50' wide preservation easement is included along any jurisdictional waterways. One street is stubbed to the proposed Episcopal Retirement Homes to the east. One road is stubbed to the south. Street names have a farming and aquatic theme, including Farmstead Lane, Tadpole Lane, Cattail Cove, Crayfish Court, Rambling Brook Way, Elderberry Loop, and Olentangy Falls Way North. One large detention pond is planned on the west side of Taggart. Smaller detention areas are proposed on private lots. All detention/retention areas should be located in reserve lots to allow access for maintenance.

On the north side of Hyatts Road, 37 lots have access via Olentangy Falls Way North. The lots on this side of Hyatts are at least three-quarters of an acre, with most at 1.5 acres. This section includes more than nine acres of open space in the northeast corner, three acres along the western boundary, two acres along roadways and preservation easements along the ravines. Street names include Ruth Crossing and Lale Point.

A technical review was held on May 18, 2004, after which the applicant has addressed all of the required changes except the following:

- Full access should be provided on Taggart Road.

II. Staff Recommendation

Staff recommends *Conditional Preliminary Approval* of **Olentangy Falls** to the RPC, *subject to the following:*

- *That the emergency access aligning with Rambling Brook Way be shifted north to align with Elderberry Loop and become a full access.*
- *That detention/retention ponds be placed in reserve lots.*

Commission / Public Comments

Mrs. Tiffany Jenkins of Floyd Browne Associates was present. The residents and officials of Liberty Township have made it very clear that they do not want a full public access to Taggart Road. A full access would require significant improvements, which would be in violation of the goal of the Comprehensive Plan. Planned Communities has agreed through their approved zoning, to do a 60' dedicated right-of-way with an emergency access that would be built by the developer and maintained by the homeowners association. It will be built with the first phase so there will automatically be two accesses for emergency and one primary onto Hyatts Road. The road layouts have been approved by the Township and the County Engineer. The location of detention ponds has been approved at Liberty Twp. If it is moved it would effect some of the lot sizes, which would be in conflict with the approved development plan.

Mr. Pike stated that he agrees with the staff comments on multiple ingress/egress. It's a Township road and they have spoken clearly regarding this matter. If it were a county road it would probably be going in as an access point. Mr. Laurien stated that the RPC staff is just being consistent. Mr. Pike stated that a stub to the south may be an option.

Mr. Brickner, Director of Development of Planned Communities, said that there has been a lot of neighbor input in the development with the protection of Taggart Road. Mr. Ward stated the second means of egress to Taggart Road is a safety issue and this should be required.

Mr. Ward made a motion for conditional Preliminary approval of Olentangy Falls subject to staff comments, seconded by Mr. Schmidt. VOTE: Majority For, 2 Opposed (Co. Engineer Rep. and Liberty Twp. Rep.). Motion carried.

17-04

Edgewater Estates – Scioto Twp. - 05 lots / 21.10 acres

Applicant: Dennis Erwin and John Kilbury

Subdivision Type: Single-family Residential (CAD)

Location: Behind 2996 State Route 257, Scioto Twp.

Current Land Use: Former agriculture

Zoned: Farm Residential District, (FR-1)

Utilities: Del-Co water and individual mound systems

School District: Buckeye Valley

Engineer: Patridge Surveying

I. Staff Comments

Edgewater Estates is a proposed 5-lot CAD subdivision. The 21.1-acre site is an oddly shaped flag lot located on the west side of SR 257 approximately 1000' south of Penn Road. The rolling property has approximately 20' elevation change. It is surrounded by City of Columbus land to the north and west, with a large pond abutting this site directly to the west. Residential lots along SR 257 are generally 1 to 3 acres in size. The subdivision and surrounding area is zoned FR-1, which requires a minimum lot size of 2 acres. The 5 lots proposed in this subdivision are approximately 4 to 5 acres. The soils are acceptable for on lot sewage treatment for all 5 lots. The CAD will be 16' wide and paved.

The applicant is proposing to use this development as a "Pilot project" for the proposed amendments to the CAD standards in the Subdivision Regulations. The purpose of the project is to assess the feasibility of the proposed CAD regulations; both in road costs and cross sectional design. The applicant would share with the RPC the true cost of constructing a CAD to the proposed standards. The DCRPC approved a variance in February 2004 to allow this 5 lot CAD if the subdivision met the criteria set forth in the proposed CAD regulations.

The standards that were approved for the CAD variance are as follows:

- 1.) Minimum cross-section shall be a base of Tensar-type SS1 plastic material, covered with 6 inches of 304 aggregate base, paved with 2 inches of 404 asphalt.
- 2.) The CAD easement shall be 60' or wider to permit both driveway construction and roadside drainage, either enclosed or in grassy ditches with a maximum ditch slope of 3:1, and utility easements.
- 3.) A "T", "hammerhead" or cul-de-sac turnaround that meets Co. Engineer standards shall be provided at the CAD terminus.
- 4.) The CAD paved surface shall be at least 15 feet.
- 5.) The applicant shall provide the buyer of the lots in the CAD subdivision with a warranty protecting those buyers against defects in material and workmanship in the construction of the CAD for a period of one year following the date of certification of completion of the CAD by the applicant's engineer.
- 6.) No on-CAD parking shall be permitted
- 7.) A pole-sign shall be installed at the subdivider's expense, located at the CAD intersection with the public street, made of a 6-inch by 6-inch cedar post, 8 feet above grade, with a placard sign atop the post, with reflective lettering. All CAD addresses shall be displayed, as well as words "Private Drive". This sign shall be continuously maintained at this location.
- 8.) All lots shall display their address at the driveway entrance to the CAD.

A technical review was held on May 18, 2004, after which the applicant has addressed all of the required changes.

II. Staff Recommendation

Staff recommends *Preliminary approval* of **Edgewater Estates**, to the RPC.

Commission / Public Comments

Mr. Bob Patridge of Patridge Surveying was present to represent the applicants.

Mrs. Warthman made a motion for Preliminary approval of Edgewater Estates, seconded by Mr. Shoaf. VOTE: Unanimously For, 0 Opposed. Motion carried.

Preliminary/Final (none)

CONSENT AGENDA

Final

11-03.1 Killdeer Meadows, Section 1 – Berkshire Twp. - 15 lots / 09.69 acres

Applicant: Harry and Sara Lee

Subdivision Type: Single-family Residential

Location: East side of 3 B's and K Road, 1,500' south of Cheshire Road, Berkshire Twp.

Current Land Use: Agriculture

Zoned: Planned Residential District, (PRD)

Utilities: Del-Co water and Delaware County Sanitary sewer

School District: Olentangy

Engineer: Hockaden and Associates

Staff Comments

Killdeer Meadows, Section 1, is a PRD subdivision proposal located on the east side of 3 B's and K Road approximately 1,500' south of Cheshire Road. Section 1 includes the first 800 feet of Falling Meadows Drive. This section includes 15 lots on 9.69 acres, including 4.70 acres of open space reserve.

Falling Meadows Drive is the main street through the overall development. It extends

easterly from 3 B's and K Road and generally traverses the perimeter of the subdivision and loops back toward the front where it connects to Killdeer Place. Killdeer Place extends from the subdivisions' south boundary to the north boundary. Indigo Drive is a short street extending from Falling Meadows Drive to the south boundary. The overall subdivision contains 103 lots on 82.9 acres (1.24 du/acre). The minimum lot size is 10,000 sq. ft. There are 17.28 acres set aside for common open space in 4 reserve lots, which will also be used for stormwater management (4 retention ponds). A bike path will be constructed by the developer throughout the open space.

An undeveloped portion of Harbor Pointe is to the west and I-71 crosses the eastern edge of this site (8.33-acre easement). The vacant land to the south will be an extension of Killdeer Meadows. The remaining land to the north is agriculture with large lot single family homes along 3 B's and K Road. The site is flat with drainage generally flowing east to west to a road ditch and culvert that crosses 3 B's and K.

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 **Killdeer Meadows, Section 1** to the RPC.

Commission / Public Comments

Mr. Shoaf made a motion for Final approval of Killdeer Meadows, Section 1. Mrs. Warthman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

01-98.4.A Sage Creek, Section 4, Phase A - Berkshire/Trenton Twp.'s
- 11 lots / 38.30 acres

Applicant: SJDJ Ltd., Bill Schlanger
Consultant: CPS Consulting, Mark Cameron

I. Staff Comments

This application received overall preliminary approval October 30, 2003. The applicant has requested a 30- day tabling to resolve engineering issues and obtain Health Department approval.

II. Staff Recommendation

Staff recommends *approval of the 30 day table* request for **Sage Creek, Section 4,**

Phase A to the RPC.

Commission / Public Comments

Mr. Ward made a motion for a 30-day table for Sage Creek, Section 4, Phase A. Mr. Schmidt seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

01-98.4.B Sage Creek, Section 4, Phase B - Berkshire/Trenton Twp.'s
- 09 lots / 24.09 acres

Applicant: SJDJ Ltd., Bill Schlanger
Consultant: CPS Consulting, Mark Cameron

I. Staff Comments

This application received overall preliminary approval October 30, 2003. The applicant has requested a 30- day tabling to resolve engineering issues and obtain Health Department approval.

II. Staff Recommendation

Staff recommends *approval of the 30 day table* request for **Sage Creek, Section 4, Phase B** to the RPC

Commission / Public Comments

Mr. Ward made a motion for a 30-day table for Sage Creek, Section 4, Phase B. Mr. Schmidt seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

29-98.GC Scioto Reserve Golf Course – Concord Twp. - 05 lots /
263.25 acres

Applicant: Scioto Reserve LLC
Subdivision Type: Commercial (Golf course)
Location: North & south of Home Rd, east of S. Section Line Rd & Riverside Dr, Concord Twp.
Current Land Use: Commercial golf course
Zoned: Planned Residential District (PRD)

Utilities: Del-Co water and sanitary sewer with land application, County maintenance

School District: Buckeye Valley / Olentangy

Engineer: R. D. Zande & Associates

I. Staff Comments

Scioto Reserve LLC is requesting final plat approval of the Scioto Reserve Golf Course. The plat consists of 5 lots on 263.26 acres and contains the golf course and sanitary sewer treatment plant (owned and maintained by the County). Drainage and utility easements shown on the plat have previously been recorded with other sections of Scioto Reserve. The drainage throughout the golf course is already on the County’s ditch maintenance program.

Surrounding land use includes single-family and multi-family residential in other phases of Scioto Reserve. The entire development is zoned PRD with the golf course counting toward the required open space. The golf course is designated on the plat as “permanent green space.” The overall preliminary plan for Scioto Reserve was approved in October 1998.

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

II. Staff Recommendation

Staff recommends *Final approval* of **Scioto Reserve, Golf Course** to the RPC.

Commission / Public Comments

Mr. Shoaf made a motion for Final approval of Scioto Reserve, Golf Course. Mrs. Warthman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

29-98.4.6 **Scioto Reserve, Sec. 4, Ph. 6 – Concord Twp. - 26 lots / 08.48 acres**

Applicant: Home Road LTD
Subdivision Type: Single-Family Residential
Location: North Side of Home Road, north of Hunter Lake Drive, Concord Twp.
Current Land Use: Agriculture / Wooded
Zoned: Planned Residential District (PRD)
Utilities: Del-Co water and sanitary sewer with land application, County

maintenance

School District: Buckeye Valley / Olentangy

Engineer: Jason Francis, R. D. Zande & Associates

I. Staff Comments

Scioto Reserve Section 4, Phase 6 consist of 26 lots on 8.48 acres (3.1 units/acre). It is located north of Home Road west of Scioto Chase Blvd. This phase includes the westerly extension of Glen Lakes Drive terminating in a cul-de-sac. Vista Creek Court is a short cul-de-sac south of Glen Lakes Drive. Lots are typically 9,100 s. f. and will be served by Del-Co water and central sewer with land application (owned and maintained by the County). No open space is provided in this phase. Section 4, Phase 5 is located to the east, and the golf course is located to the north, south and west. All of Scioto Reserve is zoned PRD. Conditional preliminary approval for this phase was granted in May 2001 subject to a ditch maintenance petition for all existing drainage within the golf course being filed. The County accepted the ditch maintenance petition in 2003.

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

II. Staff Recommendation

Staff recommends *Final approval* of **Scioto Reserve, Sec. 4, Phase 6** to the RPC.

Commission / Public Comments

Mr. Shoaf made a motion for Final approval of Scioto Reserve, Section 4, Phase 6. Mrs. Warthman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

29-98.4.12 **Scioto Reserve, Sec. 4, Ph. 12 – Concord Twp. - 51 lots / 21.08 acres**

Applicant: Home Road LTD
Subdivision Type: Single-Family Residential
Location: North Side of Home Road, north of Hunter Lake Drive, Concord Twp.
Current Land Use: Agriculture / Wooded
Zoned: Planned Residential District (PRD)
Utilities: Del-Co water and sanitary sewer with land application, County maintenance
School District: Buckeye Valley / Olentangy

Engineer: Jason Francis, R. D. Zande & Associates

I. Staff Comments

Scioto Reserve Section 4, Phase 6 consist of 26 lots on 8.48 acres (3.1 units/acre). It is located north of Home Road west of Scioto Chase Blvd. This phase includes the westerly extension of Glen Lakes Drive terminating in a cul-de-sac. Vista Creek Court is a short cul-de-sac south of Glen Lakes Drive. Lots are typically 9,100 s. f. and will be served by Del-Co water and central sewer with land application (owned and maintained by the County). No open space is provided in this phase. Section 4, Phase 5 is located to the east, and the golf course is located to the north, south and west. All of Scioto Reserve is zoned PRD. Conditional preliminary approval for this phase was granted in May 2001 subject to a ditch maintenance petition for all existing drainage within the golf course being filed. The County accepted the ditch maintenance petition in 2003.

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

II. Staff Recommendation

Staff recommends *Final approval* of **Scioto Reserve, Sec. 4, Phase 12** to the RPC.

Commission / Public Comments

Mr. Shoaf made a motion for Final approval of Scioto Reserve, Section 4, Phase 12. Mrs. Warthman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

24-03 **Davis Acres – Kingston Twp. - 02 lots / 06.75 acres**

Applicant: Brian Davis
Subdivision Type: Single-family residential on a Common Access Drive
Location: State Route 61, approximately 1500' north of Monkey Hollow Road
Current Land Use: Wooded, single-family home (log cabin)
Zoned: Farm Residential (FR-1)
Utilities: Del.Co. Water and on-site septic
School District: Big Walnut
Engineer: Bischoff Miller & Assoc.
Soils: CaC2: Cardington Silt Loam (6 to 12% slopes)
 PwA: Pewamo Silty Clay Loam (0 to 1% slopes)

I. Staff Comments

The applicant is requesting to plat a CAD along an existing driveway in order to create an additional lot to the rear of an existing house. A swale crosses the property between the existing structure and the proposed house. The plan indicates a larger turnaround requested by the Porter/Kingston Fire District.

Surrounding land uses include large lot single-family residential north, east and west of the site with 1-acre frontage lots to the south.

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

II. Staff Recommendation

Staff recommends *Final approval* of **Davis Acres** to the RPC.

Commission / Public Comments

Mr. Shoaf made a motion for Final approval of Davis Acres. Mrs. Warthman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

63-92.13 **The Shores, Section 13 – Orange Twp. - 20 lots / 10.74 acres**

Applicant: Wade Dunham, Evergreen Land Company
Consultant: ME Companies

I. Staff Comments

Due to unavoidable delays in construction, the applicant has requested a 30-day tabling for The Shores, Section 13.

II. Staff Recommendation

Staff recommends approval of the 30-day tabling of The Shores, Section 13 to the RPC.

Commission / Public Comments

Mr. Ward made a motion for a 30-day table for The Shores, Section 13. Mr. Schmidt seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

VI. EXTENSIONS *(none)*

VII. OTHER BUSINESS

- **Consideration of approval: \$4,000 for purchase of a plotter**

Mr. Spanner made a motion to approve the plotter purchase, seconded by Mr. Schmidt. VOTE: Unanimously For, 0 Opposed. Motion carried.

VIII. POLICY / EDUCATION DISCUSSION *(none)*

IX. RPC STAFF AND MEMBER NEWS

- Da-Wei Liou – GIS Analyst / Manager has received GIS Professional certification from the GIS Certification Institute.

Mrs. Warthman made a motion to adjourn the meeting, Mr. Shoaf seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

Meeting adjourned at 11:30 p.m.

The next meeting of the Delaware County Regional Planning Commission will be Thursday, June 24, 2004 7:00PM at the Delaware Hayes Services Building, 140 N. Sandusky Street, Conference Room G-35, Delaware, Ohio 43015.