



**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, June 24, 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 May 27, 2004 RPC Minutes
- Executive Committee Minutes of June 16, 2004
- Statement of Policy

**II. VARIANCES (none)**

**III. PUBLIC CONSTRUCTION PROJECTS (none)**

**IV. ZONING MAP/TEXT AMENDMENTS**

- 36-04 ZON T&R Properties – Troy Twp. – Comprehensive Plan amendment
- 32-04 ZON Ralph Haegele Trust – Harlem Twp. – 4.005 acres from A-1 to FR-1
- 33-04 ZON M/I Homes of Central Ohio–Berkshire Twp– 60 acres from A-1 to PRD
- 34-04 ZON Sherwood Hills – Scioto Twp. – 327.8 acres from FR-1 to PRD
- 35-04 ZON Edwards Land Co. – Genoa Twp. – 12.46 acres from RR to PD-1

**V. SUBDIVISION PROJECTS**

<u>Preliminary</u>		Township	Lots/Acres
18-04	Olentangy Falls (reconsideration)	Liberty	132 lots / 211.50 acres
25-03	Loch Lomond Estates	Liberty	08 lots / 12.01 acres
19-04	McCammon Estates	Orange	175 lots / 100 acres

**Preliminary/Final (none)**

**Final**

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
10-04	T	Tarragon Estates	Berkshire	05 lots / 10.26 acres
21-03		Woodland Glen, Section 2	Liberty	31 lots / 37.82 acres
27-02.A/B	T	Wedgewood Park, Sec.2, Ph. A & B	Liberty	69 lots / 79.76 acres
63-92.13		The Shores, Section 13	Orange	20 lots / 10.74 acres
20-04		Resubd/Lot#1147 of Orangepoint #2	Orange	02 lots / 04.94 acres

**T=TABLED, W=WITHDRAWN**

**VI. EXTENSIONS (none)**

**VII. OTHER BUSINESS**

- Consideration of transfer of appropriation

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

**IX. RPC STAFF AND MEMBER NEWS**

- Scott Sanders (and wife Sarah) welcomed a new baby girl on June 9, 2004
- Paul Deel has been promoted to Planner III

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**I. ADMINISTRATIVE BUSINESS**

▪ **Call to Order**

Chairwoman Foust called the meeting to order at 7:00 p.m.

▪ **Roll Call**

*Representatives present:* Paul Snajd, John Schmidt, Robert Hedrick, Fred Fowler, Jim Ward, Steve Burke, Gary Gunderman, Tom Hopper, Matt Wyscarver, Dave Lavallo, Holly Foust, Charles Heimlich, Dick Gladman, Marvin Miller, Lloyd Shoaf, Bonnie Newland and Mike Dattilo. *Alternates present:* Scott Pike, Charles Sheets, and Doug Price. Arrived after roll call: Gary Spanner (R), Kris Jordan (R), and Bill Berry (R). *Staff present:* Phil Laurien, Paul Deel, Joe Clase, Da-Wei Liou, Bob Sochor and Stephanie Matlack.

▪ **Approval of the May 27, 2004 RPC Minutes**

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

▪ **June 16, 2004 Executive Committee Minutes**

**1. Call to order**

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

**2. Approval of Executive Committee Minutes**

- a. **May 19, 2004 – Mrs. Warthman made a motion to approve the Executive Committee minutes from May. Mr. Gladman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.**

**3. Old Business**

**a. Contract Updates**

- 1.) Brown, Concord and Harlem Twp.'s – Attorney Don Brosius has finished his review on the contracts and had forwarded comments onto County Prosecutor Chris Betts.
- 2.) Jim Argo – Licking County Commissioner candidate met with Mr. Laurien to discuss our planning practices.
- 3.) Aetna Twp., Licking County - possible future Associate Membership
- 4.) Scioto Twp., Pickaway County – Trustees may wish to join as Associate Members for future assistance. No commitment yet.

**4. New Business**

**a. Financial / Activity Reports for May 2004**

The financial reports for May were presented.

REGIONAL PLANNING RECEIPTS		MAY	YTD TOTAL
General Fees (Lot Split)	(4201)	\$1,110.00	\$4,830.00
Fees A (Site Review)	(4202)	\$200.00	\$1,600.00
Insp. Fees (Lot Line Transfer)	(4203)	\$80.00	\$440.00
Membership Fees	(4204)		\$152,751.90
Planning Surcharge (Twp. Plan. Assist.)	(4205)	\$4,126.19	\$37,775.06
Associate Membership Fees	(4206)		\$1,500.00
Charges for Serv. A (Prel. Appl.)	(4230)	\$28,355.00	\$68,681.03
Charges for Serv. B (Final. Appl.)	(4231)	\$27,803.29	\$47,674.48
Charges for Serv. C (Ext. Fee)	(4232)		\$800.00
Charges for Serv. D (Table Fee)	(4233)		\$1,000.00
Charges for Serv. E (Appeal/Var.)	(4234)		\$600.00
General Sales	(4220)	\$258.28	\$3,042.05
<b>OTHER DEPT. RECEIPTS</b>			
Health Dept. Fees	(4242)	\$2,440.00	\$5,070.00
Soil & Water Fees	(4243)	\$707.00	\$3,094.00
<b>MISCELLANEOUS REVENUE</b>			
Other Reimbursements	(4720)		\$40.00
Other Reimbursements A	(4721)	\$10.78	\$32.11
Other Misc. Revenue (GIS maps)	(4730)	\$181.14	\$1,286.57
Other Reimbursements B	(8092)		
Canceled Warrants	(8099)		
Interfund Revenues	(8701)		
<b>TOTAL RECEIPTS</b>		<b>\$65,271.68</b>	<b>\$330,217.20</b>

<b>Balance after receipts</b>	<b>\$313,759.38</b>
<b>Expenditures</b>	<b>- \$ 52,430.91</b>
<b>End of May balance</b>	<b>\$261,328.47</b>

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

- b. June RPC Preliminary Agenda** – includes 5 rezoning/text amendments, 2 preliminary and 7 final. Mr. Laurien asked Mrs. Foust if Loch Lomond Estates should be on the agenda. It had 2 previous tablings. Mrs. Foust stated that the zoning for this development was approved about 25 years ago, but it has not completed its administrative review for the development plan. This would not be completed by the RPC meeting, as the hearing has not been scheduled.

According to Steve Burke of the Health Dept., Sage Creek Section 4, Phases A & B has received a letter from the OEPA stating that this phase must connect to a sanitary sewer system and not utilize an on-site sewage treatment system. Therefore, the Board of Health is recommending that the developer connect to county sewer.

**5. Other Business**

- a. Consideration of approval of a transfer of appropriation from Services & Charges to Capital Outlays for plotter purchase** – this expenditure was approved at the May RPC meeting. *Mrs. Warthman made a motion to recommend approval of a transfer of appropriation from Services and Charges of \$5500.00 to Capital Outlays in order to pay for the new plotter. Mr. Gladman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

**6. Personnel**

- a. Scott Sanders, Planner II and his wife welcomed a healthy baby girl on June 9, 2004.
- b. Paul Deel was promoted to Planner III.

**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 9:30 a.m.

The next regular Executive Committee meeting will be Wednesday, July 21, 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**

**36-04 ZON T&R Properties – Troy Twp. – Comprehensive Plan amendment**

**Applicant:** T & R Properties

**Requests:** Map Amendments to the Troy Township Comprehensive Plan

**I. General**

Troy Township adopted a Comprehensive Plan in 2002. At the time, no county sanitary sewer service was anticipated along the US 23 corridor north of the city of Delaware. In 2004 the County prepared a Sewer Master Plan Preliminary Report that identified this corridor as a proposed future sewer service area, with service being development-driven. The township agreed to increase densities along the US 23 corridor (see 2004 Delaware County Sewer Master Plan Preliminary Report Map 6C) to make sewer cost feasible. These proposed sewer densities were .75 units per acre north of Coover Road and south of Penry Road, and 1.25 units per acre south of Coover Road and north of Hills Miller Road.

Applicant T and R Properties now proposes to construct a new sewage treatment plant on its land on the east side of US 23 south of Coover Road, and to give the

plant to the Delaware County Commissioners for permanent ownership and maintenance. They would also build a portion of Alternatate Y, a proposed new east-west major arterial road shown on the County Thoroughfare Plan.

Ron Sabatino, managing partner of both T and R Properties and Shapter Inc is asking Troy Township to amend its Comprehensive Plan by increasing densities on his lands in return for his constructing these new public improvements. Mr. Sabatino argues that there is a threshold density of housing that he must achieve on his own lands in order to pay for these privately-funded public infrastructure costs. He has, however, offered no cost estimates or threshold densities to date to determine his financial “critical mass”. He may offer such financial data to the township.

If the township determines through discussions with the applicant that, in order to make the centralized sewer and spine roads cost feasible, the threshold density for the applicant’s lands would be greater than the densities shown on the sewer master plan and recommended herein by the DCRPC, they may, at their sole discretion, accordingly increase residential densities to whatever they believe is fair without unduly enriching the applicant or adversely affecting the surrounding character of the neighborhood.

**I. Request**

The applicant is requesting comprehensive plan changes on behalf of the Shapter and Isler lands as depicted on Map 2 of the applicant’s exhibit. These proposed changes would do the following:

- 1.) **T and R Request #1:** Extend commercial from 700 feet parallel to and west of US 23 to 1100 feet parallel and west of US 23 as depicted on Map 2 in the applicant’s exhibit.

**DCRPC Staff Recommendation:** *Extend the commercial pattern on the Comprehensive Plan map from 700 feet west of US 23 ROW to 1100 feet west of US 23 and north of the proposed east- west spine road, which is approximately 900 feet south of Coover Road. South of the proposed spine road, extend planned commercial to the westerly lot line of the four parcels west of US 23 and south of Coover Road as follows:*

- a.) PIN 519 2000 2001 000, Shapter LTD Partners, 8.03 ac;
- b.) PIN 519 2000 2001 001 Delaware Blue LLC 16.93 ac;
- c.) PIN 519 2000 2001 002 Delaware Red LLC 8.03 ac
- d.) PIN 519 2000 2001 003 Retpahs LLC 10.325 ac

- 2.) **T and R Request #2:** Extend commercial from 300 feet parallel to and east of US 23 to the Olentangy River as depicted on Map 2 in the applicant's exhibit.

**DCRPC Staff Recommendation:** Agree, but retain the area shown as a future park or conservation area along the river in the green hatch pattern to reflect a desire for such open space use, hopefully as part of the future commercial development requested here. Also extend commercial from US 23 east to the river for other parcels as shown on the Delaware County Sewer Master Plan.

**Extend Commercial from US 23 east to the river ; parcels affected south of Coover Road:**

- a.) PIN 519 1000 310 1003 Delaware Red LLC
- b.) PIN 519 1000 310 1002 Retpahs LLC
- c.) PIN 519 1000 310 4000 Roseanne Ullman
- d.) PIN 519 1000 310 1001 Delaware Blue LLC
- e.) PIN 519 1000 310 1000 Shapter LTD Partners

**Extend Commercial from US 23 east to the river; parcels affected north of Coover Road:**

- f.) PIN 519 1000 300 7000 Ralph Howard
- g.) PIN 519 1000 300 8000 Ralph Howard
- h.) PIN 519 1000 300 6000 Ralph Howard
- i.) PIN 519 1000 300 4000 Frank Taylor
- j.) PIN 519 1000 300 3000 James Ward
- k.) PIN 519 1000 300 2000 Douglas Smart
- l.) PIN 519 1000 300 1000 Douglas Smart
- m.) PIN 519 1000 401 1000 Cordell Hall
- n.) PIN 519 1000 401 2000 R and P Gillette

- 3.) **T and R Request #3 :** Increase residential densities from one unit per two acres to 4.5 units per acre west of the proposed commercial on the west side of US 23 for the Shapter et al properties as depicted on Map 2 in the applicant's exhibit.

**DCRPC Staff Recommendation:** Staff recommends increasing the densities on the Township Comprehensive Plan for all lands from Hills Miller Road on the south to Penry Road on the North, and from US 23 on the east to Troy Road on the west to conform to the densities on Map 6C from the 2004 Delaware County Sewer Master Plan Preliminary Report. In this case the new density would be a maximum of 1.25 units per acre with centralized sanitary sewer.

- 4.) **T and R Request #4:** Increase densities from one unit per two acres to 2.5 units per gross acre on the Isler property north of Coover road and west of US 23 as depicted on Map 2 in the applicant's exhibit.

**DCRPC Staff Recommendation:** Staff recommends increasing the densities on the Township Comprehensive Plan for all lands north of Coover Road, west of US 23, east of Troy Road and south of Penry Road to conform to the densities on Map 6C from the 2004 Delaware County Sewer Master Plan Preliminary Report. In this case the new density would be a maximum of .75 units per acre with centralized sewer.

**Commission / Public Comment**

Mr. David Hart, planning consultant representing T & R Properties was present. The staff report on the commercial development is substantially consistent with the request to the township. The applicant will continue to work with the township to determine a reasonable density for that property. They will work with the township to prepare the documentation requested by the staff to justify reasonable densities.

Mr. Gunderman asked if there are any parallel roads planned for this development. Mr. Laurien stated the suggested backage roads are on the proposal but are schematic. Some sort of parallel access road was anticipated and is still there.

Mr. Gunderman asked if the retail use would be big box retail development. Mr. Laurien stated that in all likelihood it would be a mixture of retail and multi-family. The multi-family would be capped at 4units/acre. The DCRPC have been asked to draft a new Planned Commercial code for the township that lists the uses by the North American Industrial Classification System, so they have a very specific list of uses. It would allow multi-family but at the condominium density of about 4 du/ac. Mr. Hart said that the retail would be a mixture of the standard suburban retail but have also talked with the township about a small village type of retail. A senior citizen complex has been contemplated on the east side of US 23. Mr. Gunderman questioned whether the area would be better served to keep the retail on one side of the road and multi-family on the other. Mr. Laurien said the reason there is retail potentially on both sides is that they have not determined what the mix is going to be.

Chairwoman Foust asked Mr. Laurien to explain the reason for having commercial all the way to the river with a park overlay district. Mr. Laurien stated that there has to be some underlying use that you can use it for. If we simply say "park is the only use", it's not a viable economic use. If we say you have to use it as a park, we didn't give them a viable economic use. What we prefer to do is recommend commercial and hope we can get open space as part

of the development plan. We (Township) want the opportunity to negotiate that.

Mr. Price stated that they would like to work with the applicant to amend the zoning and not necessarily amend the comprehensive plan. They don't want to start a domino effect. Mr. Laurien explained that the Troy Twp. Zoning code planned district requires that it conforms to the comprehensive plan, so the comprehensive plan must be amended.

**Mr. Miller made a motion to recommend conditional approval of the amendment to the Comprehensive Plan as requested by T & R properties, subject to staff comments. Mr. Gladman seconded the motion. VOTE: Majority For, 1 Opposed (Mr. Gunderman), 2 Abstained (Mr. Ward and Mr. Jordan). Motion carried.**

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**32-04 ZON      Ralph Haegele Trust – Harlem Twp. – 4.305 acres from AR-1 to FR-1**

**I. Request**

The applicant, Ralph Haegele, is requesting a 4.305-acre rezoning from AR-1 to FR-1. Rezoning this parcel will theoretically allow the applicant to subdivide the 4.305 acres to create two 2-acre frontage lots.

**II. Conditions**

- Location:** Northside of Robins Rd, about ½ mile west of Green-Cook Rd, Harlem Twp
- 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:** Swale along northern boundary
- Surrounding land uses:** Scattered single-family residences and agricultural land
- Soils:**
  - BeA: Bennington Silt Loam (0 to 2% slopes)
  - BeB: Bennington Silt Loam (2 to 4% 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 appropriate for on-site septic treatment. As a result, there is no guarantee that two (2) acre lots can be subdivided.

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 Robins Road surrounded by woods and agricultural fields. The typical residential lot size in this area of the township is between 1 and 5 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 Ralph M. Haegele to the DCRPC, the Harlem Township Zoning Commission and the Harlem Township Trustees.

**Commission / Public Comment**

No one was present to represent the applicant.

**Mr. Gladman made a motion to recommend approval of the zoning request by Mr. Haegele. Mr. Miller seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.**

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**33-04 ZON      M/I Homes of Central Ohio – Berkshire Twp. – 60 acres from A-1 to PRD**

**I. Request**

The applicant, M/I Homes, is requesting a rezoning for 60.2 acres from A-1 to PRD. The submitted development plan includes 66 lots with 20.1 acres (33%) of open space reserves. The overall proposed density for this development is 1.1 dwellings per acre. The average proposed lot size is ½ acre.

**II. Conditions**

- Location:** Northeast corner of Plumb Rd. and 3Bs & K Rd., Berkshire Twp.
- Present Zoning:** Agricultural (A-1)
- Proposed Zoning:** Planned Residential District (PRD)
- Present Use(s):** Agricultural / Wooded

**Proposed Use(s):** Single-family Residential (includes a CAD)  
**Existing Density:** 1 du / 5 acres  
**Proposed Density:** 1.1 du / acre  
**School District:** Big Walnut Local School District  
**Utilities Available:** Del-Co Water and County Sewer  
**Critical Resources:** Streams/Ravines cross the site, Centralized Pond  
**Surrounding land uses:** Single-family residences (1 to 5 acres), undeveloped institutional tract to the east, and an agricultural field to the north.  
**Soils:** AmD2: Amanda Silt Loam (12 to 18% slopes) eroded  
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) eroded  
PwA: Pewamo Silty Clay Loam (0 to 1% slopes)  
SnA: Sloan Silt Loam, till substratum (0 to 2% slopes) occasionally flooded

### III. Issues

- 1) The Common Access Driveway (CAD) along lots 59, 60 and 61 is not necessary and should be eliminated. This development can be redesigned to allow frontage for these lots on a public street.
- 2) If the existing pond on this property will be handling any storm-water run-off, it should be placed entirely within the open space reserve with a perimeter easement for maintenance.
- 3) Reserves “C”, “D”, and “F” should connect to allow linkage of open space reserves for maintenance and recreation.

### IV. Conformance with Design Standards

The submitted plan may not conform to the following development standards listed in the Berkshire Township Zoning Resolution:

- 1) **Article XI, Section 11.08 (3): Perimeter PRD Setback:** “50 feet from property lines.”  
  
**A 50-foot building setback should also be provided on the rear portion of Lot 16 and Lots 59 through 66.**
- 2) **Article XI, Section 11.08 (11): Minimum Front Yard Setback:** “Houses, 40’ from the street right of way, or as approved per plan. Front load garages shall setback at least 50 feet from the street right of way.”

**Front yard setbacks are not shown on Lot 24. Also, a note should be added to the plan indicating the difference between these two building setbacks.**

- 3) **Article XI, Section 11.08 (17): Streets:** “Street layouts should be looped or grid to create an interconnected road network. Dead end streets should be avoided, except where severe topography or other physical conditions prevents connection.”

**This development plan indicates that full access to this development will be taken off an entrance on Plumb Road, with a street stub to the north for future access to adjacent undeveloped lands. A street connection should also be made with South 3B’s & K Road to allow a secondary access to this development, for the purpose of creating an interconnected road network. Staff does support the use of a cul-de-sac in the southeastern portion of this development, due to surrounding topography.**

### V. Conformance with the 2001 Berkshire Township Comprehensive Plan

The Comprehensive Plan recommends residential development at a density of 1 dwelling unit per 2 acres for this area of the Township. Properties north of Dustin Road are recommended for densities of 1.25 dwelling units per acre if served by centralized sewer. Approval of the submitted development plan at the density proposed would require an amendment to the 2001 Berkshire Township Comprehensive Plan.

### VI. Criteria for Approval

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

**Staff Finding:** Yes, except for density.

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

**Staff Finding:** No. This plan indicates 36 lots more than are recommended for this property in the 2001 Berkshire Township Comprehensive Plan. This criteria could only be acceptable if the plan were amended to allow densities of 1.25 dwelling units per acre with centralized sewer.

- 3) That the proposed development promotes the health, safety, and general welfare of the township and the immediate vicinity.

**Staff Finding:** No. The proposed density does not fit the character of the area. If the township wishes to approve such density they should concurrently propose an amendment to the comprehensive plan and notify abutting landowners on Plumb Road and 3 B's & K Road.

- 4) That the proposed plan meets all of the design features required in the Zoning Resolution.

**Staff Finding:** No, but the three (3) items listed above may be addressed prior to the township hearing.

- 5) That the proposed development is in keeping with the existing land use character and physical development potential of the area.

**Staff Finding:** No. The proposed residential development would fit the character of this area, but not at the proposed densities.

- 6) That the proposed development will be compatible in appearance with surrounding land uses.

**Staff Finding:** No. If the density of this development were to be modified to one (1) dwelling unit per two (2) acres, it would better fit the appearance of the surrounding area.

- 7) That the development promotes greater efficiency in providing public utility services and encouraging innovation in the planning and building of all types of development.

**Staff Finding:** Yes.

## **VII. Staff Recommendations**

Staff recommends *denial* of this rezoning case from A-1 to PRD for M/I Homes of Central Ohio to the DCRPC, the Berkshire Township Zoning Commission and the Berkshire Township Trustees, due to non-compliance with the Berkshire Township Comprehensive Plan's recommended density of one (1) dwelling unit per two (2) acres.

If the township does wish to amend its comprehensive plan, staff would

recommend a conditional approval subject to resolution of those issues listed in Sections IV and V of this report.

Also, it should be noted that the applicant is applying for preliminary zoning approval. A final zoning application would have to be submitted, if this preliminary application were approved.

### **Commission / Public Comment**

Mr. Jack Reynolds, attorney with Smith & Hale was present to represent the applicant. He stated they would make the adjustments as noted in "Issues. 1.) – 3.)". The Comprehensive Plan was approved in 2001 and he doesn't think that at that time sewer was thought to become available. Through some developments out to this area, centralized sewer will be available. There are accommodations that can be made for properties in the PRD district and that can be serviced by centralized sewer. The applicant is asking for those accommodations.

Mr. Gunderman asked if staff is making the recommendation for the Township to amend the comprehensive plan? Mr. Laurien said that when the Comp. Plan was completed it was not anticipated that sewer would come within the 5-10 year window that the plan was expecting to cover. During the Comp. Plan discussions, there was a very vocal group of residents on Dustin Road that did not want this type of density (1.25 units / ac.) here. Staff is saying that if the Township wants to maintain that density, it's their right. But there is a major change in that area and it is the availability of sewer.

***Mr. Ward made a motion to recommend denial for the rezoning request by M/I Homes based on staff comments. Mr. Shoaf seconded the motion. VOTE: Majority For, 0 Opposed, 2 Abstained (Mr. Miller and Mr. Snajd.). Motion carried.***

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**34-04 ZON                      Sherwood Hills – Scioto Twp. – 327.8 acres from FR-1 to PRD**

**Applicant:** Amity Carter, Ltd.

**Location:** East of SR 257; 259.3 acres north of SR 36, 68.5 acres south of SR 36.

### **I. Conditions**

**Present Zoning:** Farm Residence (FR-1)

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

**Present Use:** Agriculture/woods/farm residence and outbuildings.

**Proposed Uses:** PRD subdivision

- 180 single family lots, lot size range from 0.5 to 0.75 acre
- 188.5 acres of open space (57% of site).

**Existing Density:** 1 unit/2 acres in FR-1

**Proposed Density:** 0.54 unit/acre (gross density overall)

**School District:** Buckeye Valley

**Utilities Available-** None.

**Soils:** GwB – Glynwood Silt Loam 2-6 % slope  
GwC2 - Glynwood Silt Loam 6-12 % slope  
LyD2 - Lybrand Silt Loam 12-18 % slope  
LyE2 – Lybrand Silt Loam 18-25 % slope  
ScA - Scioto Silt Loam 0-2 % slope  
ScB - Scioto Silt Loam 2-6 % slope  
RoA – Ross Silt Loam 0-2 % slope  
BoA - Blount Silt Loam 0-2 % slope  
PwA - Pewamo Silty Clay Loam 0-1 % slope

## **II. Project Description**

The proposed development, called Sherwood Hills, contains 180 lots on 327.8 acres (0.54 units/acre gross density). The project site generally contains 2 distinct tracts. The north side of US 36 is comprised of 259.3 acres and is rolling with a series of ravines feeding into the Scioto River. This northern tract is where the entire residential development is proposed. The southern tract (3,400' west of SR 257, south of US 36) contains 68.5 acres and is generally flat. This tract will serve as open space and the location of a proposed sanitary sewer treatment plant to be built by the developer and allegedly dedicated to the County for ownership and maintenance. The surrounding land use is predominately agriculture with some large lot single family residences along US 36 and SR 257. The Scioto River runs along the east side of the site.

Sherwood Hills uses Robin Hood Lane as access from US 36. A second access is provided from SR 257. The design includes a series of loop streets and cul-de-sacs that attempt to minimize the impact on the ravines. Three Common Access Driveways (CAD) are proposed in areas with steeper topography. A private drive serving 10 lots is proposed in the northwest corner of the site. This drive will be required to be built to public street standards since it serves too many lots to be considered a CAD. The majority of the lots flank open space with many backing up to a ravine for potential walkout basements. Some of the lots are questionable and may be eliminated due to steep topography. Some lots are affected by the 100-year floodplain/floodway and should be reconfigured.

## **III. Conformance with Local Comprehensive Plans**

Scioto Township does not currently have a Comprehensive Plan. The Township is working with DCRPC to develop a plan. Township residents have indicated during the planning process that as the community develops they desire low density that preserves rural character and critical resources.

The County is updating its sewer master plan to determine appropriate location(s) for future sanitary treatment facilities. A survey of all Delaware County Townships resulted in specific target areas for further evaluation. Scioto Township opted out of any further consideration for a future treatment plant and subsequently increased the minimum lot size in the township from 1 acre to 2 acres. PRD densities were decreased to 1 unit/2 acres in 1999.

## **IV. Conformance with Development Standards**

- 1.) **Density and open space** – The PRD standards allow for up to 1 unit/2 acres or 163 total units for this project. Furthermore, no more than 1 unit is permitted on any single acre, which means that the minimum lot size for each individual house lot is 1 acre. This development proposes lots ranging from 0.5 to 0.75 acres. It should be noted that there are no criteria for density bonuses of 10 percent as stated by the applicant. A **reduction** of 10 percent for the required open space is allowed if certain conditions exist either on site or adjacent to the development. Open space is required at a ratio of 1 acre for every dwelling unit. The plan proposes 188.5 acres of open space or 57% of the project. Staff is concerned that the 68.5-acre tract south of US 36 is being counted toward the density and open space calculation. This tract is not adjacent to the residential component of the development and is separated by a major state highway. It is not accessible to the future residents of this subdivision. We believe that this is inappropriate and should not be part of this application. Furthermore, approximately 10 acres of the development are located on the east side of SR 257, mostly within the floodway of the Scioto River. The density does not comply with Scioto Townships PRD Code.
- 2.) **Provisions for utilities** – Centralized water and sewer are prerequisites for PRD zoning.
  - a.) **Sanitary sewer** – The developer proposes to build a sewage treatment plant on the open space reserve south of US 36 ostensibly to be dedicated to the County for ownership and maintenance. A letter provided by the Sanitary Engineer's office states only that the county would accept a plant that is constructed



to treat a minimum of 100,000 gallons per day (gpd). **This letter does not show feasibility.** The applicant needs written confirmation from the OEPA that a treatment plant at this location is feasible. Furthermore, the Sanitary Engineer's office does not know if a discharge to the Scioto River would be permitted at this location and has commented that this application is premature. It is more than 3 miles north of the proposed lower Scioto Service Area shown on the future Sewer Service Area Map 7m from the 2004 Delaware County Sewer Master Plan Preliminary Report.

- b.) **Water** – The development plan states that this development will be served by wells until such time that Del-Co water is available. Del-Co has no plans at this time to extend water service to the site. The PRD can only be applied to lands served by central water and sewer (Section 10.01 and 10.02). The “future water line extension” plan provided in the application assumed that the developer of this project would contribute funds for construction of those lines. Since central water is not available and the applicant has not committed to extending service, **this application is premature.** Additionally, the OEPA needs to review and comment on the feasibility of wells (community or individual) serving 180 houses. Since central water is not available, there should also be ponds set aside with dry hydrants to provide water for fire protection.
- c.) **Other utilities** – Service letters have been provided for electric (Consolidated Electric) and phone (Verizon).
- 3.) **Stormwater** – The application indicates that the development will comply with Delaware County regulations for stormwater management, however the plan shows no drainage structures. Off-ravine stormwater detention should be provided for this project.
- 4.) **Proposed Traffic Patterns** and their relationship to existing conditions-
  - a.) A traffic impact study has not been submitted. A letter from ODOT states that a left turn lane is required on US 36. This needs to be shown on the plan. A traffic signal warrant study for the access to US 36 is also required.
  - b.) **Arrangement of streets in regard to existing or planned streets-** Proposed streets are arranged in an attempt to minimize their impact to the ravines. Access to the site is through the extension of Robin Hood Lane from US 36 and a new street from SR 257. Two

street stubs are provided to the west boundary for future development of the adjacent tract. A connection is not provided to the north, but one is needed and would be required during the subdivision process.

- c.) The development plan text does not state whether sidewalks will be provided. The deed restrictions indicate that there will be a bikeway/walkway, but none are shown on the plan. Some type of pathway system is needed.
- 5.) **Architectural design criteria** – No renderings were provided for buildings or signs, although materials for house exterior were described.
- 6.) **Landscaping** – A landscaping plan has not been provided
- 7.) Ability of the applicant to carry forth the plan by control of the land – The applicant, Amity Carter, Ltd. owns 132.42 acres of the development. The remaining land is owned by the Robert Sherwood Trust and National City Bank. These owners need to sign the application along with Amity Carter, not its agent.
- 8.) No divergences are being requested, although several are needed.

**V. Required Findings for PRD**

- 1.) That the proposed development is consistent in all respects with the purpose, intent, and general standards of this zoning resolution.  
**DCRPC Staff Finding:** No, the proposal is premature and incomplete. Central water is not available and the proposed sanitary treatment plant has not been shown to be feasible. Many other details have been ignored. The PRD rezoning in Scioto Township is a one-step process that requires much more detail and information than a two-step process offered in other communities.
- 2.) That the proposed development is in conformity with the comprehensive plan or portion thereof as it may apply.  
**DCRPC Staff Finding:** Scioto Township does not have a Comprehensive Plan.
- 3.) That the proposed development advances the general welfare of the township and the immediate vicinity.

**DCRPC Staff Finding:** No, the development is not served by centralized water and sewer. The 68.5 acre tract south of US 36 does not relate to the rest of the development and not easily accessible to its future residents. The density and lot sizes do not conform to the requirements of the zoning resolution and are out of character from the surrounding land use pattern of large lots and agriculture.

**VI. DCRPC Staff Recommendation**

Staff recommends **denial** of the zoning change from FR-1 to PRD, for case 34-04 ZON, due to the following:

- 1) *The application is incomplete. All of the current property owners must sign the application*
- 2) *The application is premature until central water is available or a commitment from the developer to extend central water is made. The application is also premature until there is a letter from either the OEPA or the Delaware County Sanitary Engineer stating that a sewage treatment plant with a discharge to the Scioto River or a land application system is feasible at this location.*
- 3) *The proposed density is too high. The PRD allows up to 1 unit/2 acres, which would yield 163 lots or 129 lots if the 68.5 acres on the south side of US 36 were subtracted from the calculation.*
- 4) *Lot sizes are too small. The PRD requires a minimum of 1 acre.*
- 5) *Engineering feasibility has not been demonstrated with regard to drainage.*

**Commission / Public Comment**

Mr. Tony Eyerman was present to represent the applicant. He stated they presented Scioto Twp. a proposed plan several months ago. From that meeting, they took the Township's comments and prepared this plan and made this application. Earlier this week they had conversations with the Zoning Chairman and a Trustee and understood that though they are going in the right direction, rather than have so much open space they would prefer to have larger single family lots (1 acre minimum). They have been working with the OEPA and doing water quality modeling of the Scioto River right now. There is discussion between the Township, Village of Ostrander, a number of land owners and Del-Co Water on extending a 12" line from the existing treatment plant at SR 315 and Home Rd. As part of this application, a plan was included from Del-Co water to provide water to this region. Storm drainage will comply with the County Engineer standards.

Mr. Bill Berry (Scioto Twp. Zoning Official and Representative) stated that they have discussed this project and the two major concerns are density and water supply. There is a preliminary meeting scheduled for July 13<sup>th</sup>.

Chairwoman Foust asked if there would be significant changes to this plan. Mr. Eyerman stated yes. She asked if the applicant anticipated returning to the Commission for their recommendation. He stated no. They plan to work with the Township. Chairwoman Foust asked about the lack of signatures. Mr. Eyerman stated that the Sherwood Family is made up of brothers and sister that are spread out from California to Michigan. Amity Carter is the corporation of those brothers and sisters. Their legal counsel has advised him that as an agent for them, he was able to sign the application. It was based on legal advice that he signed it. Mr. Laurien asked if the Bank property is also included. Mr. Eyerman stated it was.

***Mr. Miller made a motion to recommend denial based on staff comments. Mr. Berry seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.***

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**35-04 ZON                      Edwards Land Co. – Genoa Twp. – 12.46 acres from  
RR to PD-1**

**I. Request**

This is a request to rezone from Rural Residential to PD-1 to construct 16 single-family dwellings with 3.3 acres of common open space.

**II. Location :** south side of Big Walnut Road, opposite 5739 Big Walnut Road, approximately 2200 feet west of Worthington Road.

**III. Conditions**

- Present Zoning:** Rural Residential
- Proposed Zoning:** Planned District 1
- Proposed Density:** 1.28 units/acre
- Permitted Density in PD-1:** 2.2 units / acre

**Open Space required:** 15% (common open space -1.87 ac)  
**Open Space provided:** 26.5% (common open space- 3.3 ac)  
**School District:** Olentangy  
**Utilities Available-** Del Co Water, Delaware County sanitary sewer.  
**Soils:** (CaB) Cardington Silt Loam, 2 – 6 % slope, (AmD2) Amanda 12-18% slope

**IV. Facts**

1. Adjacent Existing Land Use:  
West: Willow Bend subdivision, no connecting street  
North: Grand Oak subdivision, aligned intersection with Grandmere Boulevard  
South: Willow Bend and Highland Lakes north subdivisions, no connecting streets  
East: Greater Ohio District, Wesleyan Church
2. These 12.46 acres are an assembly of a 6 acre recorded lot and 6 acres of a second recorded lot, both owned by the Wesleyan Church.

**V. Issues**

1. Tract size- The minimum tract size for a PD-1 is 25 acres, not met by the 12.46 acres. The tract does not connect to any other PD-1, so it is not an expansion of a tract greater than 25 acres. This would require a divergence form the township, as identified under Section 524.21 (12).
2. A divergence is also requested form the 200-foot setback form Big Walnut Road for lot 1.
3. Alternatives- The Genoa Twp. Zoning resolution offers a special provision in its Suburban Residential district for tracts less than 25 acres. It offers a reduction in lot size from 20,000 to 15,000 square feet in SR. This site could also qualify because it has a significant portion in slopes greater than 12%.
4. Design Issues-
  - a.) The use of a Common Access Drive is unnecessary and should not be allowed.
  - b.) The location of the large cul de sac blocks a road connection to the east. This tract is zoned for a church, but has extra land that could redevelop. Right of way should be dedicated for a stub street connection to the east.
  - c.) A detention basin is shown in the open space in the southwest corner, and this detention basin is both on-ravine (undesirable)

and encroaches on permanent open space dedicated on the plat for Willow Bend, which is not allowed.  
d.) The common open space is not useable- steep slopes and detention basins.

5. All utilities are available to the site
6. Traffic- Turn lanes are proposed if required by the County Engineer at the Big Walnut intersection with Birkdale Court and Grandmere Dr. No traffic study is submitted.
7. Drainage- As mentioned, the SW corner drainage basin encroaches on approved open space in Willow Bend and must be relocated. It should be off-ravine.
8. Landscaping- A conceptual landscaping plan has been submitted.
9. Compatibility with existing and future probable uses-The uses proposed are compatible with the surrounding land uses.
10. Compliance with the Genoa Township Comprehensive Plan  
The current Township Comprehensive Land Use Plan Area I allows single family residential use at up to 2.2 units per acre. The request conforms to the plan.

**VI. Section 524.21 Application Procedure**

The Development Plan lacks the following information.

1. Architectural details are not provided (renderings, façade materials), but the text submitted states “50% of all front elevations shall use brick, stone, stucco, cedar, or hardi-plank [sic] materials.”

**VII. Section 524.23 - Required findings for Approval of a Planned Development**

The Final Development Plan must “support the following requirements”:

- a.) The physical character of the site shall be suitable for development in the manner proposed without hazards to persons or property, on or off the site form probability of flooding, erosion, subsidence, or slipping of the soil or other dangers, annoyances or inconveniences.

*DCRPC Staff Finding: the design puts storm water detention in a ravine, which is inappropriate, and that detention then encroaches on protected open space in the Willow Bend subdivision to the west.*

- b.) Any Exception form the zoning resolution requirements is warranted by the design and amenities incorporated in the development plan.

*DCRPC Staff Finding: No. The design creates problems as mentioned*

in item IV above.

- c.) Land surrounding the proposed development can be planned in coordination with the proposed development and that it is compatible in use.

**DCRPC Staff Finding:** *Birkdale Court should stub to the east.*

- d.) The proposed change to a planned development district is in conformance with the standards, objectives and policies of the Genoa Township Land Use Policy Statements.

**DCRPC Staff Finding:** *Yes.*

- e.) The site must have direct access to a major street without creating traffic on minor residential streets outside the district.

**DCRPC Staff Finding:** *Yes.*

- f.) Existing and proposed utility services are adequate for the proposed development.

**DCRPC Staff Finding:** *Yes.*

- g.) Each phase of the development as it is proposed to be completed contains the required parking spaces, landscape and utility areas necessary for creating and sustaining a desirable and suitable environment.

**DCRPC Finding:** *Yes, if the drainage and street design are changed.*

**VIII. DCRPC Staff Recommendation**

DCRPC staff recommends that the application for PD-1 zoning on 12.46 acres be **denied**, *due to poor design, and lack of street connections*. The staff **would** support **conditional approval** of PD-1 zoning upon submission of a new design that remedies the flaws in this design.

**Commission / Public Comment**

Mr. Charles Driscoll of Edwards Land Company was present. He stated that they also developed the Willow Bend subdivision. They are treating this as a common project even though they don't connect with streets. They are connected by a 2 mile walking path. The open space at the southern end of the project ties into the open space of Willow Bend and Highland Lakes. They have met with the County

Engineer regarding detention. The fewest trees would be disturbed by putting a smaller culvert in the ravine where the street is crossing it. The County Engineer's initial thought was that would work. The homes will be high quality homes in the \$400,000-\$700,000 price range.

Mr. Laurien asked if the walking path to the south is connected to the adjacent development. Mr. Driscoll said yes. Mr. Laurien said that if the two are connected by open space, then he thinks they have met the 25 acre test, even though the streets don't connect and don't have the same name, the intent was there. He stated that the staff would recommend conditional approval subject to submission of a new development plan correcting the design flaws.

**Mr. Gladman made a motion to recommend conditional approval of the rezoning request by Edwards Land Company, subject to staff comments. Mr. Spanner seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.**

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**I. SUBDIVISION PROJECTS**

**Preliminary**

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

\*Request for reconsideration by Liberty Twp.\*

Chairwoman Foust asked the Commission to reconsider a condition that was put on the Preliminary plan approval for Olentangy Falls at the May RPC meeting. This condition required that a full public street connection be provided onto Taggart Road. Last year at the rezoning hearing, the Regional Planning Commission supported that access being an emergency access, to become a full public access at the time when the property to the south would develop. At last months meeting the RPC voted to move that access north of where it was located and make it an immediate full public access. The developer went to Liberty Twp. for an administrative review this week and made all the changes to the development plan that were required by the County Engineer and the Regional Planning Commission. Every thing was approved

except the public street relocation and change to that access. She asked if the Commission would be willing to reconsider that aspect of the approval. Everything about this plan (minus the moved public access) meets or exceeds the Comprehensive Plan. The developer has agreed to build this emergency access at its original location at public road standards and with a gate or something to make it clear that it is for emergency access only. There are three ways (including this emergency access) into and out of this development south of Hyatts Road.

**Mr. Ward made a motion to rescind the condition to require a public access onto Taggart Road and make a motion for conditional Preliminary approval of Olentangy Falls, subject to building an emergency access built to public standards onto Taggart Road. This will remain an emergency access until land is developed to the south. Mr. Gladman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.**

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**25-03 Loch Lomond Estates – Liberty Twp. - 08 lots / 12.01 acres**

**Applicant:** Ken Manning  
**Subdivision Type:** Single-family Residential  
**Location:** Northside of Manning Parkway, about 300' west of SR 315, Liberty Twp.  
**Current Land Use:** Vacant  
**Current Zoning:** Planned Residential District (PR) w/ pending development plan approval  
**Utilities:** Del-Co Water and County Sewer  
**Critical Resources:** Ravines on north and south with a pond in the southwest corner  
**School District:** Olentangy Local School District  
**Engineer:** Karen Coffman, Scioto Land Surveying

**I. Staff Comments**

Loch Lomond Estates is a proposed eight (8) lot single-family residential development on 12.35 acres in Liberty Township. All lots in this development will take access off Loch Lomond Place (a proposed private road) that will extend north off Manning Parkway, just west of State Route 315. This private street shall be approved by the County Engineer and constructed prior to final plat approval. The plan indicates two, no-build easements, one of which protects the ravine to the north and one to the south.

Two commercial properties are located adjacent to this development along

Manning Parkway. Both of these properties will be required to take access from the private drive. The property west of the drive currently contains offices for a design firm and the property east of the drive is vacant. The first 250 feet of the private road accessing this development is within this eastern lot (Loch Lomond Park, Section 2). An access easement currently crosses this tract allowing access to this proposed development. The recording language with this easement is unclear about maintenance and access. This easement should be re-recorded with this development. However, this section of the road should not be re-platted with this development.

**A technical review was held on December 9, 2003, after which the applicant has addressed all of the required changes, except:**

- The property has not been rezoned by Liberty Township. The Zoning Commission has approved the development plan, but it is pending review by the Trustees.
- Engineering, drainage and erosion control plans have not yet been approved by the County Engineer.
- The developer has begun construction of the road prior to subdivision approval, and has not established sediment control, silt fences or protection of the creek at the bottom of the hill.

This application has been tabled for 180 days (December 18, 2003 for 90 days and on March 25, 2004 for 90 days) to resolve zoning issues.

**II. Staff Recommendation**

Staff recommends **Denial** of the preliminary plan for **Loch Lomond Estates**, to the DCRPC, based on a lack of coordination as required by Delaware County Subdivision Regulations Section 101.06, and not having all collateral approvals in sequence.

No preliminary plan approval should be granted until:

1. The final development plan is approved by the Liberty Township Trustees,
2. Unresolved issues from Technical Review are resolved,
3. A maintenance agreement is established between the homeowners association and the two adjacent commercial lots for Loch Lomond Place, and
4. Road engineering, drainage and erosion control plans are reviewed and approved by the County Engineer. Corrective silt fences and sediment basins are installed to control runoff from premature excavation already performed.

**Commission / Public Comment**

Mrs. Karen Coffman of Scioto Land Surveying was present to request conditional approval subject to Liberty Twp. giving their approval. The Zoning Commission recommended development plan approval to the Trustees. She stated that it is unusual to have final engineering approval at this stage of the process. They will have maintenance easements prior to final plat approval.

Mr. Ken Manning stated that he has been trying to work with the Township. He said that the development plan was submitted a few months ago and the Township Trustees chose to refer it to the Zoning Commission for recommendation. The development is already zoned and not before them for a zoning matter. He has discussed the project with the Chairman of the Trustees who has no problem with the development.

Chairwoman Foust stated that Mr. Manning is correct in that the Zoning Commission did give conditional approval of the development with some housekeeping changes to the text. The layout and the lot configuration were not altered.

Mr. Manning questioned the need for a maintenance agreement for a private road. Mr. Laurien stated that it is appropriate to state who is going to maintain the road at preliminary so that later it is not in question. Mr. Manning said it would be maintained by those on that road and not the collateral people. Mr. Laurien stated that there should be a reference on the plat to the recorded maintenance agreement. The RPC has a sample maintenance agreement for use.

Mr. Manning said that road engineering, drainage and erosion control plans were submitted to the County Engineer the second week of May. He said normally the County Engineer doesn't issue their approval until the RPC has given theirs. Mr. Pike said it is all a matter of scheduling. Mr. Manning said he had photographs taken on the 22<sup>nd</sup> (June) that shows the silt fence supplies on the site. It was installed on the 23<sup>rd</sup>. No construction has started. Most of what has been done is a matter of clearing and preparation. Mr. Pike said that more than one acre of ground has been disturbed, which triggers both permits from the County Engineer for storm water maintenance and from the State of Ohio. It is his understanding that neither of those permits have been issued. Mr. Manning said he had been dialoging with Brett Bergefurd, County Engineer's office for the last week. Mr. Pike said that permits are required not just discussions.

Chairwoman Foust stated that she spoke with one Twp. Trustee regarding tonight's Preliminary approval, but that discussion was based on the plan that they had in their file. They did agree that it would not be inappropriate for her to support a preliminary subdivision plat, but tonight she is looking at a new plan she did not have time to review. She could not tell if it is in compliance with the development

and conditions as approved preliminarily by the zoning commission. She stated that she is appalled at the dirt work being done out there prior to subdivision approval. She was led to believe it was a small amount of work.

**Mr. Shoaf made a motion to deny the Preliminary application for Loch Lomond Estates. Mr. Sheets seconded the motion. VOTE: Unanimously For Denial, 0 Opposed. Motion carried.**

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**19-04 McCammon Estates – Orange Twp. - 172 lots / 100 acres**

**Applicant:** M/I Homes of Central Ohio, LLC  
**Subdivision Type:** Single-family Residential  
**Location:** 3350 E. Orange Road, Orange Twp.  
**Current Land Use:** 2 Single family residences, agriculture, and vacant land  
**Zoned:** Single Family Planned Residential District, (SFPRD)  
**Utilities:** Del-Co water and County sewer  
**School District:** Olentangy  
**Engineer:** EMH&T

**I. Staff Comments**

McCammon Estates is a proposed 172-lot subdivision on 100 acres on the south side of Orange Road approximately 1 mile east of South Old State Road. The site contains 2 existing residences (to be removed), an overhead electric power line, and a series of east/west ravines feeding Alum Creek to the east. Surrounding land use is mostly PRD subdivisions including Walker Wood to the south, McCammon Chase to the north, Wilshire Estates (proposed) to the west. Also to the west is the site of a future Olentangy high school and middle school. The land to the east backs up to I-71 and is undeveloped. McCammon

Estates was rezoned to SFPRD in May 2004 (RPC # 63-03 Zon).

This development includes 172 lots on 100 acres (1.72 units / acre). It will extend Walker Wood Blvd along the west side of the subdivision to connect with Orange Road opposite Abbey Knoll Drive. A portion of the Olentangy Schools' property will be conveyed to M/I Homes to accommodate the alignment. A series of streets extend east from Walker Wood Blvd in between 4 ravines providing access to lots. Three of those streets stub to the east property line for future extension into the undeveloped tract to the east. Two additional streets extend to the west for connection to the proposed Wilshire Estates subdivision. Two CADS are proposed in areas of steep slopes to minimize disturbance. There will be 25.8 acres of open space throughout the development, most of which is intended to be unmaintained passive recreation (ravine preservation). "No-build" zones are established along the rear of many lots backing up to the ravines for additional preservation. Stormwater detention is proposed within the ravines. The developer has been working with the Soil and Water District, County Engineer, and the Army Corps of Engineers to obtain approval for detention within these ravines. All of the lots will utilize Del-Co water and County sewer.

*A technical review was held on June 15, 2004, after which the applicant has addressed all of the required changes, except:*

The preliminary plan has been slightly modified due to concerns from TRC members that several lots appeared unbuildable because of excessive cutting and/or filling. The revisions have eliminated 3 lots (Lot 11, 156, and 157) and adjusted road and lot grades to be more sensitive to the existing topography. There are still many lots that require a considerable amount of cut or fill. A grading plan must be prepared to determine feasibility of this subdivision.

**II. Staff Recommendation**

Staff recommends *Conditional Preliminary Approval* of **McCammon Estates**, subject to resolving the design and topographic concerns raised by the RPC. *The design must be revised as part of the engineering plan review.*

**Commission / Public Comment**

Mr. Jason Francis, engineer with M/I Homes was present. He stated that there is an agreement with the school board regarding the right-of-way dedication and construction. The ROW will either be dedicated to the County Commissioners or will be platted in the first phase of the subdivision. They will work with staff in the County Engineers office regarding the staff comments on design and topographic concerns.

Mr. Gladman stated that he had a letter from Drew Sanderel of EMH & T that committed to two items he raised at the Technical Review meeting: the setbacks on lots 12 and 13 and the verbiage regarding corner lots to access from the secondary street.

***Mr. Miller made a motion for Preliminary approval of McCammon Estates, subject to staff comments and including the commitments made by Mr. Sanderel in a letter dated 6-22-04. Mr. Spanner seconded the motion.***  
***VOTE: Unanimously For, 0 Opposed. Motion carried.***

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**Preliminary/Final** (none)

**CONSENT AGENDA**

**Final**

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

**Applicant:** Bill Schlanger, SJDJ Ltd.

**Consultant:** Mark Cameron, CPS Consulting

**I. Staff Comments**

This application received Preliminary approval (Phases A and B) October 30, 2003. Two table requests were granted in March and May of 2004. The applicant is requesting to use the remaining 90 days, in order to resolve sewage disposal issues.

**II. Staff Recommendation**

Staff recommends *approval* of the 90 day tabling of **Sage Creek, Section 4, Phase A** to the RPC.

**Commission / Public Comment**

Mr. Ward made a motion for a 90-day tabling of Sage Creek, Section 4, Phase A. Mr. Shoaf seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

Mr. Ward made a motion for a 30-day tabling of Tarragon Estates. Mr. Shoaf 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

21-03 Woodland Glen, Section 2- Liberty Twp. - 31 lots / 37.82 acres

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

Applicant: Woodland Glen, LLC  
Subdivision Type: Single-family Residential  
Location: East side of Liberty Rd, 2000 feet south of Home Rd, Liberty Twp.  
Current Land Use: Vacant/Agricultural  
Zoned: Farm Residential (FR-1)  
Utilities: Del.Co. Water and County Sewers  
School District: Olentangy  
Engineer: Terrain Evolution, Inc.

**I. Staff Comments**

This application received Preliminary approval (Phases A and B) October 30, 2003. Two table requests were granted in March and May of 2004. The applicant is requesting to use the remaining 90 days, in order to resolve sewage disposal issues.

**I. Staff Comments**

Woodland Glen Section 2 is an extension to the north of Woodland Glen. It is accessed from Woodland Glen by Shepherd Drive and includes two east/west streets; Dauer Court and Ness Court. An emergency access will be provided from the western end of Dauer Court to Liberty Road, since the number of lots on Dauer Court exceeds the county cul-de-sac standards. The applicant proposed to use a turf-stone surface for the emergency access. The access extends into the property to the south, with the completion and connection to Liberty Road to be built by the developer.

**II. Staff Recommendation**

Staff recommends approval of the 90 day tabling of Sage Creek, Section 4, Phase B to the RPC.

The development of this site includes a land swap with Liberty Township that has already occurred. The township gained 5.4 acres directly north of the township hall and fire station, including additional frontage on Liberty Road. The development gained 4.5 acres on the south side of Ness Court (behind the Township Hall).

**Commission / Public Comment**

Mr. Ward made a motion for a 90-day tabling of Sage Creek, Section 4, Phase B. Mr. Shoaf seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

Surrounding land uses include Stillwater Subdivision to the north, 1-2 acre road frontage lots and Powell Grace Brethren Church to the west, Bridlespur Place Subdivision to the east and Woodland Glen and Liberty Township Hall/Fire station to the south.

10-04 T Tarragon Estates – Berkshire Twp. - 05 lots / 10.26 acres

Applicant: Jason Monsul.  
Consultant: ADR & Associates

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

**I. Staff Comments**

This application received Preliminary approval April 29, 2004. The applicant is requesting a 30 day tabling, in order to resolve all outstanding issues.

**II. Staff Recommendation**

Staff recommends Final approval of Woodland Glen, Section 2 to the RPC.

**II. Staff Recommendation**

Staff recommends approval of the 30 day tabling of Tarragon Estates to the RPC.

**Commission / Public Comment**



**Commission / Public Comment**

**Mr. Miller made a motion for Final approval of Woodland Glen, Section 2. Mr. Gladman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.**

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**27-02.A/B T Wedgewood Park, Sec. 2, Ph. A & B – Liberty Twp. - 69 lots / 79.76 acres**

**Applicant:** Virginia Homes  
**Consultant:** Andrew Gardner, Bird + Bull

**I. Staff Comments**

The consultant has requested a 30-day tabling of Wedgewood Park, Section 2, Phases A & B in order to resolve right-of-way issues.

**II. Staff Recommendation**

Staff recommends *Approval* of the 30-day tabling of **Wedgewood Park, Section 2, Phases A & B** to the RPC.

**Commission / Public Comment**

**Mr. Ward made a motion for a 30-day tabling of Wedgewood Park, Section 2, Phases A & B. Mr. Shoaf seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.**

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

**Applicant:** Evergreen Land Co.  
**Subdivision Type:** Single-family Residential  
**Location:** Southern terminus of Sandhurst Dr, eastside of S. Old State Rd, Orange Twp.  
**Current Land Use:** Vacant - open fields  
**Zoned:** Single-Family Planned Residential District (SF-PRD)  
**Utilities:** Del-Co water and County Sewer  
**School District:** Olentangy S.D.  
**Project Engineer:** M-E Civil Engineering, Inc.

**I. Staff Comments**

The applicant is requesting the platting of 20 build lots along the Western

extension of Sandhurst Drive to South Old State Road. This phase is located on the eastside of South Old State Road, north of Section 4, and west of Sections 10 and 11. The overall density will be 1.91 du/acre. Section 13 contains a 0.43 acre open space easement along its southern border for onsite drainage purposes. The Shores was given overall preliminary approval on February 25, 1993. In 1994, this section was zoned SF-PRD District (#18-94 ZON).

Section 13 includes a cul-de-sac drive (Bayshore Court) that accesses off Sandhurst Drive. The applicant has installed a shared access driveway for the three lots (3766, 3767, 3768) in the northwest portion of this section that are gaining access off South Old State Road. Lot 3770 will take access off Sandhurst Drive.

The surrounding land use includes planned single-family residential developments with scattered single-family residences along South Old State Road and Lewis Center Road. The Alum Creek Reservoir is located east of Lewis Center Road with lands owned by USA.

**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 **The Shores, Section 13** to the RPC.

**Commission / Public Comment**

**Mr. Miller made a motion for Final approval of The Shores, Section 13. Mr. Gladman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.**

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**20-04 Resubdivision of Lot#1147 of Orangepoint #2 – Orange Twp. - 02 lots / 04.94 acres**

**Applicant:** Green Meadows North, LLC  
**Subdivision Type:** Industrial  
**Location:** 8542 and 8612 Owenfield Drive, Orange Twp.  
**Current Land Use:** Industrial/vacant  
**Zoned:** Planned Industrial District, (PID)  
**Utilities:** Del-Co water and public sewer  
**School District:** Olentangy  
**Engineer:** Bauer, Davidson, and Merchant, Inc.

**I. Staff Comments**

This is a subdivision of Lot 1147 in the Orangepoint No. 2 subdivision into 2 lots. It is located on the northeast corner of Orange Road and Green Meadows Drive. The original 4.939 acre lot was recorded with Orangepoint No. 2 in 1987. This plat includes a 1.385 acre lot with an existing industrial building and a 3.554 acre lot for a future industrial use. Both lots will access Green Meadows Drive and will be served by Del-Co water and public sewer.

The surrounding land use includes industrial in Orangepoint (zoned PID) to the north and west, Multi family residential in Dooley's Orchard (MFPRD) to the south. To the east is the Conrail railroad tracks with the Glen Oak single family residential subdivision (SFPRD) to the east of the tracks.

**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 the **Resubdivision of Lot#1147 of Orangepoint #2**, to the RPC.

**Commission / Public Comment**

**Mr. Miller made a motion for Final approval of the Resubdivision of Lot #1147 of Orangepoint #2. Mr. Gladman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.**

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**VI. EXTENSIONS** (*none*)

**VII. OTHER BUSINESS**

- Consideration of transfer of appropriation – Chairwoman Foust explained that the Executive Committee recommended approval of the \$5500.00 transfer of appropriation from Services and Charges to Capitol Outlays in order to pay for the approved purchase of the plotter. The plotter purchase price is \$5500.00 but will be reduced to \$4000.00 (which was approved at the May RPC meeting) after an \$800.00 rebate and receiving \$700.00 from the County Sanitary Engineer for the old plotter.

**Mr. Miller made a motion to approve the transfer of appropriation of \$5500 from services and charges to capital outlays for the purchase of the plotter. Mr. Gladman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.**

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

**IX. RPC STAFF AND MEMBER NEWS**

- Scott Sanders (and wife Sarah) welcomed a new baby girl on June 9, 2004
- Paul Deel has been promoted to Planner III

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

Meeting adjourned at 9:00 p.m.

**The next meeting of the Delaware County Regional Planning Commission will be Thursday, July 29, 2004 7:00PM at the Delaware Hayes Services Building, 140 N. Sandusky Street, Conference Room G-35, Delaware, Ohio 43015.**