



# 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 26, 2003 at 7:00 PM  
Delaware Hayes Services Building,**

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

**I. ADMINISTRATIVE BUSINESS**

- Call to order
- Roll Call
- Approval of May 29, 2003 RPC Minutes
- Executive Committee Minutes of June 18, 2003
- Statement of Policy

**II. VARIANCES** (none)

**III. ZONING MAP/TEXT AMENDMENTS**

- 32-03 ZON Martha Zarbaugh – Liberty Twp. – 10.86 acres from FR to PR
- 33-03 ZON United Dairy Farmers–Genoa Twp–PD-2–development plan amendment
- 34-03 ZON Vincent & Gina Romanelli–Genoa Twp–PD-2–development plan amendment
- 35-03 ZON KD Orange 486, Inc. – Orange Twp. – 13.403 acres – PC – development plan amendment
- 36-03 ZON Liberty Twp. Zoning Commission – text amendments

**IV. SUBDIVISION PROJECTS**

**Township      Lots/Acres**

**Preliminary**

11-03.1.A/B Killdeer Meadows, Sec.1, Ph A & B Berkshire 103 lots/ 82.90 acres

**Preliminary/Final** (none)

**Final**

34-98.18	Tartan Fields, Phase 18	Concord	14 lots / 07.11 acres
20-02	Myer's Glen	Delaware	
23-97.3.A	Eagle Trace, Section 3, Phase A	Genoa	35 lots / 13.68 acres
25-02	Netzorg	Harlem	02 lots / 11.83 acres
26-00.4.2	Orange Point Comm.Ctr, Ph. 4, Sec. 2	Orange	01 lots / 08.79 acres

**T=TABLED, W=WITHDRAWN**

**V. EXTENSIONS**

47-00.1.3 North Orange, Sec. 1, Phase 3 Orange

**VI. OTHER BUSINESS**

- Consideration for Approval of Transfer of Appropriation: \$25,288 from Contingency to Capital Outlays
- Consideration for expenditure: County Commissioners – renovation of 109 N. Sandusky St. (\$190,288)

**VII. POLICY / EDUCATION DISCUSSION**

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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:* Don Poland, John Schmidt, Robert Hedrick, Fred Fowler, Jim Ward, Steve Burke, Steve Jefferis, Gary Gunderman, Leslie Warthman, Holly Foust, Charles Heimlich, Dick Gladman, Yvonne Ball, Bill Thurston, Marvin Miller, Shawn Leininger, Lloyd Shoaf, Sandra Stults, Dennis Bell, Mike Dattilo, and Bonnie Newland. *Alternates present:* Jack Smelker, Doug Riedel. Arrived after roll call: Andrew Brenner (R). *Staff present:* Phil Laurien, Paul Deel, Scott Sanders, Joe Clase, Bob Sochor, Da-Wei Liou and Stephanie Matlack.

**# Approval of the May 29, 2003 RPC Minutes**

*Mr. Ward made a motion to approve the minutes of the May 29<sup>th</sup> meeting, seconded by Mr. Gladman. VOTE: Unanimously For, 0 Opposed. Motion carried.* 09 lots / 17.42 acres

**# June 18, 2003 Executive Committee Minutes**

1. Call to order

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

**2. Approval of Executive Committee Minutes**

- a. **May 21, 2003 – Mrs. Warthman made a motion to approve the minutes of the last meeting, seconded by Mr. Burke. VOTE: Unanimously For, 0 Opposed. Motion carried.**

**3. Old Business**

- a. **Office Space** – Final cost break down was presented. All renovations are complete except for resealing the basement wall in the storage room. DCRPC final cost (minus wall sealing) \$190,288. County Commissioner final cost \$167,268. Actual totals came in almost \$34,000 under contract bids. Mrs. Matlack presented the Committee with a rendering of the building with the proposed landscaping materials, which included a walkway of shrubs, potted dwarf pines in front of the front entrance, shrubs under the north west windows, and a window box of flowers under Scott’s window. The price quote from Oakland Nursery was approximately \$1,000, which would be paid by the County Commissioners.

**4. New Business**

- a. **Financial / Activity Reports for May 2003**

**Ending balance as of 04/30/03  
 \$475,069.93**

RECEIPTS		MAY	YTD TOTAL
General Fees (Lot Split)	(4201)	\$1,750.00	\$4,725.00
Insp. Fees (Lot Line Transfer)	(4203)	\$80.00	\$500.00
Fees A (Site Review)	(4202)	\$300.00	\$1,500.00
Membership Fees	(4204)		\$146,731.00
Planning Surcharge (Twp. Plan. Assist.)	(4205)	\$4,116.05	\$15,461.05
Charges for Serv. A (Prel. Appl.)	(4230)	\$2,200.00	\$33,260.00
Charges for Serv. B (Final. Appl.)	(4231)	\$9,870.00	\$36,771.94
Charges for Serv. C (Ext. Fee)	(4232)		\$150.00
Charges for Serv. D (Table Fee)	(4233)	\$400.00	\$1,800.00
Charges for Serv. E (Appeal/Var.)	(4234)		\$600.00
General Sales	(4220)	\$1,155.58	\$3,388.74
Health Dept. Fees	(4242)	\$700.00	\$1,310.00
Soil & Water Fees	(4243)	\$478.00	\$2,319.00
Other Reimbursements	(4720)		
Other Reimbursements A	(4721)	\$7.00	\$12.33
Other Reimbursements B	(8092)		
Canceled Warrants	(8099)		
Interfund Revenues	(8701)		
<b>TOTAL RECEIPTS</b>		<b>\$21,056.63</b>	<b>\$228,529.06</b>

<b>Balance after receipts</b>	<b>\$496,126.56</b>
<b>Expenditures</b>	<b>- \$70,404.35</b>
<b>End of May balance</b>	<b>\$425,722.21</b>

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

- b. **June RPC Preliminary Agenda** – Mr. Deel presented the preliminary agenda which included 4 rezoning/text amendment requests, 1 preliminary and 5 final applications. Mr. Deel stated that three of the final applications were carried over from the May agenda.

**5. Other Business (none)**

**6. Personnel**

- a. **Personnel handbook vacation policy**- Mrs. Matlack presented the

Committee with a copy of the vacation section of the current employee handbook. The new County Auditor software has a program that monitors vacation accrual. The software is designed to deduct vacation hours when the employee reaches the set number of hours. There was discussion of amending the vacation accrual policy. Chairwoman Foust asked for a recommendation to be presented to the Committee at the next meeting.

**7. Adjourn –**

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

*Meeting adjourned at 9:30 a.m.*

*The next regular Executive Committee meeting will be Wednesday, July 23, 2003 at 8:30 a.m. at 109 North Sandusky Street, Delaware, Ohio, 43015*

**# Statement of Policy**

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

**II. VARIANCES (none)**

**III. ZONING MAP/TEXT AMENDMENTS**

**32-03 ZON Martha Zarbaugh – Liberty Twp. – 10.86 acres from FR to PR**

**Location:** East side of Steitz Rd. (between 7975 & 8059 Steitz Rd.) south of Home Rd. & north of Rutherford Rd., Liberty Twp.

**Request**

The applicant is requesting a rezoning from Farm Residential (FR-1) to Planned Residential (PR) to allow for the development of 14 single-family residential homes on 10.86 acres on Steitz Road in Liberty Township. This subdivision will be named Olentangy Meadows.

**Conditions**

**Present Zoning:** Farm Residential District (FR-1)

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

**Present Use:** Agriculture

**Proposed Uses:** Single-family residential

**Existing Density:** 1 unit / acre in FR

**Proposed Density:** 1.29 units / acre in PR

**School District:** Olentangy

**Utilities Available-** Del-Co Water; county sewer

**Soils:** BoA Blount Silt Loam (0-2 % slopes)

GwB Glynwood Silt Loam (0-1% slopes)

PwA Pewamo Silty Clay Loam (2-6% slopes)

**Description**

The minimum lot size for this development is 0.505 acres (22,000 square feet). The street in this proposal will be aligned with a proposed street on the west side of Steitz Road as part of another proposed development. This site is bordered by Golf Village, Section 7, Phase A to the north and east. Mostly agricultural fields are located to the south and west, with scattered large-lot residential along Steitz Rd.

DCRPC and other county offices conducted a site review on May 15<sup>th</sup>, 2003 for this property. The applicant has completed most of the requested changes from this review, including stubbing the proposed street to the south, adding a stormwater retention pond and aligning the entrance with a proposed street across Steitz Rd. This rezoning change to Planned Residential was part of the staff's recommendation for completion by the applicant prior to subdivision application.

**Conformance with Local Comprehensive Plans**

This application complies with the 1995 Liberty Township Comprehensive Plan's Planning Unit #6, which calls for a maximum of 1.5 residential dwelling units per acre east of Steitz Road. This application has a density of 1.29 units per acre. The proposed detached single-family homes are listed in the plan's permitted uses.

**Conformance with Development Standards**

1.) **Intensity of Use:** The proposed land use and overall density complies with zoning.

2.) **Setback Requirements:** All "dwellings shall have a setback from the right-of-way line of adjacent roads in a distance equal to the width of the right-of-way." "Dwelling(s) shall have a side yard of not less than twenty-five (25) feet on each side of the structure. For all other structures within the Planned Residential District

the side yard shall be not less than thirty-five (35) feet.” “A rear yard of not less than twenty-five (25) feet shall be maintained on all parcels within this district.” These requirements should be included in the building setback line(s) depicted on the development plan.

The applicant is requesting a divergence to reduce the corner lot setback of Lot 1 from Steitz Road from 60' to 40'. The three houses directly to the north, on the east side of Steitz Road, have setbacks approximately 140', while the house directly to the south of this property has an approximate 70' setback. The RPC Staff is concerned this divergence may be out of character relative to the surrounding development, placing the home on Lot 1 too close to Steitz Road.

3.) Landscaping: A landscape plan will need to be submitted upon application for preliminary subdivision approval.

4.) The applicant has received letters from the Delaware County Sanitary Engineer and the Del-Co Water Co. stating that the site could be appropriately served by these entities.

**Staff Findings**

The reduction of front yard setback for a corner lot (Lot 1) on Steitz Road would require a divergence. The applicant could consolidate Lots 1 and 2 to conform to the development standard. Staff suggests a possible redesign to maintain the setback but reduce the area of some of the lots. The proposed street could have a smaller turning radius before traveling south. The applicant and the township may wish to discuss with the County Engineer to lower traffic speeds and gain a possible additional lot on the east half of the site.

**VIII. DCRPC Staff Recommendation**

Staff recommends *conditional approval* of this zoning change from FR-1 to PR to the DCRPC, the Liberty Township Zoning Commission and the Liberty Township Trustees, *subject to resolution of the staff's comments on the corner lot setback.*

**Commission / Public Comments**

No one was present to represent the applicant. There was no discussion from the Commission.

***Mr. Miller made a motion to recommend conditional approval of the rezoning by Ms. Zarbaugh, subject to staff comments. Mrs. Warthman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.***

**33-03 ZON      United Dairy Farmers – Genoa Twp. – PD-2 zoning – development plan amendment**

**Location:** 7083 State Route 3

**I.            Conditions**

**Present Zoning:** Planned Commercial-Office District (PD-2)  
**Proposed Zoning:** development plan amendment  
**Present Use:** Mercantile/Retail Center with Gas Facility  
**Proposed Use:** Upgraded Gas Canopy and Addition of Automatic Car Wash  
**School District:** Westerville  
**Utilities Available:** Del Co Water, Public Sewer

**II.          Surrounding Land Use**

Directly north is the reconfigured intersection of S.R. 3 and Old 3C Highway. East is Edward Orton Ceramics. To the south is Northgate Way and several commercial structures, including a Kroger. To the west is S.R. 3 and a commercial building housing an insurance company.

**III.        General Comments**

Applicant is requesting a change in development plan to allow a relocation and expansion of its gas station canopy and for the addition of a self-service automatic carwash. The plan includes a relocated full service access to Route 3 and a new drive toward the north, which will connect to an access road that was formerly a portion of Old 3C Highway. The plan also includes a portion of the proposed township bike path, which will connect the Westerville path with the township path to the north. A bike path rest area is also sited on the plan. ODOT is favorable toward the full access curb cut along Route 3 and the new entrance to the access road to the north.

**IV.        Conformance with Development Standards**

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

1)            **Use:** The Genoa Township code lists “other small businesses” under permitted principal uses and further describes that “all businesses shall be of a

retail or service character.” While auto service stations are not specifically mentioned in this district, they do fall under the “Other Services” section of the North American Industry Classification System.

*Staff Comment: The use is appropriate for this zoning district.*

2) **Tract size:** The Planned Commercial-Office District has a 5-acre minimum lot size, which is larger than the 2.074 site. The site is a non-conforming size, which affects its ability to be expanded with more uses.

*Staff Comment: The surrounding area is commercially or industrially zoned. Although the additional pumps and car wash will increase traffic, including potential conflicts on Route 3, it is the sliver configuration that is troublesome for setbacks.*

3) **Parking:** Based on the floorspace of the retail building, the zoning text (Article VI) requires approximately 50 parking spaces without the additional car wash. The plan shows only 44 spaces, 7 of which are existing off-site spaces on the adjacent parcel to the south. Parking seems to be excessive for the actual use.

*Staff Comment: The applicant should work with Genoa Township to determine the total number of spaces needed for all uses. All spaces should be in conformance with the standards regarding setback and screening (Section 510), or a divergence should be requested for consideration.*

4) **Signs:** The applicant has not submitted a sign proposal, but the application states that the sign requirements of the township will be met.

*Staff Comment: Genoa Township does require the submission of specific sign description and renderings. Signs should preferably be monument signs with non-white backgrounds if internally lit, to reduce visual clutter and night time glare along Route 3.*

5) **Total Land Occupancy:** The zoning code specifies that all buildings shall not exceed 60% of the area of the tract. While this provision applies to buildings and not to parking and paved areas, it should be noted that the plan indicates an increase in impervious surfaces, affecting runoff and drainage.

*Staff Comment: The proposal would result in 14% building coverage and approximately 77% impervious surface.*

6) **Dimensional Yard Requirements:** The zoning code requires that

yards be designed so that no building is closer than fifty feet to any other building. Also, no building shall be located closer than one hundred feet to a street right-of-way or from a district boundary. The large existing retail structure is approximately 60 feet from the Route 3 right-of-way, and 25 feet from the district boundary. The proposed gas canopy is set back slightly further than the existing canopy, but still only 22 feet from the right-of-way and 6 feet from the district boundary. The car wash building is less than 50 feet from the right-of-way and 6 feet from the district boundary. It is also only 30 feet from the structure on the adjacent lot, not the required 50’.

*Staff Comment: These additional buildings take an existing non-compliant situation and make it worse by adding two new non-compliant structures. The canopy could be relocated, but the size should not be increased into the rear setback. The placement of the car wash does not conform to either the setback or the building separation standards. Unless the township wishes to vary its standards for this lot, the car wash cannot be constructed.*

7) **Accessory structures:** Section 505.02 requires that accessory structures be located not less than 15 feet from a rear lot line. The gas canopy appears to be approximately 6 feet from the rear lot line. The proposed car wash is also located 6 feet from the rear lot line and is located in front of the adjacent Orton Ceramics commercial building. The applicant has offered to landscape a buffer between the car wash and the neighboring building.

*Staff Comment: Providing for off-site landscaping does not relieve the applicant from proper building separation and the required setback.*

8) **Bike Trail:** As noted, a bike trail has been located along the outside edge of the property line, entering the property just north of the car wash and continuing toward the north. Genoa Township plans to extend its bike trail, eventually connecting it with a Westerville trail. However, the location has not yet been determined.

*Staff Recommendation: The applicant should continue working with the township to determine if the best location for the trail is actually through this site.*

**V. Divergences**

The applicant notes that the car wash structure does not meet the setback standard and would require a divergence. A divergence from the zoning regulation should be treated as a variance request. The applicant should have to show how the literal enforcement of the zoning regulations causes practical difficulties that prevent a viable economic use of the land.

**VI. DCRPC Staff Recommendation**

Staff recommends the request for change in development plan in the PD-2 zone to the DCRPC, the Genoa Township Zoning Commission and the Genoa Township Trustees be denied since it cannot adhere to required setbacks. However, if the township wishes to vary its development standards for setbacks then the development plan could be conditionally approved. As proposed, however, it appears to be five gallons of water in a four-gallon bucket. If the township does approve the development plan, staff would suggest:

- 1) The gasoline canopy should be relocated away from the right-of-way of Route 3 and reconfigured to meet other setback requirements.
- 2) All new and existing parking should be brought into compliance with respect to quantity, setback and landscaping.

**Commission / Public Comments**

Ms. Claire Ebers, Director of real estate for United Dairy Farmers (UDF) and Mr. John Johnston, architect for UDF were present. She stated that UDF has been at this location since November 1989. In the last 14 years there has been a significant change in what has happened at this site. An upgrade has been discussed since its purchase. She stated that after talking with Mrs. Warthman, Mr. Childres of Orton Industries and UDF principles, they are prepared to make some concessions. They are willing to eliminate the car wash and replace it with parking. They would ask the Township for a variance for the gas canopy on the east side along with a right-of-way variance.

Mr. Gary Childres, General Manager of Orton Foundation was concerned with what impact the variance of the gas canopy would have on his property for any future development. What impact will there be on traffic when the school opens? He stated that he would be happy to work with the Township on the bike trail but would prefer the trail to be moved to the east side of their property to connect to Northgate Way.

Mr. Miller asked if the Director agreed that if the Township were to approve a

variance on the UDF property that it would not effect the zoning of the Orton property. Mrs. Warthman stated that they (Orton) would have to comply with the setbacks of buildings for any new structures on their property.

Mrs. Warthman stated that the elimination of the car wash makes this application much more amenable.

Mr. Johnston (architect) stated that the canopy as originally laid out exceeds the 15' when you take the dimension from the rear property line to the basic structure of the canopy. It's about 17 1/2'. The code doesn't really give information with respect to an accessory building in terms of what are the limits or where do you define that setback. Some codes specifically say it's where the structure is, some say it's where the over hang of the canopy is. Mrs. Warthman stated that there is one section of the code that addresses architectural projections. The code only allows for 24" projections.

*Mr. Miller made a motion to recommend conditional approval of the rezoning application by United Dairy Farmers, subject to the removal of the car wash and staff comments. Mr. Ward seconded the motion. VOTE: 22 For, 1 Opposed (Mr. Smelker), 1 Abstained (Mrs. Warthman). Motion carried.*

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**34-03 ZON Vincent & Gina Romanelli – Genoa Twp. – PD-2 – development plan amendment**

**I. Location:** 7140 State Street, just north of the City of Westerville limits on S.R. 3

**II. Conditions**

**Present Zoning:** Planned Commercial-Office District (PD-2)  
**Proposed Zoning:** development plan amendment  
**Present Use:** Insurance agency and auto detail shop  
**Proposed Use:** Commercial, auto-oriented buildings (3)  
**School District:** Westerville  
**Utilities Available:** Del Co Water, Public Sewer

**III. Surrounding Land Use**

Directly north and west is Eastlawn Memory Gardens. East is S.R. 3/State Street with the UDF retail strip beyond. To the south is 925 N. State Street, an outbuilding retail center in the Meijer development. It is also in the City of

Westerville.

#### **IV. General Comments**

Applicant is requesting a change in development plan to allow for a campus of automobile service and general retail buildings. There would be three individual structures that would be leased to different tenants. The plan includes a full access on Route 3 and a proposed connection with the parking lot of the adjacent development to the south. Landscaping and lighting plans have been submitted.

#### **V. Conformance with Development Standards**

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

1) **Use:** The Genoa Township code lists “other small businesses” under permitted principal uses and further describes that “all businesses shall be of a retail or service character.” While auto service stations are not specifically mentioned in this district, they do fall under the “Other Services” section of the North American Industry Classification System.

*Staff Recommendation: The use is appropriate for this zoning district.*

2) **Tract size:** The Planned Commercial-Office District has a 5-acre minimum lot size, which is larger than the 1.47 site. The site is a non-conforming size, which affects its ability to be expanded with a more intense number of uses.

*Staff Recommendation: Adjacent tracts are commercial; this is a reasonable re-use of an existing commercial lot.*

3) **Parking:** Based on the floor space of the retail building, the zoning text (Article VI) requires approximately 66 parking spaces. This appears to be excessive. At the Eno Foundations, Zoning, Parking and Traffic standard rate of 5 spaces/1000 s.f., 41 spaces would be adequate. But since these are auto service bays, even 41 spaces is probably excessive. The plan shows 39 spaces, which should be adequate. **The applicant is requesting a divergence** in the number of spaces because the application states that autos will be inside the bays and leave after their service is completed.

*Staff Comment: The parking divergence should be granted.*

**The applicant is requesting a divergence** in the reduction of parking aisle width from 25’ to 24’, based upon the size of the property and the nature of the development as a service-related campus.

*Staff Comment: A 24’ drive aisle is OK if parking stalls are 20’ deep.*

4) **Signs:** The applicant has not submitted a sign proposal, but the application states that the sign requirements of the township will be met. The application shows two different locations for the signs.

*Staff Comment: Genoa Township does require the submission of specific sign description and renderings. Signs should preferably be monument signs with non-white backgrounds if internally lit to reduce visual clutter and night time glare along Route 3.*

5) **Dimensional Yard Requirements:** The zoning code requires that yards be designed so that no building is closer than 50’ to any other building. Also, no building shall be located closer than 100’ to a street right-of-way or from a district boundary. **The applicant is seeking divergences** from these dimensional requirements. Building separation is requested to be reduced from 50’ to 40’ and 20’. Setback from the right-of-way of Route 3 is requested to be reduced from 100’ to 50’. Rear setbacks appear to be met both for the building, parking, and the drive.

*Staff Recommendation: The size and shape of the parcel create a challenge to meeting the PD-2 zoning code. If the township wishes to redevelop the site, then the setback variances should be seen as reasonable; however, three buildings on 1.5 acres may be too much use of this site. This is a matter of local choice by the Zoning Commission. Consideration should also be given to constructing one building that would house two or three businesses instead of three separate buildings. The plan shows a 25’ parking and maneuvering setback on the south property line but places parking and driveways within the setback. If this is the building setback, it should be labeled properly.*

6) **Accessory structures:** Section 505.02 requires that accessory structures be located not less than 15 feet from a rear lot line. Genoa Township may consider structures that screen trash dumpsters as accessory structures. They appear to be located 5’ and 6’ from the side and rear line.

*Staff Comment: Continue to work with the township to determine whether the dumpsters are treated as accessory buildings. If so, they will either need a divergence, or will need to be relocated.*

7) **Access:** The plan shows one entrance on Route 3 and an access to the parking lot of the adjacent parcel to the south. Greg Channel with ODOT reports that they would prefer the entrance from Route 3 be right in/right out only

because the intersection is not signalized and the road has been upgraded to five lanes. However, Mr. Channel says that ODOT will accept a full access in/right out only. If the adjacent lot to the south allows access through its parking lot, drivers would have the option of accessing the signal at the Meijer entrance and Route 3 to travel north-bound.

*Staff Comment: The main access should be designed and built to allow all access in./ right out only. The applicant should continue to work with the adjacent property to secure and build access so that traffic can use the signalized intersection.*

**VI. DCRPC Staff Recommendation**

Staff recommends the request for change in development plan in the PD-2 zone to the DCRPC, the Genoa Township Zoning Commission and the Genoa Township Trustees be **approved**, *subject to the following staff recommendations:*

- 1) Uses should be consolidated into one or two buildings to reduce the need for variances.
- 2) Divergences for side yard setback should be granted, but the siteplan should be designed in a way that meets the 100' front setback from Route 3.
- 3) Parking and driveway areas could be redesigned in a more logical way that encourages a safer traffic pattern.

**Commission / Public Comments**

Mr. David Fisher of Kephart & Fisher, was present to represent the applicant. There are currently two easements in place for the southern access (Meijer outlot). One with the adjoining property owner of Wendel's Pub and a separate easement with Meijer under their master plan which allows all traffic coming south to go across the Wendel lot and connect in through the interior roadway and pick up the traffic light at Route 3. They are working with ODOT regarding the State Street access to move it south and align it with Northgate Way. Most of the setbacks in the area are in the 50' range. This is planned as an automotive campus. The eastern most building is proposed to be a Tuffy Muffler shop, the middle building is anticipated to be used for an auto detail shop or maybe a cellular phone store, and the western most building is under consideration to lease to Valvoline Oil Change.

Mrs. Warthman questioned whether the 75' ODOT reserve would be removed. She also stated that the Fire Chief would prefer a full loop road with full access

to the rear of the buildings.

Mr. Laurien suggested that the applicant consider reconfiguring the buildings to one building facing State Street.

***Mr. Miller made a motion to recommend conditional approval of the rezoning by Mr. & Mrs. Romanelli, subject to staff comments, seconded by Mr. Bell. VOTE: Majority For, 0 Opposed, 1 Abstained (Mrs. Warthman). Motion carried.***

**35-03 ZON                      KD Orange 486, Inc. – Orange Twp. – 13.403 acres – PC – development plan amendment**

This application is submitted by KD Orange 486, Inc. to amend an approved Planned Commercial District Development Plan for 13.403 acres in High Park Center in Orange Township.

**I. Conditions**

- Present Zoning:** Planned Commercial District (PCD)
- Proposed Zoning:** Planned Commercial District (PCD)
- Present Use:** Home Depot store, White Castle restaurant, and vacant land
- Proposed Use:** 64,000-sq. ft. of retail space and 2 restaurants
- Existing Density:** N/A
- Proposed Density:** N/A
- School District:** Olentangy
- Utilities Available:** Del Co Water, Delaware County sanitary sewer.
- Soils:** Udorthents (UdB)  
Glynwood silt loam, 2-6 % slopes (GwB)  
Blount silt loam, 0-2 % slopes (BoA)

**II. Background**



High Park Center received PCD development plan approval in 1999 (RPC # 54-98 ZON) and was platted in September of 2000. It included the northern extension of Owenfield Drive from Meijer’s with 2 large 13+ acre lots on the west side of Owenfield Drive and 6 outlots (A-F) ranging from 0.7 to 1.5 acres on the east side fronting on Owenfield and U.S. 23. Currently, there is a Home Depot store on the northern 13 acre lot and a White Castle restaurant on one of the outlots. The southern 13.403 acre lot, referred to as “Additional Anchor 2” on the original development plan, is the subject of this development plan amendment.

The original plan for “Additional Anchor 2” proposed a 130,000 sq. ft. “Big Box” retail store. The new plan proposes to split 3 outlots (G-I) fronting on Owenfield Drive leaving 9+ acres to the rear. Outlot H and I (1.068 and 2.118 acres respectively) will be used for restaurants and Outlot G (1.018 acres) will contain a 7,819 sq. ft. retail store. The remaining 9.2 acres will be used for a retail plaza with a total of 56,262 sq. ft. A stormwater detention pond is proposed to the rear of the development between the plaza and the large buffer mound. An existing stream and woods along the south boundary will be preserved in a “no build zone”. Staff questions if it is possible to shift the retail center further back (still meeting the 100’ setback) to allow a retention pond to be used as an amenity within the parking lot.

Access will be provided along the north side of the site (tying in with the Home Depot access drive) and to the south between Outlot H and I. The southern access between the restaurants should be moved to the north to align with the access road across Owenfield Drive, south of White Castle, or it should be relocated to provide at least 150’ of spacing. The internal drives should be reviewed by the Fire Department to determine if turning radii are sufficient for fire fighting apparatus. The township (or County Engineer) may require that the traffic study (completed in 1999) be updated.

Parking will be provided as follows:

	Proposed	Required	Ratio
Lot #2	276	146	4.9 / 1000 sq. ft.
Outlot G	48	25	6.14 / 1000 sq. ft.
Outlot H	67	55	½ seats + max. shift (required)
Outlot I	107	75	½ seats + max. shift (required)

The applicant is providing much more parking than is required by the Township Zoning Resolution. The Home Depot parking lot contains 523 spaces and is rarely

filled to capacity. Staff advocates shared parking between multiple users, especially if peak-parking demand is different. Perhaps the outlots could provide the minimum spaces required per zoning, with spillover being captured by the retail plaza. Reducing pavement reduces stormwater run-off. Staff also suggests that end-of-row parking islands should be landscaped. Green/landscaping strips could also be provided between parking aisles to mitigate the “sea of asphalt” shown on the development plan

**III. Compliance with Comprehensive Plans**

The 1999 Orange Township Comprehensive Plan places this property in Planning Sub Area 4 (Olentangy Valley South). The Plan recommends the extension of Owenfield Drive north from the Meijer store. Planned Office is recommended as the first choice of land use, but Planned Commercial is acceptable with appropriate transitional buffering and site planning.

**IV. Compliance with PCD standards**

The application does not include development plan text. The original development plan contained general standards with regard to the development of “Additional Anchor 2”, but more details are needed including:

- 1.) Architectural design standards were vaguely described in the original text for structures, however no renderings were submitted,
- 2.) A detailed landscaping plan is required,
- 3.) Stormwater calculations/drainage plan must be approved by the County Engineer,
- 4.) Updated traffic study may be required,
- 5.) Sign details/renderings are required,
- 6.) Service letters from Sanitary Engineer and Del-Co should be provided acknowledging the change in use and available capacity.

**V. Issues**

- 1.) The southern access between the restaurants should be moved to the north to align with the access road to the east, south of White Castle, or it should be relocated to provide at least 150’ of spacing.
- 2.) Consider reducing the number of parking spaces and allow shared parking during peak parking hours.
- 3.) Provide a development plan text.
- 4.) Consider an alternative design that shifts the retail center further back (still meeting the 100’ setback) to allow a retention pond to be used as an amenity within the parking lot.
- 5.) Additional green strips/landscaping could also be provided to break up the “sea of asphalt”.

**VI. Criteria for approval**

*“In approving an application for a Planned Commercial and Office District the reviewing authorities shall determine:”*

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

**Staff findings:** Incomplete. A development plan text must be submitted.

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

**Staff findings:** Yes. Owenfield Drive has been extended north from Meijer through this development. A large mound has been constructed along the west side of the development for buffering from the residential subdivisions to the west.

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

**Staff findings:** Yes, if the access between Outlot H and I is relocated and other issues raised by staff are addressed.

**VII. DCRPC Staff Recommendation**

Staff recommends **conditional approval** of the amended PCD development plan for 13.403 acres in the High Park Center development to the RPC, Orange Township Zoning Commission, and Orange Township Trustees, *subject to staff comments noted in IV, V, and VI above.*

**Commission / Public Comments**

Ms. Samantha Shuler, of Shuler, Plank and Brahm law offices, was present to represent the applicant. She stated that there was no text submitted because at the time of the original overall rezoning in 1999 it was submitted with that application. Now, the applicant is asking for a rezoning of just the 13 acres. All the other standards from the original application would apply. Today they submitted the text to the Township. The only two things that changed from the original zoning are in the layout. There were 105,000-sq. ft. permitted that was reduced to approximately 75,000 sq. ft. The original text did not permit restaurants. They are asking a restaurant be added as a permitted use for lot #2. She stated that she would ask the applicant about moving the ponds and would look at curving the road to align with the access road to the east.

Mr. Gunderman asked if staff was satisfied with the explanation of the text.

Mr. Deel said that most of the text was carried over.

Mr. Laurien stated that when possible, lots should share parking. In the aerial photo displayed, it looked like less than 10% of the existing Home Depot parking was being used in the middle of the business day.

**Mr. Ward made a motion to recommend conditional approval of the rezoning by KD Orange 486 Inc., subject to staff comments. Mr. Brenner seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Orange Twp.). Motion carried.**



**36-03 ZON Liberty Twp. Zoning Commission – text amendments**

**Applicant:** Liberty Township Zoning Commission

**Request:** Review and Comment on Application language of Planned Districts

**I. General**

The Liberty Township Zoning commission initiated several text revisions to their zoning resolution. No zoning map changes were made. The text changes were reviewed by Attorney Donald Brosius on behalf of Liberty Township.

**II. Contents of proposed text amendments:**

1.) Article IV Definitions: Add new definitions for Dwelling, Single Family; Permanently sited manufactured Housing; Manufactured Home; Industrialized Unit, and Mobile Home

2.) Article X- deletes Multi-Family use in the Planned Residential District.

3.) A new Article VIII Multi Family Planned Residential District (MFPRD) is created for planned multi family developments. Density is 5 units per net developable acre, with 20% open space required.

4.) Article X Planned Residential (PR)

a.) Amends the purpose section of PR.

b.) Deletes multi family housing as a permitted use.

- c.) Adds open space as a permitted use
  - d.) Amends the Prohibited Use section of PR.
  - e.) Makes centralized sewer a requirement of PR.
  - f.) Establishes 1 unit per net developable acre as the PR base density, with discretionary bonuses to boost it to 2 units per net developable acre maximum.
  - g.) Establishes a minimum 10% open space requirement in PR.
- 5.) Establishes a New Section 26.06, provides for alternates to the Zoning Commission
- 6.) Establishes a New Section 28.12, provides for alternates to the Board of Zoning Appeals

**III. Staff Findings and Recommendation**

Staff finds that the Liberty Township Zoning text amendments are appropriate and recommends **approval** to the DCRPC, Liberty Township Zoning Commission, and Trustees.

**Commission / Public Comments**

*Mr. Miller made a motion to recommend approval of the text amendments to the Liberty Twp. Zoning Resolution, seconded by Mr. Brenner. VOTE: Unanimously For, 0 Opposed. Motion carried.*

**IV. SUBDIVISION PROJECTS**

**Preliminary**

**11-03.1.A/B Killdeer Meadows, Section 1, Phases A & B – Berkshire Twp. - 103 lots / 82.90 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, Phases A & B is a proposed PRD subdivision located on the east side of 3 B’s and K Road approximately 1,500’ south of Cheshire Road. 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.

Falling Meadows Drive is the main street through the 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 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. A 20.46-acre reserve on the east side of the subdivision will be given to the Olentangy School District for a future school site. The I-71 easement along the eastern edge of the subdivision will either be given to the school with the adjacent 20-acre lot or dedicated as right-of-way on the final plat.

*A technical review was held on June 17, 2003, after which the applicant has addressed most of the required changes.*

**Staff Recommendation**

Staff recommends *Preliminary approval* of the **Killdeer Meadows, Section 1, Phases A & B**, to the RPC.

**Commission / Public Comments**

Mr. Kurt Zissler of Hockaden & Associates was present to answer questions from the Commission.

Mr. Poland said that the school officials are very interested in talking with the applicant regarding the school site area.

*Mr. Gladman made a motion for Preliminary approval of Killdeer Meadows,*

**Section 1, Phases A & B. Mr. Ward seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.**

**Preliminary/Final** (none)

**CONSENT AGENDA**

Chairwoman Foust asked if the Commission wished to remove any application from the consent agenda. Hearing none she asked for a motion.

**Mr. Gladman made a motion for Final approval of Tartan Fields, Phase 18, Myer’s Glen, Eagle Trace, Section 3, Phase A, Netzorg, and Orange Point Commerce Center, Phase 4, Section 2. Mr. Brenner seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.**

**Final**

**34-98.18 Tartan Fields, Phase 18 – Concord Twp. - 14 lots / 07.11 acres**

**Applicant:** NHG Development Group, Inc.  
**Subdivision Type:** Single-family Residential  
**Location:** East side of Concord Road, about 1,000 feet south of Harriott Road  
**Current Land Use:** Vacant land  
**Zoned:** Residential (R-2)  
**Utilities:** Del-Co water; sanitary sewer with land application, county maintenance  
**School District:** Dublin  
**Engineer:** Kevin Kershner, R.D. Zande

**Staff Comments**

This application was tabled by the RPC last month (May 2003) for 30 days. Phase 18 includes 14 lots along the southern cul-de-sac of Cape Court. Cape Court extends south from Rob Roy Drive in Phase 17. The overall Tartan Fields East of Concord Road Subdivision was given preliminary approval on December 17<sup>th</sup>, 1998 with 191 lots and an overall density of 1.67 units/acre. This is the last phase that remains to be recorded from the preliminary application.

The surrounding land uses include Tartan Fields, Phase 17 to the north and east. Dublin City School's Eli Pinney Elementary is located directly south of the site and larger lot residential houses are to the west, across Concord Road.

**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 **Tartan Fields, Phase 18** to the RPC.

**Commission / Public Comments**

**Mr. Gladman made a motion for Final approval of Tartan Fields. Mr. Brenner seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.**

**20-02 Myer’s Glen – Delaware Twp. – 09 lots, 17.42 acres**

**Applicant:** Frank L. Goode  
**Subdivision Type:** Single-family Residential  
**Location:** South side of Curve Rd. about 1/4 mile west of Berlin Station Rd.  
**Current Land Use:** Agricultural field  
**Zoned:** Farm Residential (FR-1)  
**Utilities:** Del-Co water; private septic systems  
**School District:** Delaware  
**Engineer:** Floyd Browne Associates, Inc.

**Staff Comments**

Myer’s Glen is a proposed 9-lot subdivision just east of the City of Delaware. Lots range from 1.2 to 2.5 acres in size and will access a new cul-de-sac street called Myer’s Glen Road. The first 200’ of the cul-de-sac is a former CAD serving 2 lots

in the Belt Subdivision #3. These 2 lots will not be included in the Myers Glen subdivision, but will be assigned new addresses since they both will access Myers Glen Road. All lots in Myers Glen will be required to use mound systems.

**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 **Myer’s Glen** to the RPC.

**Commission / Public Comments**

*Mr. Gladman made a motion for Final approval of Myer’s Glen. Mr. Brenner seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

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**23-97.3.A Eagle Trace, Section 3, Phase A – Genoa Twp. – 35 lots, 13.68 acres**

**Applicant:** Centex Homes  
**Subdivision Type:** Single-family Residential  
**Location:** East of Tussic Street Rd., about one mile south of Big Walnut Rd.  
**Current Land Use:** Vacant, former agriculture  
**Zoned:** Planned Residential (PD-1)  
**Utilities:** Del-Co water; county sewer systems  
**School District:** Westerville School District  
**Engineer:** Edward Miller, EMH&T, Inc.

**Staff Comments**

Eagle Trace, Section 3, Phase A, represents the final phase of Eagle Trace. It forms a connection between the two portions of Section 2 with the extension of Talon Circle, Danbridge Way and Beringer Drive. The overall Eagle Trace subdivision is 193 lots on 79.9 acres and received preliminary approval March 26, 1998.

**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 **Eagle Trace, Section 3, Phase A** to the

RPC.

**Commission / Public Comments**

*Mr. Gladman made a motion for Final approval of Eagle Trace, Section 3. Mr. Brenner seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

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**25-02 Netzorg – Harlem Twp. – 02 lots, 11.83 acres**

**Applicant:** Arlene Netzorg  
**Subdivision Type:** Single-family Residential (CAD)  
**Location:** East side of Green Cook Rd, about 1,500' north of Center Village Rd.  
**Current Land Use:** Agriculture / Wooded  
**Zoned:** Agricultural Residential District (AR-1)  
**Utilities:** Del-Co water; private septic systems  
**School District:** Big Walnut  
**Engineer:** Brad Patridge, Patridge Surveying

**Staff Comments**

Netzorg Subdivision is a 2-lot common access drive subdivision on Green Cook Road. This application received preliminary approval on October 31<sup>st</sup>, 2002. Both lots exceed 5 acres, the minimum required by the Township. Surrounding land uses include agriculture with large lot single-family residential.

**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 **Netzorg Subdivision** to the RPC.

**Commission / Public Comments**

*Mr. Gladman made a motion for Final approval Netzorg. Mr. Brenner seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

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**26-00.2.4 Orange Point Commerce Center, Ph. 4, Sec. 2 – Orange Twp. – 01 lots, 08.79 acres**

**Applicant:** Franklin Real Estate  
**Subdivision Type:** Industrial  
**Location:** South side of Orange Point Drive, east side of Commerce Court  
**Current Land Use:** Vacant  
**Zoned:** PID  
**Utilities:** Del-Co water, public sewer  
**School District:** Olentangy  
**Engineer:** John Evers, Precision Surveyors

**47-00.1.3 North Orange, Sec. 1, Phase 3 – Orange Twp. - 02 lots / 09.48 acres**

**Applicant:** Planned Communities, Inc.  
**Consultant:** Floyd Browne Associates, Inc.

**Staff Comments**

The consultant has requested a 6-month extension in order to complete construction.

**Staff Recommendation**

Staff recommends *approval of the 6-month extension* for **North Orange, Sec. 1, Phase 3** to the RPC.

**Commission / Public Comments**

*Mr. Ward made a motion for approval of the 6-month extension of North Orange, Section 1, Phase 3. Mr. Brenner seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

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**VI. OTHER BUSINESS**

- Consideration of Approval of Transfer of Appropriation: \$25,288 from Contingency to Capital Outlays  
*Mr. Miller made a motion for approval to transfer \$25,288 from contingency to capital outlays in order to pay the invoice for renovations, seconded by Mr. Brenner. VOTE: Majority For, 0 Opposed, 1 Abstained (Mr. Ward). Motion carried.*

- Consideration for expenditure: County Commissioners – renovation of 109 N. Sandusky St. (\$190,288)  
*Mr. Brenner made a motion to approve the \$190, 288 invoice to the County Commissioners for building renovations at 109 N. Sandusky Street. Mr. Poland seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Mr. Ward). Motion carried.*

- Sewer Master Plan  
Mr. Laurien explained that the Regional Planning Commission would be working with the County Sanitary Engineers office, MORPC, and Township officials on a County-wide Sewer Master Plan. There will be an informational meeting in mid July for staff to get input from elected officials. This plan would be based on zoning and comprehensive plans.

**Staff Comments**

Orange Pointe Commerce Park was rezoned in November 1990, from FR-1 to PI, (Case # 33-90ZON). The Orange Pointe Commerce Park received overall preliminary approval in November 1995 (RPC # 44-95) for 43 lots on 158.3 acres.

This preliminary was subsequently amended reducing the number of lots. This plan was then amended in February 2002 to provide the cul-de-sac (Commerce Court). Phase 2 and 3 included 7 lots on 109.9 acres, which extended Orangepoint Drive to the east to connect with Green Meadows Drive, which extends to the north. This application for final plat approval includes the continuation of Orangepoint Drive to the east with a large lot for commercial development on the south side of the new road.

Surrounding land use is commercial and light industrial to the south, a vacant field to the north (including overhead transmission lines) and west, and the Norfolk and Southern railroad tracks directly east of the site.

**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 **Orange Point Commerce Center, Phase 4, Section 2** to the RPC.

**Commission / Public Comments**

*Mr. Gladman made a motion for Final approval of Orange Point Commerce Center, Phase 4, Section 2. Mr. Brenner seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

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**V. EXTENSIONS**

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

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

Meeting adjourned at 8:45 p.m.

*The next meeting of the Delaware County Regional Planning Commission  
will be Thursday, July 31, 2003, 7:00PM at the Delaware Hayes Services  
Building, 140 N. Sandusky Street, Conference Room  
G-35, Delaware, Ohio 43015.*