



# Delaware County Regional Planning Commission

109 North Sandusky Street  
P.O. Box 8006, Delaware, Ohio 43015  
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www.dcrpc.org

Scott B. Sanders, AICP  
Executive Director

## *\*MINUTES\**

Thursday, June 28, 2012 at 7:00 PM

Frank B. Willis Building, 2079 US 23 North, Conference Room,  
Delaware, Ohio 43015

### I. ADMINISTRATIVE BUSINESS

- Call to order
- Roll Call
- Approval of April 26, 2012 and May 31, 2012 RPC Minutes
- Executive Committee Minutes of May 23, 2012 and June 20, 2012
- Statement of Policy

### II. VARIANCES

- 15-02.4.B.V Estates of Glen Oak, Section 4, Phase B – Orange Twp. – requesting additional extension  
02-12.V River Rock Farms – Liberty Twp. – requesting variance from Sec. 306.03

### III. ZONING MAP/TEXT AMENDMENTS

- 04-12.A ZON M/I Homes – Orange Twp. – 107.858 acres – FR-1 to SFPRD  
04-12.B ZON M/I Homes – Genoa Twp. – 13.016 acres from RR to PRD  
05-12 ZON Tom Sanfillipo – Orange Twp. – 5.87 acres from FR-1 to PC

### IV. SUBDIVISION PROJECTS

#### Preliminary

		Township	Lots/Acres
02-12	River Rock Farms	Liberty	08 lots / 30.8 acres
03-12	Trail's End	Liberty	92 lots / 113.4 acres
07-04.6	Olentangy Crossings, Section 6	Orange/Liberty	39 lots / 43.98 acres

#### Preliminary/Final

01-97.3	Highland Lakes North, Section 5, Part 3	Genoa	01 lot / .70 acres
47-00.3.2.B	North Orange, Section 3, Phase 2, Part B	Orange	23 lots / 10.306 acres

#### Final

05-05	The Estates at Sherman Lakes	Berlin	39 lots / 40.709 acres
09-02.7.B	Glen Oak, Section 7, Phase B	Orange	25 lots / 8.458 acres

**T=TABLED, W=WITHDRAWN**

### V. EXTENSIONS

- 15-02.4.B Estates of Glen Oak, Sec. 4, Ph. B – Orange Twp. – requesting 2-year extension

### VI. OTHER BUSINESS

- Consideration for Approval: State Audit, \$1,271.00
- Consideration for Approval: Contract for Sunbury Comprehensive Plan Update
- Executive Committee election

### VII. POLICY / EDUCATION DISCUSSION

### VIII. RPC STAFF AND MEMBER NEWS

**I. ADMINISTRATIVE BUSINESS**

▪ **Call to Order**

Chairman Burke called the meeting to order at 7:03 p.m.

▪ **Roll Call**

Representatives: Rick Sedlacek, Susan Kuba, Ric Irvine, Fred Fowler, Ken O’Brien, Steve Burke, Tiffany Jenkins, Gary Gunderman, Tom Hopper, Dave Stites, Holly Foust, Hal Clase, Tom Farahay, Bill Thurston, Charlie Callender, Bill Metzler, Bonnie Newland, and Mike Dattilo. Arrived after roll call: Joe Clase (R). Alternates: Doug Riedel. Staff: Scott Sanders and Stephanie Matlack.

▪ **Approval of the April 26, 2012 and May 31, 2012 RPC Minutes**

*Mr. Gunderman made a motion to approve the minutes from 4/26/12 and 5/31/12. Mr. Sedlacek seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

▪ **May 23, 2012 and June 20, 2012 Executive Committee Minutes**

May 23, 2012

1. **Call to order**

Chairman Burke called the meeting to order at 8:45 a.m. Present: Steve Burke, Ken O’Brien and Dave Stites. Absent: Tiffany Jenkins. Staff: Scott Sanders and Stephanie Matlack.

2. **Approval of Executive Committee Minutes from April 18, 2012**

*Mr. O’Brien made a motion to Approve the minutes as presented. Mr. Stites seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

3. **New Business**

a. Financial / Activity Reports for April 2012

REGIONAL PLANNING RECEIPTS		April	YTD TOTAL
General Fees (Lot Split)	(4201)		\$2,870.00
Fees A (Site Review)	(4202)	\$300.00	\$600.00
Insp. Fees (Lot Line Transfer)	(4203)	\$200.00	\$600.00
Membership Fees	(4204)	\$47,097.00	\$292,309.00
Planning Surcharge (Twp. Plan. Assist.)	(4205)		\$657.25
Assoc. Membership	(4206)		
General Sales	(4220)		
Charges for Serv. A (Prel. Appl.)	(4230)		\$5,357.00
Charges for Serv. B (Final. Appl.)	(4231)		\$1,400.00
Charges for Serv. C (Ext. Fee)	(4232)		\$150.00
Charges for Serv. D (Table Fee)	(4233)		\$600.00
Charges for Serv. E (Appeal/Var.)	(4234)		\$600.00
Charges for Serv. F (Planned District Zoning)	(4235)	\$300.00	\$900.00
<b>OTHER DEPT. RECEIPTS</b>			
Health Dept. Fees	(4242)	\$125.00	\$125.00
Soil & Water Fees	(4243)		\$450.00

MISCELLANEOUS REVENUE			
Other Reimbursements	(4720)		
Other Reimbursements A		\$100.00	\$100.00
Other Misc. Revenue (GIS maps)	(4730)	\$49.00	\$250.00
Misc. Non-Revenue Receipts	(4733)		
Sale of Fixed Assets	(4804)		
<b>TOTAL RECEIPTS</b>		<b>\$48,171.00</b>	<b>\$306,968.25</b>

<b>Balance after receipts</b>	<b>\$405,424.14</b>
<b>Expenditures</b>	<b>- \$ 21,865.59</b>
<b>End of April balance (carry forward)</b>	<b>\$383,558.55</b>

*After discussion of the financial reports, Mr. O'Brien made a motion to approve the financial reports as presented. Mr. Stites seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

b. May RPC Preliminary Agenda

- 1.) Site Review:
  - Shamrock and Russell site
- 2.) Rezoning:
  - M/I Homes – Orange Twp. – SFPRD
  - M/I Homes – Genoa Twp. – RR to PRD
  - Tom Sanfillipo – Orange twp. – FR-1 to PC
- 3.) Variance:
  - The Estates of Glen Oak, Sec. 4, Ph. B
  - River Rock Farms
- 4.) Preliminary:
  - River Rock Farms
  - Olentangy Crossing, Sec. 6
- 5.) Final:
  - The Estates at Sherman Lakes
  - Glen Oak, Sec. 7, Ph. B (Tabled)
- 6.) Extension:
  - The Estates Glen Oak, Section 4, Ph. B

c. Director's Report

- 1.) Financial
  - Exceeded 2012 non-dues income budget to date by \$6,390.
  - Project ending the year with \$242,100 in our account.
- 2.) Contract Work
  - Continuing work on Liberty Township Zoning Resolution – next meeting on May 29.
  - Continuing work on the County's Rural Zoning Resolution – will complete review on May 28.
  - Presented a contract to Sunbury for Comprehensive Plan update to begin in July.

- Work continues on the OEEF grant work. Our GIS data is complete and the contractor who is putting together the manual will start scheduling meetings with local governments and developers.
- 3.) Zoning Reviews
- After this month's meeting, we will have reviewed 179 acres. Last year we reviewed 235 and in 2010 it was 96. Several of this year's reviews were amendments to previous plans, but the May agenda represents 209 new lots.
- 4.) Subdivision Activity
- Including this month, we have reviewed 155 total lots, with 78 residential lots in Preliminary phase and 74 residential lots in Final phase. Last year's total was 135 and 2010 it was 158 for the whole year.
- 5.) Building Permits in Unincorporated Areas
- Building permits have been up over the previous year in the last 10 months. The average number of permits per month is 43 and last year it was 39. Commercial permits are currently at 7 and last year was 19.
- 6.) Other projects
- **ACHIEVE** – Attended an institute which brought together many wellness representatives from around the County with speakers from OSU Medical Center and other Depts. of Health covering chronic disease and how development impacts health. Also working on the website which will serve as a resource for organizations in the County.
  - **Convention and Visitors Bureau** – Continuing to serve on the board of the CVB; working on maps to use for downtown areas.
  - **DATA** – Transit Authority approached us about statistics and I offered our ability to create maps for their distribution. In early phases of discussion.
- d. Vacant Executive Committee position – Mr. Sanders explained that we were informed by Radnor Township that Mr. Shoaf was no longer their Representative and he would not be a member of the RPC or Executive Committee. A Nominating Committee will be appointed according to the By-Laws for a vote at a regular meeting.
- e. Recommendation of Approval: State Audit, \$1,271.00

***Mr. O'Brien made a motion to recommend Approval of the \$1,271.00 expenditure for the State Audit expenses. Mr. Stites seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.***

4. **Old Business** (none)
5. **Other Business** (none)
6. **Personnel** (none)

7. Adjourn

*Having no further business, Mr. Stites made a motion to adjourn the meeting at 11:15 a.m., seconded by Mr. O'Brien. VOTE: Unanimously For, 0 Opposed. Motion carried.*

*The next regular Executive Committee meeting will be Wednesday, June 20, 2012 at 8:45 a.m. at 109 North Sandusky Street, Delaware, Ohio, 43015.*

June 20, 2012

1. Call to order

Chairman Burke called the meeting to order at 8:45 a.m. Present: Steve Burke, Dave Stites, Tiffany Jenkins and Ken O'Brien. Staff: Scott Sanders and Stephanie Matlack.

Chairman Burke welcomed Mrs. Jenkins to the Executive Committee board.

2. Approval of Executive Committee Minutes from May 23, 2012

*Mr. O'Brien made a motion to approve the minutes from the last meeting, seconded by Mr. Stites. VOTE: Majority For, 0 Opposed, 1 Abstained (Mrs. Jenkins). Motion carried.*

3. New Business

a. Financial / Activity Reports for May 2012

REGIONAL PLANNING RECEIPTS		April	YTD TOTAL
General Fees (Lot Split)	(4201)	\$205.00	\$3,075.00
Fees A (Site Review)	(4202)	\$300.00	\$900.00
Insp. Fees (Lot Line Transfer)	(4203)	\$800.00	\$1,400.00
Membership Fees	(4204)		\$292,309.00
Planning Surcharge (Twp. Plan. Assist.)	(4205)		\$657.25
Assoc. Membership	(4206)		
General Sales	(4220)	\$16.20	\$16.20
Charges for Serv. A (Prel. Appl.)	(4230)	\$5,700.00	\$11,057.00
Charges for Serv. B (Final. Appl.)	(4231)	\$7,200.00	\$8,600.00
Charges for Serv. C (Ext. Fee)	(4232)	\$150.00	\$300.00
Charges for Serv. D (Table Fee)	(4233)		\$600.00
Charges for Serv. E (Appeal/Var.)	(4234)	\$600.00	\$1,200.00
Charges for Serv. F (Planned District Zoning)	(4235)	\$600.00	\$1,500.00
OTHER DEPT. RECEIPTS			
Health Dept. Fees	(4242)		\$125.00
Soil & Water Fees	(4243)	\$525.00	\$975.00
MISCELLANEOUS REVENUE			
Other Reimbursements	(4720)		
Other Reimbursements A			\$100.00
Other Misc. Revenue (GIS maps)	(4730)	\$97.00	\$347.00
Misc. Non-Revenue Receipts	(4733)		
Sale of Fixed Assets	(4804)		
<b>TOTAL RECEIPTS</b>		<b>\$16,193.20</b>	<b>\$323,161.45</b>

Balance after receipts	\$399,751.75
Expenditures	- \$ 19,216.27
End of May balance (carry forward)	\$380,535.48

***After discussion of the financial reports, Mr. O'Brien made a motion to approve the financial reports as presented. Mr. Stites seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.***

b. June RPC Preliminary Agenda

1.) Site Review:

- Trail's End

2.) Rezoning: (all held over from May)

- M/I Homes – Orange Twp. – SFPRD
- M/I Homes – Genoa Twp. – RR to PRD
- Tom Sanfillipo – Orange Twp. – FR-1 to PC

3.) Variance: (all held over from May)

- Estate of Glen Oak, Sec. 4, Ph. B
- River Rock Farms

4.) Preliminary:

- River Rock Farms (from May)
- Olentangy Crossing, Sec. 6 (from May)
- Trail's End

5.) Preliminary/Final:

- Highland Lakes North, Section 5, Part 3
- North Orange, Section 3, Phase 2, Part B

6.) Final:

- The Estates at Sherman Lakes (from May)
- Glen Oak, Sec. 7, Ph. B (from May)

7.) Extension:

- Glen Oak, Section 4, Ph. B

c. Director's Report

1.) Liberty Twp. – continuing to work on the Zoning Code revisions

2.) County Rural Zoning Code – finalized draft, should be complete after one additional meeting

d. Discussion of By-Laws

Mr. Sanders presented the Committee a few minor changes to the By-Laws with regards to wording for Funding (dues) and Officers of the Commission. The Committee suggested a few clarifications which Mr. Sanders will present at the next regular Executive Committee meeting July 18<sup>th</sup>. These recommendations will be presented to the full Commission at a later date.

4. Old Business (none)

5. Other Business (none)

6. Personnel (none)

## 7. Adjourn

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

*The next regular Executive Committee meeting will be Wednesday, July 18, 2012 at 8:45 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

### 15-02.4.B.V Estates of Glen Oak, Section 4, Phase B – Orange Twp. – requesting variance from Sections 102.03 and 204.04

#### I. Request

Dominion Homes is requesting a variance to allow a 2-year extension beyond the time limit allowed in the Subdivision Regulations for the Estates of Glen Oak, Section 4 subdivision in Orange Township.

The proposed subdivision is located on the west side of Old State Street, about 3,100 feet north of Orange Road. It is a residential subdivision for 30 single-family house lots on 9.466 acres.

#### II. Facts

1. The Subdivision Regulations require that a final plat application for the initial phase of a subdivision be submitted within 2 years of the approval of the Preliminary Plan;
2. The Regulations allow for an approved Preliminary Plan to request extensions up to a total of one year;
3. The Estates of Glen Oak, Section 4 received Preliminary approval on August 26, 2004. The Estates of Glen Oak, Section 4, Phase A was recorded May 25, 2005; therefore the remaining lots must be recorded by May 2010. The applicant received a 1-year extension of the Preliminary approval May, 2010 and an additional 1-year extension May, 2011;
4. The applicant seeks an additional two-year extension by variance.

#### III. Criteria For a Variance

The burden is on the applicant to demonstrate in writing, each of the following:

- 1) The granting of this variance request shall not be detrimental to the public health, safety and welfare and not injurious to other property.
- 2) The conditions upon which this variance request is based are unique to the property for which this variance is sought.

- 3) Due to the physical surroundings, shape, or characteristics of the property, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of the Delaware County Subdivision Regulations were carried out.
- 4) The granting of this variance will not vary the provisions of the applicable zoning regulations, comprehensive plans, or other existing development guidelines and regulations, nor shall it otherwise impair the intent and purpose of these regulations, or the desirable development of the neighborhood and community.

***Applicant's Response:***

*"1. There are no health, safety or welfare issues that would cause harm to the public.*

*2. The preliminary plat was approved at a time when the expiration was 5 years. Regulations have changed and we are now requesting an additional two years.*

*3. If the preliminary plat were to expire, the development would be unfinished, leaving vacant ground. This is unsightly and can accumulate garbage. Granting this extension would allow the developer to finish the project in a timely fashion.*

*4. This variance is being requested to extend the preliminary plat approval. Due to the economic downturn, sales of homes in this project have not been what were expected. Because of this reason, we request an extension of two years for this project. If you should have any questions or concerns, please feel free to contact me."*

***Staff comments:*** *This request is for the addition of time to complete a subdivision after the first section was recorded. Expiration of a Preliminary Plan does not, by itself, cause unsightly vacant ground and garbage.*

*To be consistent, staff recommends that a variance to these Sections be approved, allowing one additional year for the remainder of this subdivision.*

**IV. Staff Recommendation**

DCRPC staff recommends that based on market and economic conditions, the variance request from Sec. 102.03 and 204.04 for **The Estates of Glen Oak, Section 4, Phase B** be *Approved, allowing the Preliminary Plan to be in effect until May, 2013.*

**Commission / Public Comments**

***Mr. Hal Clase made a motion to approve the Variance request for The Estates of Glen Oak, Section 4, Phase B to extend the Preliminary Plan until May 2013. Mr. Sedlacek seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.***

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**02-12.V River Rock Farms – Liberty Twp. – requesting variance from Sec. 306.03**

**I. Request**

Paul and Phyllis Craver are requesting a variance to allow a Common Access Driveway to be placed on land that is not proposed to be within the platted area for the River Rock Farms subdivision in Liberty Township.

The proposed subdivision is located south side of West Orange Road, across from Perry Road. It is a residential subdivision of eight lots on 30.8 acres.

**II. Facts**

1. Section 306.03 of the Subdivision Regulations states, in part, “The CAD and utility easement acreage shall be incorporated into one or more of the lots it serves. Acreage not included in the CAD subdivision plat and CAD Maintenance Agreement shall not be accessed by the CAD.”
2. The proposed CAD is located along an existing driveway used by the original parcel.
3. Moving the CAD onto the area to be platted would result in the destruction of a slope and ravine, including the alteration of an existing stream channel.
4. The applicant has secured a commitment from the adjacent property owner to allow the CAD and a portion of the related easement to be placed on their property.
5. Other CAD requirements can be met and this CAD is proposed to be paved with curb and gutter.
6. The proposed private road (River Rock Drive) has been designed in such a way that if the adjacent owners wish to take alternate access or create a new lot or lots, they can do so from the private road and not from the CAD.

**III. Criteria For a Variance**

The burden is on the applicant to demonstrate in writing, each of the following:

- 1) The granting of this variance request shall not be detrimental to the public health, safety and welfare and not injurious to other property.
- 2) The conditions upon which this variance request is based are unique to the property for which this variance is sought.
- 3) Due to the physical surroundings, shape, or characteristics of the property, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of the Delaware County Subdivision Regulations were carried out.
- 4) The granting of this variance will not vary the provisions of the applicable zoning regulations, comprehensive plans, or other existing development guidelines and regulations, nor shall it otherwise impair the intent and purpose of these regulations, or the desirable development of the neighborhood and community.

***Applicant’s response:*** *On behalf of our client, Paul and Phyllis Craver, we are respectfully requesting a variance to the Delaware County Subdivision Regulations Section 306.03, “The CAD and utility easement acreage shall be incorporated into one or more of the lots it serves”, for the proposed River Rock Farms development located on the south side of West Orange Road east of the Olentangy River in Liberty Township Delaware County, Ohio.*

*Due to the existing, topography, woods and stream the developer is proposing to locate the CAD, Common Access Drive, along a portion of the existing private drive that currently services the existing home at the southern portion of the site. The existing drive at various locations on the site straddles the property line between the Craver and Hill properties. There is*

currently an existing sixty foot easement that the private drive is located within, thirty feet on the Craver property and thirty feet on the Hill property, in Deed Book 449, Page 610. The Cravers and Hills have an agreement between them to allow the Cravers to improve a portion of the existing drive that will be utilized as the CAD. Please see the attached letter.

We believe it is in the best interest of the area and development to allow for the proposed variance in order to preserve the existing natural resources; topography, stream and woods, while allowing the development of single family residential lots with same standards and character of the surrounding area. The proposed development meetings and / or exceeds the Liberty Twp. Comprehensive Plan and Zoning Regulations and it does not pose any health, safety, welfare issues.

#### **IV. Staff Recommendation**

DCRPC staff recommends that the variance request from Sec. 306.03 for **River Rock Farms Subdivision** be *Approved*.

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

Mr. Jack Brickner of Planned Communities was present to represent the applicant.

Mrs. Foust asked if the applicant would be willing to include plat language that gives the Hill property the right to connect if it ever develops. Mr. Brickner agreed.

***Mrs. Foust made a motion for Conditional Approval of the Variance request from Sec. 306.03 for River Rock Farms, subject to a plat note giving the Hill Property the right to connect if it were to develop. Mr. Mr. O'Brien seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.***

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### **III. ZONING MAP/TEXT AMENDMENTS**

#### **04-12.A ZON M/I Homes – Orange Twp. – 107.858 acres – FR-1 to SFPRD**

##### **I. Request**

The applicant, M/I Homes, on behalf of landowners Katherine Leveque, Leveque Estates and 6740 Worthington Road LLC, is proposing a residential subdivision of 185 single-family homes on 107.859 acres in Orange Township. This Orange Township rezoning case is part of a larger development that includes 13.016 adjacent acres in Genoa Township.

The plan shows two general Subareas, “Sanctuary at the Lakes,” with 141 lots that are generally .24-acres in size, and “Enclave at the Lakes,” with 44 lots that are generally .19-acres in size.

The main entrance to the development is on Africa Road near the existing LaVeque home, with connections provided to existing stubs at Royal County Down, Tralee Lane, Somerset Avenue, and August Drive. A few lots are created by extending Lahinch Court with a cul-de-sac. Common Open Space of 28.6 acres is provided throughout the site. Some of this open space includes stormwater ponds, but much of it is located along the existing streams and floodplains that lead to Alum Creek to the west.

The site is one of the last remaining large tracts in the Highland Lakes area. It includes rolling hills, woods, rivers and floodplains. The 5,600 s.f. LeVeque home, which the County Auditor’s site lists as having been built in 1830, as well as several other outbuildings including an old schoolhouse, are located on the site. The land has been and is used for agricultural, including grazing.

The following summary table is provided for township comparison. Open space requirements are different between the two townships and Genoa Township uses a Net Developable Acreage calculation for its density while Orange Township uses a calculation based on gross acreage.

	Orange Twp.	Genoa Twp.	Total
<b>Gross Acreage</b>	107.86*	13.016*	120.876
<b>Proposed Lots</b>	185	21	206
<b>Gross Density</b>	<b>1.71</b>	<b>1.61</b>	<b>1.70</b>
<b>Net Developable Acreage</b>	79.00	9.59	88.59
<b>Density NDA**</b>	<b>2.34</b>	<b>2.18</b>	<b>2.32</b>
<b>Comp Plan Density</b>	<b>2 du/ gr. ac.</b>	<b>2.2 du/nda</b>	
<b>Open Space Required</b>	21.6 (20%)	5.206 (40%)	26.806 (22%)
<b>Open Space Provided</b>	<b>28.6 (27%)</b>	<b>4.6 (35%)</b>	<b>33.2 (27%)</b>

\*Acreage supplied by applicant. GIS indicates 110.21 ac. in Orange Twp. and 12.92 ac. in Genoa Twp.

\*\*Used Genoa Twp.'s NDA definition.

## II. Conditions

**Location:** 6525 Africa Road, Galena, Ohio

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

**Proposed Zoning:** Single Family Residential (SFPRD)

**Present Use(s):** Single Family Residence, agricultural

**Proposed Use(s):** Single family detached residential

**Existing Density:** 1 unit per 1.98 acres

**Proposed Density:** 1.71 units per gross acre

**School District:** Olentangy Local School District

**Utilities Available:** Del-Co Water and central sewer

**Critical Resources:** several streams and related ravines cross the site, including floodplain

**Surrounding land uses:** Single Family lots, golf course, vacant

**Soils:** CaB Cardington Silt Loam 2-6% slope

CaC2 Cardington Silt Loam 6-12% slope

AmD2 Amanda Silt Loam 12-18% slope

AmE Amanda Silt Loam 18-25% slope

RoA Rossburg Silt Loam 0-2% slope

LsA Lobdell 0-2% slope

GbA Gallman Silt Loam 0-2 % slope

BeA Bennington Silt Loam 0-2 slope

## III. Issues

1. The **Orange Township 2010 Comprehensive Plan** recommends this area as Single-Family at 2 dwelling units per acre with public water and sewer.

**Staff Comment:** The plan complies with use and density. It also preserves natural environmental features of the site, one of the general goals of the plan.

2. **Access and road network:** The plan utilizes numerous street connections which the RPC and County Engineer supports. This will disperse traffic throughout the site. It also minimizes stream and floodplain crossings. However, there is one substantial stream and floodplain crossing that connects the Sanctuary to the Enclave.

**Staff Comment:** Consideration may be given to the setbacks and number of driveways on

the main (unnamed) road as it enters the site. This road will likely generate a large number of trips from existing development to the north and east. These lots appear to be some of the smaller lots (85-foot frontage) which will generate many curb cuts.

The crossing of the floodplain between the Sanctuary and the Enclave is of concern. No detail is provided that shows whether this will be accomplished with fill and a culvert, or with a bridge section. The current topography drops approximately 34 feet to the valley floor and then rises 8 feet to the first building site. Care should be taken to minimize filling within the floodplain.

There may be an opportunity for the Enclave to have an emergency connection to the Regency at Highland Lakes condominiums to the north. Although no such access is currently planned on the Regency side, that section is not yet built and a gated access with pedestrian connection would give emergency services additional options to access.

3. **Open Space:** The proposed development allows for ample open space, providing 28.6 acres where 21.6 is required with the 20% calculation through zoning. The plan further breaks down the open space into Maintained Passive Open Space (4.3 acres) and Unmaintained Passive Open Space (24.3 acres).

**Staff Comment:** This open space is made up of two separate areas that are 1.5 acres and 1.9 acres in size located in the “Sanctuary” and .4 acres in the “Enclave,” with the other open space generally connected to and following the streams and floodplains. There is no “active” open space planned, nor are there any easily-accessible neighborhood recreational areas in the existing Highland Lakes areas to the north and east. It seems logical that Open Space B (1.5 acres) or C (1.9 acres) could be expanded so that at least some limited playground equipment could be placed there now or in the future for the benefit of the overall community. This could be installed by the developer or prepared so that the Homeowners’ Association could choose to improve the site in the future.

Secondly, the proposed layout lends itself to a linear park with a walking trail extending along the stream from east to west. This should be provided along with connection from the end of the Royal County Down and Lahinch Court cul-de-sacs. This does not need to be a paved trail, but something that can be accessed by pedestrians.

Third, no open space is provided along Africa Road. The impact of this development is being reduced with the placement of larger lots along Africa. However, permanent open space would preserve and retain some of the existing rural qualities along the road and preserve views of the existing house. At minimum, a preservation easement should be located along the area adjacent to the road.

4. **Subarea A Divergence:** The applicant has requested one divergence for the “Sanctuary:”

- i.) Reduction of side-yard from 12.5 feet per side and a total of 25 feet to ten feet per side to 10 feet per side and a total of 20 feet.

**Staff comment:** This is a common issue that often suggests that either the lots are too narrow or the proposed house designs are too wide. The plan shows that most frontages are 80-feet, generating front-load garages. Wider lots (or at least a greater variety of lot widths) would allow a larger range of house style choices and reduce the need for this divergence. The Township should also consider whether this divergence is impacted by roof overhang, and whether the Fire

Dept. believes it does not negatively impact their access needs. If this divergence is judged to be appropriate, it should be limited to specific areas rather than applied to the overall development.

**Subarea B Divergences:** The applicant is requesting four divergences for the “Enclave:”

- i.) Reduction minimum setback from 75 feet to 65 feet and sixty feet to fifty feet at the right-of way.
- ii.) Reduction of minimum lot depth from 135 feet to 130 feet.
- iii.) Maximum lot coverage from 25% to 40%.
- iv.) Minimum rear yard reduced from 35 feet to 25 feet with decks allowed to encroach ten feet into the rear yard setback.

**Staff Comment:** The smaller lots and smaller product line within the Enclave are driving these numerous divergences. The drawing supplied by the applicant shows a 20-foot building line, so something is not correct in several locations where setbacks are noted in the text. Front setback requirement should actually be 30 feet from the right-of-way. Reducing the front setback to 20-foot may be appropriate in this more “private” area. However, care should be taken to ensure that enough space is allowed so that a car can park in the driveway without projecting into the sidewalk. These divergences allow a buildable area of 40’x85’ in the Enclave where the Sanctuary has a buildable area of 55’x70’. The buildable areas are comparable, with the Enclave at 3,400-s.f. and the Sanctuary at 3,850-s.f. However, the rear yard reduction with allowance for decks to encroach within 15 feet of the rear property line appears to be excessive and will likely cause enforcement issues and variances in the future.

5. **Lot placement:** Lots 165-160 include a 60’ landscape strip between them and the Interstate. This allows for minimal buffering from the Interstate. There is no detail provided as to what landscaping, if any, will be placed there. Also, this landscape strip and approximately 50 feet of those lots appear to be in the deeded right-of-way of the Interstate. Some of this right-of-way may be needed in the future, should the planned interchange at Big Walnut Road be built. These lots should be moved away from the right-of-way with the other lots reconfigured and/or the number reduced.
6. **Township boundaries:** The proposal appears to split six lots across Orange and Genoa Townships. Staff does not advise this as it can cause confusion in the future. The County Auditor will often adjust the township boundary according to the way in which the lots are taxed, but this does not change the township line or the zoning. Additionally, the shape of Lot 141 could cause problems with maintenance. Lots should be reconfigured to keep lots completely in one township on the other.
7. **Lots within the Floodplain:** Lots 7 through 11 extend to the center of the stream. These lots are larger than the other proposed lots, at 20,000 s.f. (half acre) and larger and do not need to extend beyond the edge of the floodplain. This would increase the open space slightly and provide better protection for the floodplain.
8. **Drainage:** Conceptual drainage is shown on the proposal. As previously stated, there are several proposed ponds located throughout the site. Two ponds (the one adjacent to Lot 142 and the one adjacent to Lot 108) appear to require a significant amount of change to the topography to be viable. The land adjacent to Lot 142 is indicated as a steep slope in the GIS data. Care should be taken to position drainage structures and ponds in a way that does not alter the landscape beyond what is necessary.
9. **Sidewalks and street trees:** The development will include sidewalks on both sides of all streets which

staff strongly supports. Staff also supports the street tree plan and notes support for trees to be planted between the street and sidewalk despite the township's policy against street trees in that location. Maintenance concerns of the township can be mitigated with the trees being the responsibility of the Homeowner's Association, the correct choice of tree, and preventing trees from blocking traffic control signs.

10. **Utility letters:** Letters from major utilities are provided. Sanitary sewer availability and capacity letter is included.

#### **IV. Criteria for Approval**

The SFPRD requires that all the following criteria be met:

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

**Staff Comment:** Generally, the proposed plan is consistent. Divergences are requested and staff response is noted in the "conditions" below.

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

**Staff Comment:** The use and density generally conform to the plan and the proposal preserves natural features such as floodplain, streams and steep slopes as recommended in the plan. If conditions noted below regarding recreational uses and some lot configuration issues are addressed, the proposal would be closer to meeting the goals of the plan.

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

**Staff Comment:** The proposal is generally consistent with surrounding uses and will maintain natural features of the site. The road network is appropriate, but addressing the concerns noted below will advance the general welfare to a greater degree.

#### **V. Staff Recommendations**

Staff recommends **Conditional Approval** of the rezoning by M/I Homes for 107.858 acres from FR-1 to SFPRD to the DCRPC, Orange Twp. Zoning Commission and Orange Twp. Trustees, *subject to the following:*

1. *More detail should be provided regarding the crossing of the stream/floodplain.*
2. *Consider emergency connection to the Regency at Highland Lakes condos to the north if acceptable to the neighboring development.*
3. *Seek more recreational opportunities in the open space, both in the smaller disconnected areas and also along the stream.*
4. *Some of the requested divergences may be appropriate but only in specific locations. Generally, the Enclave lots are too small.*
5. *Lots in the Enclave section are too close to the Interstate, both because of the potential for future widening and impacting the quality of the development.*
6. *Lots should not be split by the township line.*
7. *Lots 7 through 11 should not extend to the centerline of the stream and should stay out of the floodplain.*
8. *Check drainage structures to ensure they are in a location that doesn't cause excessive regrading.*

**Commission / Public Comments**

Mr. Brickner of Planned Communities was present to represent the applicant. He explained that they have met with both Townships regarding this request.

***Mr. O’Brien made a motion to recommend Conditional Approval of the rezoning request by M/I Homes for 107.858 acres from FR-1 to SFPRD, subject to staff recommendations. Mr. Gunderman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.***

**04-12.B ZON M/I Homes – Genoa Twp. – 13.016 acres from RR to PRD**

**I. Request**

The applicant M/I Homes of Central Ohio on behalf of landowner Leveque Estates LLC., is requesting a 13.016-acre rezoning from RR to PRD to allow the development of 25 single family homes. This Genoa Township rezoning case is part of a larger development that includes 107.859 adjacent acres in Orange Township.

The main entrance to the development is on Africa Road through the adjoining Orange Township property. A connection is provided from an existing stub at Somerset Avenue and a few lots are created by extending Lahinch Court with a cul-de-sac. Common Open Space of 8.2 acres is provided to the north of the site. This open space is located along the existing stream and floodplain that lead to Alum Creek to the west.

The site is one of the last remaining large tracts in the Highland Lakes area. The overall site includes rolling hills, woods, rivers and floodplains. The 5,600 s.f. LeVeque home, which the County Auditor’s site lists as having been built in 1830, as well as several other outbuildings including an old schoolhouse, are located on the Orange Township portion of the site. The land has been and is used for agricultural, including grazing.

The following summary table is provided for township comparison. Open space requirements are different between the two townships and Genoa Township uses a Net Developable Acreage calculation for its density while Orange Township uses a calculation based on gross acreage.

	<b>Orange Twp.</b>	<b>Genoa Twp.</b>	<b>Total</b>
<b>Gross Acreage</b>	107.86*	13.016*	120.876
<b>Proposed Lots</b>	185	21	206
<b>Gross Density</b>	<b>1.71</b>	<b>1.61</b>	<b>1.70</b>
<b>Net Developable Acreage</b>	79.00	9.59	88.59
<b>Density NDA**</b>	<b>2.34</b>	<b>2.18</b>	<b>2.32</b>
<b>Comp Plan Density</b>	<b>2 du/ gr. ac.</b>	<b>2.2 du/nda</b>	
<b>Open Space Required</b>	21.6 (20%)	5.168 (40%)	26.768 (22%)
<b>Open Space Provided</b>	<b>28.6 (27%)</b>	<b>4.6 (35%)</b>	<b>33.2 (28%)</b>

\*Acreage supplied by applicant. GIS indicates 110.21ac. in Orange Twp. and 12.92ac. in Genoa Twp.

\*\*Used Genoa Twp.’s NDA definition.

**II. Conditions**

**Location:** 6525 Africa Road, Galena, Ohio

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

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

**Present Use(s):** vacant

**Proposed Use(s):** 25 single-family homes and open space

**Existing Density:** 1 unit per acre with sewer

**Proposed Density:** 2.18 units per net developable acre

**School District:** Olentangy Local School District

**Utilities Available:** Del-Co Water and central sewer

**Critical Resources:** a stream and related ravine crosses the site

**Surrounding land uses:** Single Family lots, golf course, vacant

**Soils:** CaB Cardington Silt Loam 2-6% slope

CaC2 Cardington Silt Loam 6-12% slope

AmD2 Amanda Silt Loam 12-18% slope

AmE Amanda Silt Loam 18-25% slope

LsA Lobdell 0-2% slope

### III. Issues

1. The **Genoa Township Comprehensive Plan** recommends this area as Single-Family at up to 2.2 dwelling units per net developable acre with public water and sewer.

**Staff Comment:** The plan complies with use and density. It also preserves natural environmental features of the site, one of the general goals of the plan.

2. **Access and road network:** The plan utilizes numerous street connections which the RPC and County Engineer supports. This will disperse traffic throughout the site. It also minimizes stream and floodplain crossings.
3. **Open Space:** The proposed development provides 4.6 acres of open space (35.3%) where 5.2 acres (40%) is required.

**Staff Comment:** A recommendation is made in the Orange Township review that there is no “active” open space planned, nor are there any easily-accessible neighborhood recreational areas in the existing Highland Lakes areas to the north and east. It seems logical that the small separated open space areas in Orange Township could be planned so that a some limited playground equipment could be placed there now or in the future (by the Homeowners’ Association) for the benefit of the overall community.

The proposed layout lends itself to a linear park with a walking trail extending along the stream from east to west. This trail could extend through existing Highland Lakes Lot 5681, which is open space connecting to the sidewalk along Highland Hills Drive. This should be provided along with other connections, including the proposed access strip between Lots 19 and 20. This does not need to be a paved trail, but something that can be accessed by pedestrians.

4. **Divergence:** The applicant has requested several divergences from the Zoning Resolution:
  - i.) Divergence from the 25-acre minimum to allow a PRD zoning.

**Staff comment:** This is reasonable, as it is part of a larger project and is essentially in-fill between similar existing density/use.

- ii.) Divergence from the 5-acre minimum size for each phase. The lots accessed by Lahinch Court will be part of Phase 5 and the Genoa portion will be smaller than 5 acres.

**Staff comment:** The overall Phase is shown as including 38 lots in Orange and Genoa



Townships. This will meet the overall spirit of that requirement and is a reasonable request.

- iii.) Divergence from the minimum Net Developable Acreage density of 1.8 dwelling units to allow 2.38 dwelling units per NDA.

**Staff comment:** Staff did not find an exhibit showing how Net Developable Acreage was calculated, but our GIS calculation found the density to be 2.18 units per NDA, which is within the recommended density. Regardless, the difference is probably one unit.

The applicant notes that the overall development is approximately 1.74 units per acre and the Orange portion shows a density of 1.71 units per gross acre. The comparisons are not really the same without figuring the net developable acreage for the whole site, which the Orange Township code does not require. However, the lots are generally the same size as the adjacent section of Highland Lakes to the east. Lots are between 11,200-s.f. and 13,600-s.f., generally matching adjacent lots in Highland Lakes. As noted later in this report, the RPC does not recommend splitting lots with township boundaries. This may result in a reduction in the overall density of the project.

- iv.) Divergence from the 40% open space requirement to allow 35.3% open space.

**Staff comment:** The Genoa Township portion proposes 4.6 acres where 5.206 is required. The overall development includes 33.2 acres which is 27% of the total acreage. If the required amount of open space in each township was totaled, it would come to 27 acres, so the project open space exceeds that acreage by 6 acres.

5. **Township boundaries:** The proposal appears to split six lots across Orange and Genoa Townships. Staff does not advise this as it can cause confusion in the future. The County Auditor will often adjust the township boundary according to the way in which the lots are taxed, but this does not change the township line or the zoning. Additionally, the shape of Orange Lot 141 (northwest of Genoa Lot 22) could cause problems with maintenance. Lots should be reconfigured to keep lots completely in one township or the other.
6. **Sidewalks and street trees:** The development will include sidewalks on both sides of all streets which staff strongly supports. Staff also supports the street tree plan and notes support for trees to be planted between the street and sidewalk. Maintenance concerns of the township can be mitigated with the trees being the responsibility of the Homeowner's Association, the correct choice of tree, and preventing trees from blocking traffic control signs.
7. **Utility letters:** Letters from major utilities are provided. Sanitary sewer availability and capacity letter is submitted.

#### **IV. Criteria for Approval**

In determining whether a rezoning to PRD should be approved, the following criteria are often used:

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

**Staff Comment:** Generally, the proposed plan is consistent. Divergences are requested and staff response is noted in the “conditions” below.

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

**Staff Comment:** The use and density generally conform to the plan and the proposal preserves natural features such as floodplain, streams and steep slopes as recommended in the plan. If conditions noted below regarding recreational uses and some lot configuration issues are addressed, the proposal would be closer to meeting the goals of the plan.

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

**Staff Comment:** The proposal is generally consistent with surrounding uses and will maintain natural features of the site. The road network is appropriate, but addressing the concerns noted below will advance the general welfare to a greater degree.

#### **V. Staff Recommendations**

Staff recommends **Conditional Approval** of this rezoning case by M/I Homes for 13.016 acres from RR to PRD to the DCRPC, the Genoa Township Zoning Commission and the Genoa Township Trustees, *subject to the following:*

1. *Seek more recreational opportunities in the open space along the stream.*
2. *Recommend approval of all divergences – all are either reasonable for technical reasons or because the overall development meets the general spirit of the individual township requirement.*

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

**Mr. O'Brien made a motion to recommend Conditional Approval of the rezoning request by M/I Homes for 13.016 acres from RR to PRD, subject to staff recommendations. Mr. Gunderman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.**

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**05-12 ZON      Tom Sanfillipo – Orange Twp. – 5.87 acres from FR-1 to PC**

#### **I. Request**

The applicant Tom Sanfillipo (under contract to purchase the property) is requesting a 5.87-acre rezoning from FR-1 to PC to allow office buildings and associated parking for Triple T Transport corporate headquarters. Started in 1988, the business is currently located on Radio Drive off Polaris Parkway. They need to expand and are proposing a 14,200 square foot single-story building on the site as an initial phase. Future plans are to allow two additional buildings with timing based on the future growth of the business.

The office building will host the logistics company and the development of the site will not require parking or loading of large trucks. The development plan indicates utilizing the existing curb cut on Lewis Center Road and retaining the existing single-family home until such time the business expands.

#### **II. Conditions**

**Location:** 433 Lewis Center Rd., Lewis Center, Ohio

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

**Proposed Zoning:** Planned Commercial (PC)

**Present Use(s):** Single family detached residence

**Proposed Use(s):** Headquarters for a transportation and logistics company

**Existing Density:** 1 unit per 1.98 acres

**Proposed Density:** N/A

**School District:** Olentangy Local School District

**Utilities Available:** Del-Co Water and central sewer

**Critical Resources:** none

**Surrounding land uses:** Multi-family units and Olentangy High School

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

BoA Blount Silt Loam 0-2% slope

PwA Pewamo Silt Loam 0-1% slope

### **III. Issues**

1. The **Orange Township Comprehensive Plan** recommends this area future Planned Office or Planned Commercial, in relation to the commercial development to the west.

**Staff Comment:** The proposal complies with that recommendation and forms a transition between the retail uses to the west and the school property to the east.

2. **Access and road network:** The proposal shows a single access to Lewis Center Road with circulation around the building. Future phases will expand the site into a campus with continued circulation around the buildings.

**Staff Comment:** The County Engineer's office has submitted a letter stating the feasibility of the conceptual stormwater structures and the proposed access point. As discussed in a previous meeting with RPC staff, County Engineering staff and the applicant and representatives, a full evaluation would need to be completed to determine whether improvements including a turn-lane are required on Lewis Center Road. Lewis Center was improved as part of the Olentangy Crossings development to the west, but the additional width tapers back to two lanes along this site.

The development plan of the Olentangy Crossings project to the west indicates attached housing adjacent to this site, with internal circulation preventing the subject parcel from making a connection to Rail Timber Way. However, there has been some informal discussion regarding rezoning the southern portion of this adjacent site to a commercial or office use. If that were to happen, this site should take its access from a shared drive aligning with Lacher Drive beside the OSU Medical building. This access would be more desirable than taking another access directly from Lewis Center Road. Staff recommends that if development of this project occurs prior to development of the land to the west, that the current layout should anticipate taking future access from such a shared drive.

4. **Divergences:** The applicant has requested several divergences from the Zoning Resolution:

- i.) Divergence to allow the existing house to remain on the site until the third phase is built.

**Staff comment:** This is a reasonable request as long as the applicant commits to single family use and upkeep of the property.

- ii.) Divergence from the 100' setback requirement from residential use to 50' on both the east and west side.

**Staff comment:** This is a reasonable request from the east as it is adjacent to athletic facilities of Olentangy High School. The timing of the development to the west is unknown and may change based on other comments in this report. Fifty feet is probably appropriate, given that the adjacent residential use is multi-family attached dwellings. The application notes that trees will be planted along the shared boundary. However, the development plan shows only 5 feet between the property line and the parking lot. This is not sufficient for any mounding or landscaping along the property line. A divergence is probably warranted, but only if sufficient buffering can be provided.

- iii.) Divergence from the requirement that each phase be a minimum of 5 acres. Each phase of this development will be approximately 1.5 acres.

**Staff comment:** This regulation is intended for sites where infrastructure is extended and multiple lots are being constructed over time. It is unlikely that it applies to a situation where buildings are added to a single site as this business expands.

#### **IV. Staff Recommendations**

Staff recommends ***Conditional Approval*** of the rezoning by Tom Sanfillipo to the DCRPC, Orange Twp. Zoning Commission and Orange Twp. Trustees, *subject to the following:*

1. *That the applicant and township work with the adjacent property to the west to determine whether a shared access can cross the adjacent site to serve this property.*
2. *That sufficient mounding and landscape buffering be provided along the western property line as a condition of the side-yard setback divergence.*
3. *That the divergence to allow the existing single-family dwelling to remain and the phasing divergence both be approved.*

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

Mr. Dave Denniston with Floyd Browne Group was present to represent the applicant. Mr. Denniston said that he has met with the County Engineer's office and a traffic access study would be done to determine if a turn lane is needed. Mr. Riedel explained that the traffic study would be evaluated to determine if the improvements could be delayed to a later phase. A surety bond would be posted if a future turn lane would be needed. When the western property comes in for development, the County Engineers office could reevaluate the traffic situation.

***Mr. Hal Clase made a motion to recommend Conditional Approval of the rezoning by Tom Sanfillipo, subject to staff recommendations. Mr. Joe Clase seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.***

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## IV. SUBDIVISION PROJECTS

### Preliminary

02-12 River Rock Farms – Liberty Twp. - 08 lots / 30.8 acres

#### I. Conditions

**Applicant:** Paul & Phyllis Craver

**Subdivision Type:** Single Family Residential

**Location:** south side of West Orange Road, east of Olentangy River Road

**Current Land Use:** single family residential and a barn

**Zoned:** Farm Residential (FR-1)

**Utilities:** Del-Co water and public sanitary sewer

**School District:** Olentangy

**Engineer:** EMH&T

#### II. Staff Comments

River Rock Farms is an 8-lot subdivision taking access off Orange Road immediately across from Perry Road. It will utilize a private, gated street which will serve the first 5 lots. A Common Access Driveway will extend from the end of the private drive and will serve three additional lots, one of which has an existing home and other structures. All lots have legal frontage on the private street.

The site is flat where it fronts on Orange Road and quickly transitions where the CAD begins, into an area of streams, ravines, and woods. The site is located along the Olentangy River, and a portion of the land is a floodplain of the Olentangy. The graphic shows the floodplain area in red, with the gray area indicating areas of proposed fill within the floodplain. Four house sites will be located on this fill. A flood hazard area development permit will be obtained from the county Code Compliance Department before any fill is placed within the floodplain fringe. No fill is allowed in the floodway.

*A technical review was held on May 22, 2012, after which the applicant has addressed all of the required changes.*

#### III. Staff Recommendation

Staff recommends *Conditional Preliminary Approval* of **River Rock Farms** to the DCRPC, *subject to obtaining the appropriate flood hazard area development permit from the Code Compliance Department prior to further development and subject to the Variance being approved for the CAD to be on adjacent property.*

#### IV. Commission / Public Comments

Mr. Brickner was present to represent the applicant. He stated that they have been working with Code Compliance regarding the flood plain and with ODNR and OEPA on the preservation areas.

Mr. O'Brien questioned the effect of lands down from this area if dirt was removed on this project. Mr. Strung stated that Delaware County has no compensatory requirement. Mr. Fowler stated that the actions proposed in this project are in conformity to the regulations for Delaware County. The applicant would be submitting a map revision to FEMA to change the map.

Mr. Stites questioned the location of the sewer line to the homes. Mr. Brickner explained that the Perry-Taggart line goes through this project. Mrs. Jenkins stated that there is a 20 foot easement platted.

Mr. Stites was concerned about the homes being built on fill. Mr. Strung said that there are compaction requirements and footers would be installed down to undisturbed ground. Mr. Fowler also said that if the builder did not go down to the undisturbed ground, they would be required to provide a plan provided by an engineer.

Mrs. Foust stated that there is a Board of Zoning Appeals hearing next Tuesday. She requested that a condition of approval include that it is subject to Liberty Twp. Board of Zoning Appeals approval of a front yard water impoundment on Lot T8.

***Mr. Clase made a motion for Conditional Preliminary Approval of River Rock Farms, subject to staff recommendation and Mrs. Foust's (Liberty Twp.) comment. Mrs. Jenkins seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Mr. O'Brien). Motion carried.***

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**03-12                      Trail's End – Liberty Twp. – 92 lots / 113.4 acres**

**I.                      Conditions**

**Applicant:** Edwards Land Development Co.  
**Subdivision Type:** Single Family Residential  
**Location:** south of Home Road, east and west sides of SR 315  
**Current Land Use:** one single family residence surrounded by vacant land  
**Zoned:** Planned Residential (PR)  
**Utilities:** Del-Co water and public sanitary sewer  
**School District:** Olentangy  
**Engineer:** EMH&T

**II.                      Staff Comments**

Trail's End is 92-lot subdivision on the Emerald Farms land at the corner of Home Road and State Route 315. It takes its main access from SR 315 (Olentangy River Road) with an entry road without building sites. The internal circulation includes a circular road which continues throughout the site. A cul-de-sac extends in the interior of the site to service additional lots. A stub is provided to the west into the Olentangy Indian Caverns property and two roads stub into land to the south. Road names include Hickory Lane, Rissler Lane, Kearney Way, Dartmoor Lane, Dickerson Place, and Guilford Road. There is also a proposed stub to Home Road, which will continue to be evaluated since the current plans for widening Home Road are not currently known. It is intended that the County may have a plan for widening Home Road by the time the third section of this subdivision is platted.

The approximately 102 acres to the south are part of the overall Planned Residential development, but that area is not being presented as part of the Preliminary approval at this time. The roads that stub into this property shall continue to circulate through the site, as indicated on the Development Plan through Liberty Township Zoning. Roads will eventually connect to road stubs in the existing Woodland Hall subdivision to the south of this 102 acres.

This is generally an area where the soluble bedrock known as karst has been indicated. Several existing and potential sinkholes are located on and to the west of this site. Stormwater management is being sized to handle all off-site water flowing through the site, even though some of that water appears to travel through underground areas of the karst topography. As stated in the applicant's submitted comments, further investigation and determination of the existence and/or size of the karst topography will have to be determined as a part of Final Engineering. If necessary, a note may be required on the plat noting that this geologic feature was observed on the

site and that individual building sites may need additional study.

***A technical review discussion was held on site on June 14, 2012, after which the applicant has addressed all of the required changes.***

**III. Staff Recommendation**

Staff recommends *Conditional Preliminary Approval* of **Trail's End** to the DCRPC, *subject to:*

1. *Submitting a phasing plan after the Zoning Development Plan is updated to show the order of development.*
2. *Investigating and determining the existence and/or size of the Karst Topography as part of final engineering. Further study may impact the final layout of the site and may require areas to be denoted on the plat.*

**Commission / Public Comments**

Mr. Charles Driscoll with Edwards Land Development along with Mr. Jeff Strung of EMH & T were present to answer questions from the Commission.

Mrs. Foust explained that there were a number of items on the preliminary plan that were inconsistent with the development plan. These two plans need to be the same.

Mr. Irvine questioned if borings would be required due to the Karst report. Mr. Strung stated that 100 or so borings were done. Mr. Fowler said that in the BBC & M 2004 study, the engineers reported that the level of detail was inconclusive and more study should be done. Mr. Strung explained that if a hole were to be plugged during construction, the storm water system would take care of that water.

Mr. O'Brien expressed concern with the stacking of traffic along Home Road at the SR 315 intersection. Mr. Riedel said that they would require them to build a road stub at Guilford to Home Road. After determining the exact Home Road improvements a connection could be made. He also said the County Engineer's office would work with the developer on timing of the bike path and Home Road upgrade.

***Mr. O'Brien made a motion for Conditional Approval of Trail's End, subject to:***

1. *Submitting a phasing plan after the Zoning Development Plan is updated to show the order of development.*
2. *Investigating and determining the existence and/or size of the Karst Topography as part of final engineering. Further study may impact the final layout of the site and may require areas to be denoted on the plat.*
3. *Satisfying the Liberty Township Zoning office requirements of matching the preliminary plan with the development plan.*

***Mr. Gunderman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.***

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07-04.6            **Olentangy Crossings, Section 6 – Orange/Liberty Twp. - 39 lots / 43.98 acres**

**I.            Conditions**

**Applicant:** M/I Homes of Central Ohio  
**Subdivision Type:** Single Family Residential  
**Location:** west of US 23, south of Hyatts Rd.  
**Current Land Use:** vacant  
**Zoned:** Single Family Planned Residential (SFPRD)  
**Utilities:** Del-Co water and public sanitary sewer  
**School District:** Olentangy  
**Engineer:** Floyd Browne

**II.           Staff Comments**

Olentangy Crossings Section 6 is the final single-family residential portion of Olentangy Crossings to be completed. Changes to the original Preliminary Plan and the addition of lots in Liberty Township generated the need to review this as a new Preliminary. The development shows the extension of Olentangy Crossings West through the site, ending in a cul-de-sac in Liberty Township. A second street, Cog Wheel Trail, extends north and west to serve 6 lots. This street also provides frontage for three lots which are proposed to be accessed via a drive to the Preservation Parks property known as Big Run Preserve. The agreement for shared access shall be handled as a private matter between Preservation Parks and the developer.

*A technical review was held on May 22, 2012, after which the applicant has addressed all of the required changes.*

**III.           Staff Recommendation**

Staff recommends *Preliminary Approval* of **Olentangy Crossings, Section 6** to the DCRPC.

**Commission / Public Comments**

Mr. Dave Denniston with Floyd Browne Group was present.

Mrs. Foust explained that there were a number of items on the preliminary plan that were inconsistent with the development plan. These two plans need to be the same.

*Mr. O'Brien made a motion for Conditional Preliminary Approval of Olentangy Crossings, Section 6, subject to the Preliminary plan being in compliance to the development plan at Liberty Township. Mr. Sedlacek seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

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**Preliminary/Final**

**01-97.3 Highland Lakes North, Section 5, Part 3 – Genoa Twp. - 01 lot / 0.70 acres**

**I. Conditions**

**Applicant:** South Delaware Investments LLC  
**Subdivision Type:** Single Family Residential  
**Location:** north of Augusta Drive, west of Somerset Drive  
**Current Land Use:** vacant  
**Zoned:** Single Family Planned Residential (SFPRD)  
**Utilities:** Del-Co water and public sanitary sewer  
**School District:** Olentangy  
**Engineer:** Ed Miller, EMH & T

**II. Staff Comments**

Highland Lakes North, Section 5, Part 3 is the platting of a single lot on an existing road stub. The stub includes a turn-around adjacent to this lot which will be released when the road is eventually extended.

*A technical review was held on May 22, 2012, after which the applicant has addressed all of the required changes.*

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

**III. Staff Recommendation**

Staff recommends *Preliminary Approval and Final Plat Approval* of **Highland Lakes North, Section 5, Part 3** to the DCRPC.

**Commission / Public Comments**

Mr. Jack Brickner with Planned Communities was present to represent the applicant.

*Mrs. Foust made a motion for Preliminary Approval and Final Plat Approval of Highland Lakes North, Section 5, Part 3. Mr. Stites seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

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**47-00.3.2.B North Orange, Section 3, Phase 2, Part B – Orange Twp. - 23 lots / 10.306 acres**

**I. Conditions**

**Applicant:** Bob Webb Group  
**Subdivision Type:** Single Family Residential  
**Location:** west of Overland Trail, south of Wayside Ave.  
**Current Land Use:** vacant  
**Zoned:** Single Family Planned Residential (SFPRD)  
**Utilities:** Del-Co water and public sanitary sewer  
**School District:** Olentangy  
**Engineer:** Floyd Browne

**II. Staff Comments**

This is the last section of North Orange and includes the extension of Quarter Way and a cul-de-sac named Reins Court. In addition to the 23 lots that are accessed by these roads, two areas of open space are also being platted, ones at 2.180 acres and one at .848 acres, which is adjacent to existing open space to the east.

*A technical review was held on May 22, 2012, after which the applicant has addressed all of the required changes.*

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

**III. Staff Recommendation**

Staff recommends *Preliminary Approval and Final Plat Approval* of **North Orange, Section 3, Phase 2, Part B** to the DCRPC.

**Commission / Public Comments**

Mr. Dave Denniston with Floyd Browne Group was present.

*Mr. Hal Clase made a motion for Preliminary Approval and Final Plat Approval of North Orange, Section 3, Phase 2, Part B. Mr. Sedlacek seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

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**CONSENT AGENDA**

**Final**

**05-05            The Estates at Sherman Lakes – Berlin Twp. - 39 lots / 40.709 acres**

**I.            Conditions**

- Applicant:** Sherman Lakes Estate
- Subdivision Type:** Single Family Residential
- Current Land Use:** Forest & Shrub/Former Agriculture
- Zoned:** Planned Residential District (PRD)
- Utilities:** Del-Co water and public sanitary sewer
- School District:** Olentangy
- Engineer:** Floyd Browne Group

**II.           Staff Comments**

The Estates at Sherman Lakes is a proposed 39 lot single-family residential subdivision on 40.71 acres in Berlin Township. There are two passive-use open space reserve areas totaling 16.285 acres, or 40% of the site. The surrounding single-family subdivisions include Sherman Lakes, Section 1, to the south and Sherman Lakes, Section 2, to the west. The access will align with Sherman Lakes, Section 2, across Africa Road. Other surrounding uses include large-lot single-family residential and agriculture.

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

**III.           Staff Recommendation**

Staff recommends *Final Approval* of **The Estates at Sherman Lakes** to the DCRPC.

**Commission / Public Comments**

***Mr. Joe Clase made a motion for Final Approval of The Estates at Sherman Lakes. Mrs. Jenkins seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.***

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**09-02.7.B            Glen Oak, Section 7, Phase B – Orange Twp. - 25 lots / 8.458 acres**

**I.            Conditions**

- Applicant:** Dominion Homes
- Subdivision Type:** Single Family Residential
- Current Land Use:** vacant
- Zoned:** Single Family Planned Residential District (SFPRD)
- Utilities:** Del-Co water and public sanitary sewer
- School District:** Olentangy
- Engineer:** Stantec

**II.           Staff Comments**

Glen Oak, Section 7, Phase B, is an extension of Ivy Street to serve 25 building lots. The road connects between two stub streets and does not include the platting of any open space.

The plat was filed and placed on the agenda for the May, 2012 RPC meeting prior to the plat being signed by the various County agencies and was required to file a Tabling request until the June meeting.

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

**III. Staff Recommendation**

Staff recommends *Approval* of 30-day table request for **Glen Oak, Section 7, Phase B** to the DCRPC from the May agenda.

Staff recommends *Final Approval* of **Glen Oak, Section 7, Phase B** to the DCRPC.

**Commission / Public Comments**

***Mr. Joe Clase made a motion for Final Approval of Glen Oak, Section 7, Phase B. Mrs. Jenkins seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.***

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**V. EXTENSIONS**

**15-02.4.B Estates of Glen Oak, Sec. 4, Ph. B – Orange Twp. – requesting 2 year extension**

**Applicant:** Dominion Homes

**Engineer:** EMH & T

**Preliminary approval:** 08/26/04

**Previous Extensions:** 05/27/10 to 05/27/11, 05/26/11 to 05/31/12 (via variance)

**I. Staff Comments**

The applicant is requesting a 2-year extension for the Estates of Glen Oak, Section 4, Phase B, based on the economic downturn.

**II. Staff Recommendation**

Staff recommends *Conditional Approval* of a 12-month Extension for the **Estates of Glen Oak, Section 4, Phase B** to the RPC, *subject to approval of the variance request to May 2013.*

**Commission / Public Comments**

***Mr. Gunderman made a motion to Approve a 1-year extension for The Estates of Glen Oak, Section 4, Phase B Preliminary Plan until May 2013. Mr. O'Brien seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.***

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**VI. OTHER BUSINESS**

- **Consideration for Approval: State Audit, \$1,271.00**

*Mr. O'Brien made a motion to approve the \$1,271 expenditure for the State Audit. Mrs. Kuba seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

- **Consideration for Approval: Contract for Sunbury Comprehensive Plan Update (\$8,000)**

*Mrs. Foust made a motion for Approval of the contract for Sunbury Comprehensive Plan Update. Mr. Irvine seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

- **Executive Committee member election**

Mr. Joe Clase with the Nominating Committee nominated Mrs. Susan Kuba of Brown Township to serve on the Executive Committee filling the vacant member-at-large position. Mr. Burke asked if there were any other nominations. There were none.

*Mr. Gunderman made a motion to close the nominations and elect Mrs. Kuba to the Executive Committee. Mr. O'Brien seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

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

**VIII. RPC STAFF AND MEMBER NEWS** *(none)*

*Having no further business, Mr. Joe Clase made a motion to adjourn the meeting at 8:30 p.m. Mr. Irvine seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

*The next meeting of the Delaware County Regional Planning Commission will be Thursday, July 26, 2012, 7:00 PM at the Willis Building, 2079 US 23 North, Conference Room, Delaware, Ohio 43015.*

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*Steve Burke, Chairman*

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*Stephanie Matlack, Executive Administrative Assistant*