



Delaware County Regional Planning Commission

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www.dcrpc.org

Scott B. Sanders, AICP, *Interim Executive Director*

MINUTES

Thursday, June 29, 2006 at 7:00 PM

Delaware Hayes Services Building,

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

I. ADMINISTRATIVE BUSINESS

- Call to order
- Roll Call
- Approval of May 25, 2006 RPC Minutes
- Executive Committee Minutes of June 21, 2006
- Statement of Policy

II. VARIANCES *(none)*

III. PUBLIC CONSTRUCTION PROJECTS *(none)*

IV. ZONING MAP/TEXT AMENDMENTS

- 29-06 ZON Brown Twp. Zoning Commission – text amendment (Article XI – Owner Initiated Planned Unit Development)
- 30-06 ZON Jacqueline Wallake (Smith) – Harlem Twp. – 5.1 acres from AR-1 to FR-1
- 31-06 ZON SSA, Ltd. – Liberty Twp. – 6.94 acres zoned PC – final development plan approval
- 32-06 ZON T Jon Fenstermaker/Matt Kelly – Troy Twp. – 13.95 acres from FR-1 to PCD
- 33-06 ZON KD Orange 486, Tire Discounters – Orange Twp. – 1.992 acres – PCD development amendment
- 34-06 ZON First Baptist Church of Sunbury – Trenton Twp. – 3.0 acres from FR to RR
- 35-06 ZON Daniel Straub – Genoa Twp. – 50.271 acres from RR to PD-1
- 26-06 ZON Northwood Land Corp. – Berkshire Twp. – 91.2 acres from A-1 to PRD

V. SUBDIVISION PROJECTS

		Township	Lots/Acres
<u>Preliminary</u>			
27-05	WD Timberline Estates	Concord	02 lots / 07.10 acres
13-06	Villas at Walnut Grove	Genoa	01 lot / 19.37 acres
10-06	Orange Centre	Orange	06 lots / 59.20 acres
12-06	T Phinney Place	Orange	11 lots / 06.04 acres
11-06	Willowbrook Farms, Sec.1, Ph. A&B and Sec. 2	Trenton	69 lots / 161.91 acres
<u>Preliminary/Final</u>			
40-99.2	The Park at Greif, Section 2	Liberty	02 lots / 85.01 acres
<u>Final</u>			
17-05	Prairie Run	Berkshire	06 lots / 89.29 acres
27-03.1.B-D	T Northstar, Section 1, Phases B-D	Berkshire	03 lots / 336.29 acres
06-04.1	T Summerwood Lakes, Section 1	Berkshire	35 lots / 28.41 acres
29-98.E.1.B	Scioto Reserve Expansion, Section 1, Phase B	Concord	113 lots / 181.33 acres
29-98.E.2.A	T Scioto Reserve Expansion, Section 2, Phase A	Concord	15 lots / 04.92 acres
29-98.E.2.B	T Scioto Reserve Expansion, Section 2, Phase B	Concord	42 lots / 18.31 acres
02-05	Estates at Medallion	Genoa	12 lots / 07.68 acres
25-05	T Sawmill Parkway Extension/Golf Village North	Liberty	05 lots / 219.75 acres

T=TABLED, W=WITHDRAWN

VI. EXTENSIONS

- 19-05 Ravines at Meadow Ridge Berlin 03 lots / 55.90 acres
- 20-05 Clear Creek Orange 04 lots / 83.19 acres

VII. OTHER BUSINESS

- Consideration for approval: Legal fees \$1,875.00
- Planning Commissioners Journal subscription \$362.00

VIII. POLICY / EDUCATION DISCUSSION

- Department of Public Utilities open house

IX. RPC STAFF AND MEMBER NEWS

I. ADMINISTRATIVE BUSINESS

▪ **Call to Order**

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

▪ **Roll Call**

Representatives: Paul Snajd, Rick Sedlacek, Glen Evans, Kris Jordan, Gary Gunderman, Tom Hopper, Leslie Warthman, Holly Foust, Dick Gladman, Bill Thurston, Marvin Miller, Lloyd Shoaf, Tom Brown, Bonnie Newland and Larry Starling. *Alternates:* Dusty Gurney, Jack Smelker, and Pat Blayney. *Arrived after roll call:* Jim Ward (R) and Dave Jackson (A). *Staff:* Scott Sanders, Paul Deel, Da-Wei Liou and Stephanie Matlack.

▪ **Approval of the May 25, 2006 RPC Minutes**

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

▪ **June 21, 2006 Executive Committee Minutes**

1. Call to order

Chairwoman Foust called the meeting to order at 8:30 a.m. Present: Holly Foust, Steve Burke, Jim Ward and Lloyd Shoaf. Dick Gladman was absent. Staff present: Scott Sanders and Stephanie Matlack.

2. Approval of Executive Committee Minutes May 17, 2006 –

Mr. Burke made a motion to approve the minutes of the last meeting. Mr. Shoaf seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Mr. Ward). Motion carried.

3. Old Business

a. Subdivision Regulations – Mr. Sanders stated that he had not received many comments or questions regarding the proposed amendments to the Subdivision Regulations. The public hearing is scheduled for July 27, 2006 at 7:00 p.m.

b. Contracts –

1.) Oxford Twp. – Mr. Sanders presented the final Comprehensive Plan that Mr. Joe Clase completed prior to his departure to the Steering Committee on June 19th. They may be requesting the RPC review at the RPC’s July meeting.

2.) Berlin Twp. – working on sending the RPC zoning amendments for review

3.) Berkshire Twp. – working on sending the RPC zoning amendments for review

4. New Business

a. Financial / Activity Reports for May 2006

REGIONAL PLANNING RECEIPTS		MAY	YTD TOTAL
General Fees (Lot Split)	(4201)	\$410.00	\$5,680.00
Fees A (Site Review)	(4202)	\$200.00	\$700.00
Insp. Fees (Lot Line Transfer)	(4203)	\$120.00	\$400.00
Membership Fees	(4204)		\$228,545.96
Planning Surcharge (Twp. Plan. Assist.)	(4205)	\$578.58	\$10,808.25
Assoc. Membership	(4206)		\$3,000.00
General Sales	(4220)	\$115.50	\$852.67
Charges for Serv. A (Prel. Appl.)	(4230)	\$580.00	\$39,464.00
Charges for Serv. B (Final. Appl.)	(4231)	\$45,922.09	\$66,954.92

Charges for Serv. C (Ext. Fee)	(4232)	\$300.00	\$2,400.00
Charges for Serv. D (Table Fee)	(4233)	\$800.00	\$2,600.00
Charges for Serv. E (Appeal/Var.)	(4234)		\$600.00
OTHER DEPT. RECEIPTS			
Health Dept. Fees	(4242)	\$100.00	\$14,600.00
Soil & Water Fees	(4243)	\$150.00	\$1,337.00
MISCELLANEOUS REVENUE			
Other Reimbursements	(4720)		\$15.00
Other Reimbursements A	(4721)	\$3,839.49	\$3,852.59
Other Misc. Revenue (GIS maps)	(4730)	\$423.06	\$1,696.06
Misc. Non Revenue Receipts	(4733)		
TOTAL RECEIPTS			

Balance after receipts	\$208,340.66
Expenditures	- \$ 39,435.65
End of May balance	\$168,905.04

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

- b. **June RPC Preliminary Agenda** – includes 7 rezoning/text amendments, 5 Preliminary, 1 Preliminary/Final, 8 Final and 2 extension requests.

6. **Other Business**

- a. **Consideration for Recommendation for Approval: legal fees \$1,875.00** – *Mr. Burke made a motion to recommend approval of the legal fees for Loveland & Brosius. Mr. Shoaf seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*
- b. **Planning Commissioners Journal** – Mr. Sanders stated that the Commission currently purchases 1 office subscription of the monthly addition of the Planning Commissioners Journal along with 1 for each RPC representative. He asked the Committee if they wished to continue the subscription as it is up for renewal. He stated he would ask the Commission to let us know by phone if they would like to continue receiving the monthly journal. The annual subscription is \$362.00.

7. **Personnel**

- a. **Planner II** – Mr. Sanders stated that Jason Kaplan has been offered the Planner II position open after the vacancy left by Mr. Joe Clase. Mr. Kaplan has accepted the position and would begin work on July 17, 2006.

- 8. **Adjourn** – Having no further business, *Mr. Shoaf made a motion to adjourn the meeting. Mr. Burke seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

Meeting adjourned at 10:00 a.m.

The next regular Executive Committee meeting will be Wednesday, July 19, 2006 at 8:30 a.m. at 109 North Sandusky Street, Delaware, Ohio, 43015

- **Statement of Policy**

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

II. VARIANCES (none)

III. PUBLIC CONSTRUCTION PROJECTS (none)

IV. ZONING MAP/TEXT AMENDMENTS

29-06 ZON Brown Twp. Zoning Commission – text amendment (Article XI – Owner Initiated Planned Unit Development)

Applicant: Brown Township Zoning Commission

Request: Review and comment on proposed text amendment that provides for an owner initiated PUD in Article XI.

I. Staff Comments

As a result of a recent application for an owner initiated Planned Unit Development (PUD) the Prosecutor's Office has advised the Brown Township Zoning Commission that such a request can only be made if the Zoning Resolution specifically provides for it. Therefore, the Zoning Commission proposes to amend the resolution to include the provision for 519.021 (B) in Article XI. The initial zoning action is legislative and subject to referendum. Any subsequent amendment of the approved development plan is administrative and subject only to an appeal pursuant to ORC 2506.

Staff comment: We concur with the recommendation of the Prosecutor's Office. In addition, we suggest the township include the following section to Article XI to establish criteria for approving an owner initiated PUD: (the Prosecutor's Office has reviewed the proposed text)

Criteria for Approving an owner initiated Planned Unit Development with corresponding development plan and owner initiated regulations (ORC 519.021 (B))

In accordance with the provisions of Ohio Revised Code 519.021, in determining whether to approve or disapprove any proposed development within a planned-unit development, the Zoning Commission shall consider the following:

The planned-unit development shall:

- a) promote the public health, safety, and morals,
- b) further the purpose of promoting the general public welfare,
- c) encourage the efficient use of land and resources,
- d) promote greater efficiency in providing public and utility services,
- e) and encourage innovation in the planning and building of all types of development.

Any approved development plan or regulations approved pursuant to this Article XI shall become the

development plan and regulations applicable to, and shall govern only the Planned Unit Development and property for which they were approved.

II. Staff Recommendation

DCRPC staff recommends **Approval** of the proposed text amendment, to the RPC, Brown Twp. Zoning Commission and Brown Twp. Trustees.

Commission / Public Comments

No one was present to represent the applicant.

Mr. Miller made a motion to recommend approval of the text amendments to the Brown Twp. Zoning Resolution. Mrs. Warthman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

30-06 ZON Jacqueline Wallake (Smith) – Harlem Twp. – 5.1 acres from AR-1 to FR-1

I. Request

The applicant, Jacqueline Smith, is requesting a 5.1-acre rezoning from AR-1 to FR-1 to allow residential lots.

II. Conditions

- Location:** 16275 Lewis Road, Harlem Township
- Present Zoning:** Agricultural Residential (AR-1)
- Proposed Zoning:** Farm Residential (FR-1)
- Present Use(s):** One single-family house
- Proposed Use(s):** Two single-family house lots
- Existing Density:** 1 du / 5 acres
- Proposed Density:** 1 du / 2 acres
- School District:** Big Walnut Local School District
- Utilities Available:** Del-Co Water and private on-lot treatment systems
- Critical Resources:** none
- Surrounding land uses:** Agriculture and residential 5-acre lots
- Soils:** CnA Centerberg Silt Loam 0-1% slope
BeA Bennington Silt Loam 0-2% slope

III. Issues

This is a straight district rezoning, so no development plan is required. It is assumed, therefore, that the applicant will divide this single lot into two lots. This lot has approx. 375 feet of frontage on Lewis Road, and the township's frontage requirement for FR-1 is 175' for lots at least two acres in size but smaller than three. The applicant should assure that the existing house can meet the side yard setbacks, should the zoning be approved and the lot divided.

The site is flat and the applicant should consult with the Health Department to assure that there is adequate area for on-lot waste treatment systems.

The 1988 Harlem Township Comprehensive Plan shows the proposed site as Residential but does not recommend minimum lot acreage. The proposed plan (2006) supports FR-1 development where sewer is not available. However, there has been much discussion about development in areas where there is an established pattern of “neighborhoods”. In this case, the parcel is surrounded by other 5-acre lots.

Lewis Road – When staff reviewed zoning cases along Lewis Road in 2003 and 2004, it was noted that each new lot split along Lewis Road would require its own access to a road that is listed in the ODOT road inventory as stone or treated stone with a road width of only 10 feet. A rezoning case directly across Lewis Road to the east (Beverly Ryder RPC#07-03zon) was recommended for denial by the RPC and later denied by the township.

IV. Staff Recommendations

Staff recommends **Denial** of this rezoning case from AR-1 to FR-1 for Jacqueline Smith to the RPC, the Harlem Township Zoning Commission and the Harlem Township Trustees.

Commission / Public Comments

No one was present to represent the applicant.

Mr. Blayney made a motion to recommend denial of the rezoning request by Jacqueline Smith. Mr. Snajd seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

31-06 ZON SSA, Ltd. – Liberty Twp. – 6.94 acres zoned PC – final development plan approval

This application is a request to review a Final Development Plan for SSA Ltd. for the purposes of building a Gold’s Gym fitness facility and a future retail out-building.

I. Conditions

- Location:** 3474 Sawmill Drive, Liberty Twp.
- Present Zoning:** Planned Commercial (PC)
- Present Use:** Vacant
- Proposed Use:** Gold’s Gym, retail out-building
- School District:** Olentangy
- Utilities Available:** Del Co Water, County sewer
- Critical Resources:** None
- Soils:** Blount Silt Loam (BoA), 0-2% slope
Glynwood Silt Loam (GwB), 2-6% slope
Pewamo Silty Clay Loam (PwA), 0-1% slope

II. Background

The site is in an area that was zoned Planned Commercial in July, 1999 and platted in February, 2003 as Seldom Seen Acres, Section 2. Since that time, a CVS pharmacy has been constructed on the northwest corner of the site. Although this site has been platted and the right-of-way for Sawmill Drive and Bunker

Lane were dedicated and bonded, the roads were not correctly built, with regard to both location and cross-section.

III. Issues

Because this is a Development Plan review, the staff report will be limited to major issues that are observed with regard to the zoning code and not an exhaustive review of the development standards. According to the Liberty Township Zoning Officer, the Seldom Seen Acres Development Plan expired December 31, 2005. The owners' request for an extension of the Development Plan was denied in December of 2005.

- 1. Roads:** The proposed Development Plan states that the applicant expects the roads to be complete prior to final approval of the Plan. The applicant also states that if such improvements have not been made, the applicant has the contractual right with the owner to complete such streets and would agree that such completion would be a pre-requisite to a Certificate of Occupancy for any structure on the site.

Staff Comment: This part of Seldom Seen Acres has been through the platting process twice and bonding for road improvements have been secured for two periods. Staff observed that the roads have been graded, but did not see any current activity on the site. The township zoning code requires that all public service must be completed before a zoning permit can be issued. The township should continue to work with the County Engineer's office to ensure that the improvements are made prior to permits being issued.

- 2. Sign Divergence:** The applicant is planning no freestanding sign but is requesting a divergence from the sign code for the overall sign square footage. Due to the distance from Sawmill Parkway (575 feet), the applicant requests 142.8 square feet on the western frontage. The request is for 98.3 square feet for the north and south sides of the building. The applicant states that the sign code limits the size of each sign to 25 square feet.

Staff comment: Signs along this portion of Sawmill Parkway are subdued and the proposed signs would be out of character for the area. Given the unique nature and size of the building, their typical signage could be excessive. The primary wall sign may be sufficient and smaller ground signs along Seldom Seen and Sawmill Drive would be more in character with the surrounding area. Ideally, a shared sign with the names of all businesses in Seldom Seen Acres should be built.

- 3. Minimum Rear Yard Setback Divergence:** A rear yard divergence is requested for the retail out-building for 60 feet where the code requires 92 feet. In this case, the developer considers the north side of the building to be the rear. Because the building is surrounded by other commercial buildings, if the 25' minimum separation of buildings and landscaping standards are met, this is a reasonable request.
- 4. Stormwater:** Appears to be handled within the parking area. County Engineer indicates that the applicant is working to address storm water issues.
- 5. Platting:** The Development Plan appears to reconfigure the two lots that were originally platted as

part of Seldom Seen Acres in 1999 and replatted in 2003. If the intent is to create two independent fee-simple lots for conveyance that are different from the current plat, the applicant will need to file a new plat. If the intention is to combine the lots, no plat would be necessary unless required by zoning.

IV. Staff Recommendation

Staff recommends **Conditional Approval** of the Final Development Plan for 6.94 acres by SSA Ltd. to the RPC, Liberty Township Zoning Commission, and Liberty Township Trustees *with the following conditions:*

1. *That the sign divergence not be granted and that the applicant continue to work with the township on signage issues;*
2. *That the rear setback divergence be approved as long as the 25' spacing between buildings be maintained;*
3. *The township and other county offices, most notably the County Engineer, should continue to work together to ensure that the road improvements are made prior to any permits being issued; and*
4. *Consider a combined sign at entry points with identification for all tenants in Seldom Seen Acres.*

Commission / Public Comments

Mr. Rob Meyer of Porter Wright Morris law firm was present to represent the applicant. Mr. Kevin Kershner with RD Zande was also present. Mr. Meyer stated that the initial zoning was approved in 1999 and the final development plan had recently expired causing a new plan to be submitted. The applicant plans on meeting the new code with the exception of the divergence that has been requested.

Mrs. Warthman made a motion to recommend conditional approval of the final development plan for SSA Ltd. Subject to staff comments. Mr. Miller seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

32-06 ZON Jon Fenstermaker/Matt Kelly – Troy Twp. – 13.95 acres from FR-1 to PCD

***** This application was tabled by the Township. *****

**33-06 ZON KD Orange 486, Tire Discounters – Orange Twp. – 1.992 acres – PCD
development amendment**

This application is a request to review a Development Plan amendment for KD Orange 486 for the

purposes of developing a Tire Discounters in High Park Center.

I. Conditions

Location: south of 8800 Owenfield Drive, Orange Twp.

Present Zoning: Planned Commercial (PC)

Present Use: Vacant

Proposed Use: Tire Discounters

School District: Olentangy

Utilities Available: Del Co Water, County sewer

Critical Resources: Stream and woods along the southern edge of the site

Soils: Glywood Silt Loam (GwB), 2-6% slope

II. Background

The site is in an area that was zoned Planned Commercial in July, 1999 and platted in September 2000. The area south of the Home Depot parking lot was amended in August, 2003 and replatted into four lots in June, 2004 as High Park Center Replat. Since that time, a Steak and Shake has been built to the north. The applicant is requesting a development plan amendment because the original zoning did not allow for tire repair.

III. Issues

Because this is a Development Plan review, the staff report will be limited to major issues that are observed with regard to the zoning code and not an exhaustive review of the development standards.

- 1. Use:** The Development Plan is being amended because the original zoning prohibited “tire repair, tire changing shops or tire shops.” The original text grouped such uses with other “negative” uses such as poolrooms, junk yards, tractor trailer equipment sales, etc. The code has since been changed by the township and no longer includes the same list of prohibited uses. Permitted uses now include “Commercial establishments normally associated with and intended to service the traveling public...service stations...or any other allied activity.” The application states that all other development standards will be met.

Staff comment: Based on the current code, the fact that the service bays will be situated away from direct view from Owenfield Drive and the fact that other similar auto service stores do not have negative impacts on other surrounding commercial uses, this amendment is appropriate.

- 2. Sign Divergence:** The sign on the primary frontage of the building (east side) will be within the maximum size allowed. However, the same size sign will be located on the north, secondary frontage. This sign will exceed the maximum square footage allowed by 8 s.f. The applicant is also proposing a monument or ground sign at 2 feet by 10 feet.

Staff comment: With a large monument sign, it seems redundant to even have a sign on the north side of the building, since the side “street” is a short, internal service road. Staff does not recommend allowing the divergence.

IV. Staff Recommendation

Staff recommends **Conditional Approval** of the Final Development Plan for 1.992 acres by KD Orange

486 to the RPC, Orange Township Zoning Commission, and Orange Township Trustees *with the condition that sign divergence be denied.*

Commission / Public Comments

Ms. Catherine Cunningham, attorney with the law firm Plank & Brahm was present to represent the applicant. She stated that they would continue to work with the Township on the sign issue. She explained that the open bays would face the north/south (not US 23).

Mrs. Warthman made a motion to recommend conditional approval of the rezoning request by KD Orange 486, subject to staff comments. Mr. Gunderman seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Mr. Gladman). Motion carried.

34-06 ZON First Baptist Church of Sunbury – Trenton Twp. – 3.0 acres from FR to RR

I. Request

The applicant, First Baptist Church of Sunbury, is requesting a 3-acre rezoning from FR to RR to allow for one residential lot to be created via No Plat Approval lot split.

II. Conditions

Location: 12259 N. Old 3C Highway, Trenton Township

Present Zoning: Agricultural Residential (AR)

Proposed Zoning: Farm Residential (FR)

Present Use(s): Vacant portion of a larger lot with a church

Proposed Use(s): Single-family residential

Existing Density: 1 du / 5 acres

Proposed Density: 1 du / 3 acres

School District: Big Walnut Local School District

Utilities Available: Del-Co Water and private on-lot treatment systems

Critical Resources: none

Surrounding land uses: Single-family homes on 1-2 acre lots which predate the current minimum lot size, Big Walnut Creek to the east, land owned by Sunbury to the west, church to the south.

Soils: CaB: Cardington Silt Loam (2 to 6% slope)

CaC2: Cardington Silt Loam (6 to 12% slope)

III. Issues

This is a straight district rezoning, so no development plan is required. The survey shows two acres from the First Baptist Church lot and 1 acre from a lot owned by Lonnie Evans to create a 3-acre lot. Mr. Evans was the applicant on a previously filed case which was withdrawn when it was noted that he was not the owner of the overall 3-acre parcel. Technically, both owners should be applicants at the township level.

After splitting the 3-acre parcel, the applicant intends on transferring the 7.065 acres to the northwest to the church.

The applicant should consult with the Health Department to assure that there is adequate area for the

existing church's system as well as an additional system. The applicants should also work with the township to assure proper setbacks can be met for future buildings.

IV. Staff Recommendations

Staff recommends **Conditional Approval** of this rezoning case from AR to FR for First Baptist Church of Sunbury to the RPC, the Trenton Township Zoning Commission and the Trenton Township Trustees, *based on the fact that both the church and Mr. Evans should be co-applicants for the rezoning.*

Commission / Public Comments

No one was present to represent the applicant.

Mr. Miller made a motion to recommend conditional approval of the rezoning request by First Baptist Church of Sunbury, subject to staff comments. Mr. Gladman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

35-06 ZON Daniel Straub – Genoa Twp. – 50.271 acres from RR to PD-1

This application is a request for a rezoning on 50.271 acres for the development of 72 units within the Big Walnut Condominiums by Romanelli and Hughes.

I. Conditions

- Location:** 5189 Big Walnut Road, Genoa Twp.
- Present Zoning:** Rural Residential (RR)
- Proposed Zoning:** Planned Residential District (PD-1)
- Present Use:** Former farmland and woods
- Proposed Use:** 72 Condominium units
- Proposed Density:** 1.43 units per gross acre
- School District:** Olentangy
- Utilities Available:** Del-Co Water, Delaware County sanitary sewer
- Soils:** Amanda Silt Loam, (AmF) 25-50% slope;
Amanda Silt Loam, (AmD2) 12-18% slope;
Bennington Silt Loam, (BeA) 0-2% slope;
Cardington Silt Loam (CaB), 2-6% slope;
Cardington Silt Loam (CaC2), 6-12% slope.

Surrounding Land Use: The site is surrounded by other Planned Residential subdivisions. To the west is Walnut Woods (in Orange Township), to the south is Highland Hills at the Lakes, to the east is Grand Oak, Walnut Creek Elementary School and The Retreat at Grand Oak Condominiums and to the north is I-71.

II. Overview

The site is heavily impacted with the right-of-way of Interstate 71, mature woods, streams, and significant ravines. Because it would be impractical to develop the site as single-family residential, the applicant is proposing to cluster condominiums in the level areas of the site and preserve the woods and ravines to the

north. The site plan shows a public entrance road aligned with Highland Hills Drive to the south. The road will curve to the west and join existing Whispering Trail in Walnut Woods. There is an existing agreement to abandon the existing entrance to Walnut Woods when this new entrance is developed. All of the existing and new traffic would be using this access for the single family homes and the new condo entrance. Internal condo roads will be private and extend to the north, ending in two cul-de-sacs. An emergency only fire access is planned from the school parking lot.

III. Development Plan

The application includes photographs of the proposed product. Buildings include two- three- and four- units with two-story, front-projecting garages.

***Staff Comments:** The proposed footprints with full-projecting garages are snout houses. This is a housing style that received much debate during the review and update of the Genoa Comprehensive Plan in 2004.*

Although the 2004 Comp Plan has not yet been adopted, the Zoning Commission seemed to strongly support banning snout houses in PDs (see Appendix A, Item 2, Genoa Draft Comp Plan).

The 50.27-acre site includes 30.2 acres of open space (60% of the site). A study by staff last year to determine net developable acreage for a different proposal determined that 6.29 acres is in the rights-of-way of Interstate and Big Walnut Rd. The code indicates that density is calculated after subtracting existing right-of-way. If the previous right-of-way calculations by staff are correct, the resulting acreage is 43.98 developable acres and the 72 units result in a proposed density of 1.63 units/acre. The applicant is complying with the Township's policy of providing a second access to the site by planning a 30' easement and emergency drive from the corner of the school parking lot. A signed intent to provide the easement from Olentangy School representatives should be required.

IV. Divergences

Three divergences are requested:

1. The applicant proposes sidewalks on one side of the street where Section 524.17 of the code requires all residential developments be provided with sidewalks on both sides of the street;

***Staff comment:** Staff has consistently supported sidewalks on both sides of the street, but realizing that the roads are private and many condominium communities have no sidewalks, and that this plan does not ask for a front setback divergence, staff supports sidewalks on one side of the street. It is difficult to determine from the drawing where the extent of the sidewalks will be, what the cross-section is or where they will tie-in to existing paths. This should be addressed.*

2. The applicant requests a divergence from Section 403.02 (d and e) which limits condos to 35% of the total dwelling units when Conservation Standards are not met.

***Staff comment:** The divergence is reasonable, since the site is impacted with topography, as long as the density and open space requirements are properly calculated.*

3. The applicant requests a divergence from the sign standards to allow an additional sign height of 8

feet where the code limits signs to 6 feet. The sign is incorporated into a stone wall and the actual “content” portion of the sign is 4’ x 12’.

Staff comment: This divergence seems reasonable, since the actual “signage” is within the standards and the remainder of the height is integrated into the landscape/hardscape.

V. Other issues

1. **Open space:** The code states that the total percentage of gross open space shall be 50% (proposed plan says 40%) and shall not include right-of-way. This would reduce the open space to 23.91 acres or 47% of the site. Township also notes that some discussion regarding the ownership of the open space is not reflected in the application.

Staff comment: The application should clarify the amount of open space required and note it on the development plan. Commitment should also be made as to the ownership of the open space.

2. The applicant commits to the county’s cross section for internal streets.

Staff comment: Staff obviously concurs with this standard.

3. Although the northern ravine is left undisturbed, the ravine to the south is crossed with a private street and pedestrian linkage and impacted by a retention pond located at the edge of the stream.

Staff comment: The applicant’s engineer should continue to work with the County Engineer’s office and the Soil and Water Conservation District to ensure proposed ravine setbacks are appropriate for ravine protection. Depending on the impact of the basin, this could further reduce the amount of passive open space required in the zoning text.

VI. Compliance with Comprehensive Plan

1. The 1998 Genoa Township Comprehensive Plan places this property in Planning Area V. It recommends that this area be developed as residential up to 1.1 units per acre or 1.35 units per acre if conservation standards are used. The proposed density of 1.43 dwelling units per gross acre – or 1.63 subtracting rights-of-way – exceeds that recommended in the Comp. Plan.

Staff comment: This would result in a need for a divergence from Section 403.01 of the code, which states compliance to Plan-specified densities. Again, acreage needs to be broken down to show the amounts of right-of-way, open space, and areas for development.

2. Surrounding uses have slightly lower density; Grand Oak to the east was rezoned with 138 single-family lots and 66 condos on 145 acres for an overall density of 1.4 du/acre and included a school site.

Staff comment: The township needs to review the density and judge whether the constraints of the site justify more units than the Plan recommends.

VII. Criteria for approval

“Approval for planned development rezoning will be granted only when the plan for the project is such that public health, safety, comfort, morals and general welfare will be promoted”, as it pertains to Section

524.23 of the Township Zoning Resolution.

VIII. Staff finding

Staff finds that the request for PD-1 is in general conformance with the Genoa Township 1998 Comprehensive Plan and is compatible with the surrounding land use. There is adequate utility service available and the overall development has direct access to a major street and is offering to plat a public street to continue an existing road stub and will not create traffic on minor residential streets outside the district.

IX. Staff Recommendation

Staff recommends **Conditional Approval** of the PD-1 zoning of 50.271 acres on Big Walnut Road to the RPC, Genoa Township Zoning Commission, and Genoa Township Trustees *subject to:*

1. *That density be reduced to meet the Comprehensive Plan recommendations;*
2. *The applicant continue to work on separating acreage requirements for open space and ensure that open space requirements are met;*
3. *The sidewalk divergence being granted if additional detail is provided showing the cross-section of the walkway and tie-in points with the existing network;*
4. *That the divergence be granted for 100% condo development as long as the density and open space requirements are properly calculated.*
5. *That the sign divergence be granted;*
6. *A signed intent to provide the fire access easement from Olentangy School representatives should be required; and*
7. *The applicant continue to ensure that the ravines are protected both by the construction of the road, the detention basin and the building pad areas.*

Staff supports the rezoning with regard to residential condominium use but the applicant must provide much more detail in the development plan.

Commission / Public Comments

Mr. Todd Newman with Allen, Kuehnle & Stovall was present to represent the applicant. He stated that they would continue to work with the Township on the density and open space issues. Mr. Newman explained that they would continue working with the County Engineer regarding the wooded area and ravines along with the Whispering Trail closure.

Mr. Drew Sanderell of EMH & T was also present to answer questions from the Commission.

Mrs. Warthman stated that there are a lot of issues to be resolved, but feels that can be accomplished at the Township level. She agreed that the use and the preservation of open space was appropriate.

Mr. Ward made a motion for conditional approval of the rezoning request by Daniel Straub, subject

to staff comments. Mr. Gunderman seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Mrs. Warthman). Motion carried.

26-06 ZON Northwood Land Corp. – Berkshire Twp. – 91.2 acres from A-1 to PRD

I. Request

The applicant, The Northwood Land Corporation, is requesting a rezoning for 91.2 acres from A-1 to PRD. The submitted development plan includes 98 lots with 43.5 acres of open space reserves (47.7% where 25% is required). The average proposed lot size is 1/3 acre with 100' of frontage and 150' of depth.

II. Conditions

Location: Between Dustin and Plumb Rd., east of 3Bs & K Rd., Berkshire Twp.

Present Zoning: Agricultural (A-1)

Proposed Zoning: Planned Residential District (PRD)

Present Use(s): Agricultural / Wooded

Proposed Use(s): Single-family Residential

Existing Density: 1 du / 5 acres

Proposed Density: 1.27 du / acre

School District: Big Walnut Local School District

Utilities Available: Del-Co Water and County Sewer

Critical Resources: Streams/Ravines cross the site, centralized pond

Surrounding land uses: Single-family residences (1 to 5 acres), undeveloped Institutional tract to the east.

Soils: AmD2: Amanda Silt Loam (12 to 18% slopes) eroded

BeA: Bennington Silt Loam (0 to 2% slopes)

BeB: Bennington Silt Loam (2 to 4% slopes)

CaB: Cardington Silt Loam (2 to 6% slopes)

CaC2: Cardington Silt Loam (6 to 12% slopes) eroded

PwA: Pewamo Silty Clay Loam (0 to 1% slopes)

SnA: Sloan Silt Loam, till substratum (0 to 2% slopes) occasionally flooded

III. Issues

- 1) **Density** – The permitted density in Berkshire Township's PRD code is 1.25 units per net developable acre. According to the applicant, the net developable acreage is 77.11 acres. When multiplied by 1.25 du/ac the result is 96.38 units. The applicant is asking for a density increase of .02 dwelling units per acre to achieve the 98 proposed units. This is being requested in consideration of the additional right-of-way needed to accommodate 100-foot-wide lots where the code requires a minimum frontage of 80-feet.

Staff comment: The additional lot width should result in a high-end product and allow for side-load garages. However, this is the applicant's choice and shouldn't justify a density increase in an area where sewer was not envisioned during the creation of the 2001 Comprehensive Plan.

- 2) **Road network** – the southern portion of this site was reviewed in 2004 with an access at Plumb and a stub to the 10 acres to the north. At the time, the RPC staff report sought a street connection to S. 3 B's and K Road. At the township level, this was a controversial issue and for that and other reasons, the case was withdrawn by the applicant. With the addition of the land to the north, two accesses are proposed.

Staff comment: *Based on the proposed institutional use to the east, no direct vehicular access is currently recommended. A pedestrian or bicycle connection may be desired, should the site develop as an educational use. However, there has been no development on that land. If it is likely to be developed residentially, a stub should be provided for future connection.*

- 3) Because the feasibility of this project relies heavily on the availability of sewer service, it is imperative that service be provided. A letter from the Sanitary Engineer's office states the availability of capacity for the proposal of both the treatment facility and the Africa Road trunk line. The applicant is working with owners along Plumb Road for access to the Africa Road line. Other service letters have been requested but are not provided.

IV. Divergences

- 1) The applicant requests a divergence for a mulch path in the open space in lieu of sidewalks along the roadway.

Staff comment: *Because the code requires sidewalks, an asphalt sidewalk on both sides of the main north-south street and one side of each cul-de-sac should be the minimum pedestrian network. Other paths through the open space are encouraged and may use a variety of materials. The township should note that other townships have found that mulch paths are difficult to maintain. Staff does not recommend this divergence.*

- 2) A 30-foot setback for homes and 40-foot setback for garages are proposed, where the code requires 40' for homes and 50' for garages.

Staff comment: *This may be a reasonable request, but if approved, this PRD will be a pocket in the middle of large lots. The township may wish to stick to the requirement in the code. Staff recommends this divergence, but smaller yards are another reason to require sidewalks.*

- 3) A 25-foot rear setback for homes, where the code requires 30 feet.

Staff comment: *Like the divergence request above, this may be reasonable, but if approved, this PRD will be a pocket in the middle of large lots. The township may wish to stick to the requirement in the code. More open space is planned than required by the code – it would seem that the lots could be deeper if additional rear-yard setback is an issue. Staff does not recommend this divergence.*

- 4) Coach lights in yards and front door lights in lieu of street lighting.

Staff comment: *Street lighting is not a requirement. Divergence unnecessary.*

- 5) Density increase in consideration of the additional right-of-way to accommodate 100-foot-wide lots.

Staff comment: *The additional lot width should result in a high-end product and allow for side-load garages. However, this is the applicant's choice and shouldn't justify a density increase in an area where sewer was not envisioned during the creation of the 2001 Comprehensive Plan. Staff does not recommend this divergence.*

V. Conformance with the 2001 Berkshire Township Comprehensive Plan

The Comprehensive Plan recommends residential development at a density of 1 dwelling unit per 2 acres for this area of the Township. Properties north of Dustin Road are recommended for densities of 1.25 dwelling units per acre if served by centralized sewer. When the Plan was completed it was not anticipated that sewer would come within the 5-10 year window that the plan was expecting to cover. During the Comp. Plan discussions, there was a very vocal group of residents that did not want this type of density (1.25 units / ac.). The availability of sewer is a major change for that area.

VI. Criteria for Approval

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

Staff Finding: Yes, except for density.

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

Staff Finding: *No. This plan indicates 53 lots more than are recommended for this property in the 2001 Berkshire Township Comprehensive Plan. This criteria could only be acceptable if the Comp. Plan were amended to allow densities of 1.25 dwelling units per acre with centralized sewer.*

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

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

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

Staff Finding: *No, based on the requested divergences, which may be addressed prior to the township hearing.*

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

Staff Finding: *Yes. The proposed residential development preserves ravines and wooded areas and creates buffers from existing large-lot development.*

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

Staff Finding: *Possibly. Planned districts have the potential to buffer existing large lots.*

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

Staff Finding: Yes.

VII. Staff Recommendations

Staff recommends **Denial** of this rezoning case from A-1 to PRD for EMH&T and the Northwood Land Corporation to the RPC, the Berkshire Township Zoning Commission and the Berkshire Township Trustees.

Staff would recommend *conditional approval* if the township simultaneously amends its Comprehensive Plan, resolves the divergences as referenced in **Item IV** above and preserves the 1.25 units per net developable acreage as the calculation for the allowable number of units (96 units).

Commission / Public Comments

Mr. Jason Coffee was present on behalf of Northwood Land Corp.

Mr. Don Schmidt representing the Plumb Road neighborhood association stated that they do not want to give up their trees, be charged an access fee for sewer or agree with the high density that is proposed.

Mr. Coffee stated that the sewer alignment would either be through easements or right-of-way. They would take all the necessary precautions to avoid disturbing areas outside of that.

Mr. George Arnold, who lives on the south side of Plumb Road, stated he is not willing to give an easement for sewer to be installed on his property.

Mr. Wallace Stephens, Plumb Road resident stated that he doesn't believe that the Comprehensive Plan should be able to be changed so easily.

Mr. Clint Moore, of Plumb Rd., stated that he has over 5 acres as do both his neighbors. This plan does not fit the character of the neighborhood. He would also like to see the land developed in accordance with the Comp. Plan. He stated that there would be more houses in this development than there currently are on all of Plumb Road.

Mr. Gunderman made a motion to recommend denial of the rezoning request by Northwood Land Corp. based on staff comments. Mr. Shoaf seconded the motion. VOTE: Majority For, 0 Opposed, 2 Abstained (Mr. Miller and Mr. Snajd). Motion carried.

V. SUBDIVISION PROJECTS

Preliminary

27-05 WD Timberline Estates – Concord Twp. - 02 lots / 07.10 acres

Applicant: Kathleen Quick
Consultant: Patridge Surveying

I. Staff Comments

On behalf of his client, Bob Patridge requested that the Preliminary application for Timberline Estates be withdrawn. This application was originally submitted for preliminary review July 2005 and since has exceeded the allowed number of table requests.

13-06 Villas at Walnut Grove – Genoa Twp. - 01 lot / 19.37 acres

Applicant: Romanelli and Hughes Building Company
Subdivision Type: Future condominiums
Location: On the south side of Big Walnut Rd., approximately 1,500' east of Worthington Rd., Genoa Township
Current Land Use: Wooded/former agriculture
Zoned: Planned Residential District (PD-1)
Utilities: Del-Co water and public sewer
School District: Olentangy
Engineer: Advanced Civil Design

I. Staff Comments

The Villas at Walnut Grove is a single lot plat to be developed into condominiums. It contains 19.37 acres. The Oaks at Highland Lakes subdivision is to the east and south of this site with vacant land located to the west. Walnut Grove is to the north across Big Walnut Road. Access will be from Ketterington Lane which runs along the east property line. This plat will also dedicate additional right-of-way for Big Walnut Road. The PD-1 development plan was approved earlier this year by the township (RPC # 59-05 zon).

A technical review was held on June 20, 2006, after which the applicant has addressed all of the required changes.

II. Staff Recommendation

Staff recommends *Preliminary approval* of the **Villas at Walnut Grove**, to the RPC.

Commission / Public Comments

Mr. Hans Guecker with Advanced Civil Design was present to represent the applicant.

Mr. Miller made a motion for Preliminary approval of Villas at Walnut Grove. Mr. Snajd seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

10-06 Orange Centre – Orange Twp. - 06 lots / 59.20 acres

Applicant: The Glimcher Company

Subdivision Type: Future condominiums and commercial/office

Location: Southeast of US 23 and Orange Rd., and west of Highfield Dr., Orange Township.

Current Land Use: Open Field

Zoned: Multi Family Planned Residential (MFPRD); Planned Commercial and Office (PCD)

Utilities: Del-Co water and public sewer

School District: Olentangy

Engineer: Civil and Environmental Consultants

I. Staff Comments

This proposal is part of the 141 +/- acre Orange Village Centre development. Orange Centre contains 6 large lots on 59.2 acres. Two of the lots will be developed with condominiums with the others to be developed for commercial and office. There will be a east-west public street connecting US 23 (opposite Hidden Ravines Drive) with Highfield Drive. A north-south road is also proposed from Orange Road to the southern boundary. This road separates the condo sites from the commercial uses along US 23.

Surrounding land use includes residential to the east, commercial and industrial to the south and north, and commercial to the west across US 23. Williamsville Cemetery is in the southwest corner of this development. A couple of single family residences are to the north along Orange Road.

A technical review was held on June 20, 2006, after which the applicant has addressed all of the required changes.

II. Staff Recommendation

Staff recommends *Preliminary approval* of the **Orange Centre**, to the RPC.

Commission / Public Comments

Mr. Bob Edmonds of Civil and Environmental Design was present to represent the applicant.

Mr. Blayney made a motion for Preliminary approval of Orange Centre, seconded by Mr. Snajd. VOTE: Unanimously For, 0 Opposed. Motion carried.

12-06 T Phinney Place – Orange Twp. - 11 lots / 06.04 acres

Applicant: MHD Companies, Inc.

Consultant: Terrain Evolution, Inc.

I. Staff Comments

The applicant has requested a 90-day tabling in order to respond to comments made at the Technical Review meeting.

II. Staff Recommendation

Staff recommends *Approval of the 90-day tabling* for **Phinney Place** to the RPC.

Commission / Public Comments

Mr. Shoaf made a motion to approve the 90-day table request for Phinney Place. Mr. Snajd seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

11-06 Willowbrook Farms, Sec.1, Ph. A&B and Sec. 2 – Trenton Twp. - 69 lots / 161.91 acres

Applicant: Peter Murphy, 605 Investments, LLC

Subdivision Type: Single-family residential/Conservation Subdivision

Location: both sides of County Road 605, just south of Murphy Road, Trenton Twp.

Current Land Use: Woods and former agriculture

Zoned: Planned Conservation Residential Subdivision

Utilities: Del-Co water and individual on-site waste disposal

School District: Big Walnut

Engineer: Ryan Badger, ADR & Associates

I. Staff Comments

Willowbrook Farms is Trenton Township's second subdivision to be developed under the Conservation Subdivision standards. Staff performed a Sketch Plan site review in January of 2006 and all county agencies submitted comments to the developer.

The overall density is .42 units per acre, which is lower than what is allowed in the code. Most of the 69 lots are adjacent to the 81.576 acres of open space, slightly over the 50% required. Open space includes a large area of useable land in the northeast of the site as well as a large passive area to the west. Lots are large for a planned district, between .8 of an acre and 1.26 acres, with most having 130' of frontage. Primary mound systems are located on each lot with secondary systems located either on-lot or within the common open space. The plat will reflect easements for homeowners to access the areas, should land be needed for secondary systems in the future.

The eastern portion will be developed first, with a long main street, WillowBrook Drive East, which winds through the site. A loop street, Corbin Circle, and cul-de-sac, Brook Court, complete the road network. A stub is provided to the east. The western half of the site will include a substantial stream crossing and a continuation of WillowBrook Drive (West) ending in a cul-de-sac, Willowbrook Court. A street continues to a stub at the south property line, Francis Drive.

A technical review was held on June 20, 2006, after which the applicant has addressed all of the required changes.

II. Staff Recommendation

Staff recommends *Preliminary Approval* of **Willowbrook Farms, Sec.1, Ph.'s A&B and Sec. 2** to the RPC.

Commission / Public Comments

Mr. Ryan Badger with ADR & Associates was present to represent the applicant.

Mr. Starling asked how the open space would be used and maintained. Mr. Badger explained that a Home Owner's Association would maintain the passive open space.

Mr. Miller made a motion for Preliminary approval of Willowbrook Farms, Section 1, Phases A & B and Section 2. Mr. Blayney seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

Preliminary/Final

40-99.2 The Park at Greif, Section 2 - Liberty Twp. - 02 lots / 85.01 acres

Applicant: BJ Butler
Subdivision Type: Commercial/office
Location: West of US 23 at the end of Greif Parkway, Liberty Township
Current Land Use: Vacant
Zoned: Planned Commercial District (PCD)
Utilities: Del-Co water and public sewer
School District: Olentangy
Engineer: EMH&T (site engineering) and Floyd Browne Group (final plat)

I. Staff Comments

This plat is the consolidation of 4 lots (3864-3867) from The Park at Greif subdivision into 2 lots. The 85.01 acres are located at the west end of the overall subdivision. The new lot on the north contains 52.13 acres and is the site of the future proposed Citi-Group data center. This lot will also include an electric substation. The lot to the south contains 32.88 acres and includes existing Greif facilities. There is also a 10-acre reserve easement on the southern lot to be maintained as permanent green space. These lots are surrounded by other lots in The Park at Greif to the east (including the adjacent Brookshire Banquet Facility), the future Columbus State - Delaware Campus to the north, the Greif Brothers facilities to the northwest, and undeveloped land to the west and south.

A technical review was held on June 20, 2006, 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.

II. Staff Recommendation

Staff recommends *Preliminary and Final approval of The Park at Greif, Section 2*, to the RPC.

Commission / Public Comments

Mr. Drew Sanderell of EMH & T was present to represent the applicant.

Mr. Miller made a motion for Preliminary and Final approval of The Park at Greif, Section 2. Mr. Blayney seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

CONSENT AGENDA

Final
17-05

Prairie Run – Berkshire Twp. - 06 lots / 89.29 acres

Applicant: Kenneth Hoover

Subdivision Type: Single Family Residential (CAD)

Location: 1483, 1487, and 1593 SR 61, Berkshire Township

Current Land Use: Agriculture and single-family residences

Zoned: A-1 and FR-1

Utilities: Delco Water and individual on lot treatment systems

School District: Big Walnut

Engineer: Patridge Surveying

I. Staff comments

Prairie Run is a proposed 5 lot subdivision plus a large reserve lot on 89.299 acres. The development includes 2 CAD's. The southern CAD will serve 2 existing residences (5.001 acre and 2.18 acre lots). The northern CAD will serve 3 new residential lots (3.02 acres, 2.18 acres and 5.001 acres). The remaining 64.5 acres is a reserve lot and will continue as agriculture. It will gain access by the north CAD. There are restrictions on the plat that if the remainder lot is developed in the future, it will be restricted to access from the west or south (Sunbury) since ODOT will not permit any more curb cuts to SR 61.

The property is located on the west side of SR 61 approximately 600' south of Blayney Road. Sunbury Village is adjacent to the west and south. Prairie Run and several tributaries are spread across the site. Two existing houses and several farm structures are also located on the property. Surrounding land use is agriculture and scattered single-family residences on lots between 2 to 5 acres along SR 61. Uses in Sunbury include existing and proposed residential at a higher density (2+ du/acre) and an existing industrial park to the southwest.

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

II. Staff Recommendation

Staff recommends *Final Approval* of the **Prairie Run Subdivision**, to the RPC.

Commission / Public Comments

Mr. Gunderman made a motion for Final approval of Prairie Run Subdivision. Mr. Shoaf seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

27-03.1.B-D T Northstar, Section 1, Phases B-D – Berkshire Twp. - 03 lots / 336.29 acres

Applicant: Robert Wieler
Consultant: EMH&T

I. Staff Comments

The applicant has requested a 90-day tabling to resolve engineering issues.

II. Staff Recommendation

Staff recommends *Approval of the 90-day tabling* for Northstar, Section 1, Phases B-D to the RPC.

Commission / Public Comments

Mr. Blayney made a motion to approve the 90-day table request for Northstar, Section 1, Phases B-D. Mr. Snajd seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

06-04.1 T Summerwood Lakes, Section 1 – Berkshire Twp. - 35 lots / 28.41 acres

Applicant: Homewood Corporation
Consultant: Floyd Browne Group

I. Staff Comments

The applicant is requesting a 90-day tabling of the Final Plat for Summerwood Lakes, Section 1 in order to complete a land transfer for a small portion of the subdivision.

II. Staff Recommendation

Staff recommends *approval of the 90-day tabling* of Summerwood Lakes, Section 1 to the RPC.

Commission / Public Comments

Mr. Blayney made a motion to approve the 90-day table request for Summerwood Lakes, Section 1. Mr. Snajd seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

29-98.E.1.B Scioto Reserve Expansion, Section 1, Phase B – Concord Twp. - 113 lots / 181.33 acres

Applicant: Triangle Real Estate Services
Subdivision Type: Single Family Residential
Location: East of Section Line Road, South of Hyatts Road, North of Scioto Reserve
Current Land Use: vacant/former agricultural
Zoned: Planned Residential
Utilities: Del-Co Water, public sewer system via Scioto Reserve

School District: Buckeye Valley/Olentangy
Engineer: Floyd Browne Associates, Inc.

I. Staff Comments

Scioto Reserve Expansion extends Scioto Reserve to the north to Hyatts Road and to the west to Section Line Road. Section 1, Phase B includes 113 lots on 181.33 acres. It will extend Scioto Chase Blvd. to Hyatts Road. Other streets include Pleasant View Loop, Clear Creek Loop and Letterman Drive. There is 100.22 acres of open space provided throughout this section. The preliminary plan was approved in December 2004.

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

II. Staff Recommendation

Staff recommends *Final Approval* of **Scioto Reserve Expansion, Section 1, Phase B** to the RPC.

Commission / Public Comments

Mr. Gunderman made a motion for Final approval of Scioto Reserve Expansion, Section 1, Phase B. Mr. Shoaf seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

29-98.E.2.A T Scioto Reserve Expansion, Section 2, Phase A – Concord Twp. - 15 lots / 04.92 acres

Applicant: Triangle Properties
Consultant: Floyd Browne Group

I. Staff Comments

The applicant has requested a 90-day tabling to resolve engineering issues.

II. Staff Recommendation

Staff recommends *Approval of the 90-day tabling* for **Scioto Reserve Expansion, Section 2, Phase A** to the RPC.

Commission / Public Comments

Mr. Blayney made a motion to approve the 90-day table request for Scioto Reserve Expansion, Section 2, Phase A. Mr. Snajd seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

29-98.E.2.B T Scioto Reserve Expansion, Section 2, Phase B – Concord Twp. - 42 lots / 18.31 acres

Applicant: Triangle Properties
Consultant: Floyd Browne Group

I. Staff Comments

The applicant has requested a 90-day tabling to resolve engineering issues.

II. Staff Recommendation

Staff recommends *Approval of the 90-day tabling* for **Scioto Reserve Expansion, Section 2, Phase B** to the RPC.

Commission / Public Comments

Mr. Blayney made a motion to approve the 90-day table request for Scioto Reserve Expansion, Section 2, Phase B. Mr. Snajd seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

02-05 Estates at Medallion – Genoa Twp. - 12 lots / 07.68 acres

Applicant: Romanelli & Hughes Building Co.
Subdivision Type: Single-family Residential
Proposed Density: 1.48 du/acre
Location: 5766 Sunbury Road, Genoa Township
Existing Land Use(s): House / Wooded
Zoned: Suburban Residential (SR)
School District: Westerville City School District
Utilities Available: Del-Co Water and County Sewer
Critical Resources: None
Engineer: EMH&T, Inc.

II. Staff Comments

The Estates at Medallion contains 11 single-family lots on 7.42 acres. The plan includes a low-volume, low-density (LVLD) cul-de-sac street (Lindsey Court) that extends off the west side of Sunbury Road into the site. All proposed lots will access off this street. No-build areas have delineating around the perimeter of this development to preserve some of the natural character. The existing residence will be razed.

Surrounding land uses include Medallion Estates to the south, the Medallion Golf course to the west, 1 and 2 acre lots along Sunbury Road and the Hoover Reservoir to the northeast across Sunbury Road.

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 Recommendations

Staff recommends *Final approval* of the **Estates at Medallion** to the RPC.

Commission / Public Comments

Mr. Gunderman made a motion for Final approval of Estates at Medallion. Mr. Shoaf seconded

the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

25-05 Sawmill Parkway Extension/Golf Village North – Liberty Twp. - 05 lots / 219.75 acres

Applicant: Golf Village North LLC
Engineer: Lockwood, Lanier, Mathias & Noland, Inc.

I. Staff Comments

The applicant has requested a 30 day tabling in order to obtain engineering approval.

II. Staff Recommendation

Staff recommends *approval* of table request for 30 days for the **Sawmill Parkway Extension/Golf Village North** to the RPC.

Commission / Public Comments

Mr. Blayney made a motion to approve the 30-day table request for Sawmill Parkway Extension/Golf Village North. Mr. Snajd seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

VI. EXTENSIONS

19-05 Ravines at Meadow Ridge – Berlin Twp. - 03 lots / 55.90 acres

Applicant: Triangle Real Estate
Engineer: Floyd Browne Group

I. Staff Comments

Preliminary approval for the Ravines at Meadow Ridge was given June 30, 2005. The applicant stated that due to design challenges, additional time is needed to meet the Delaware County Engineer requirements for approval.

II. Staff Recommendation

Staff recommends *Approval* of the 6-month extension for **Ravines at Meadow Ridge** to the RPC.

Commission / Public Comments

Mr. Ward made a motion to approve the 6-month extension request for the Ravines at Meadow Ridge. Mr. Gunderman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

20-05 Clear Creek – Orange Twp. - 04 lots / 83.19 acres

Applicant: The Portland Company

Engineer: Floyd Browne Group

I. Staff Comments

Preliminary approval for Clear Creek was given June 30, 2005. The applicant is requesting a six month extension in order to continue working on obtaining offsite easements for access to one of the parcels as well as continued negotiations with public authorities to consider financing of the project and to determine access points for the project.

II. Staff Recommendation

Staff recommends *Approval* of the 6-month extension for **Clear Creek** to the RPC.

Commission / Public Comments

Mr. Ward made a motion to approve the 6-month extension request for the Clear Creek. Mr. Gunderman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

VII. OTHER BUSINESS

- **Consideration for approval: Legal fees \$1,875.00**

Mr. Miller made a motion to approve the legal fees to Loveland & Brosius for \$1,875.00. Mr. Shoaf seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

- **Planning Commissioners Journal subscription \$362.00**

Mr. Sanders explained that the Planning Commissioners Journal is a monthly subscription that the Commission pays for all the Representatives. It normally gets mailed out in the agenda packet prior to the RPC meeting. He explained that he understands a lot of publications get mailed out and asked the Commission to please let the office know if they would prefer not to receive this one and he would reduce the number we subscribe to this year.

- **Subdivision Regulations**

Chairwoman Foust reminded the Commission of the public hearing prior to the regular RPC

meeting next month (July 27th, 7pm, Room G35). She asked if there were any concerns the Commission had from other members from their jurisdictions.

Mr. Brown stated that the Commission should consider the intent of the regulations; whether it is to limit development or better planning. He stated that Scioto Township is opposed to the Regulations and the review for the large lot splits.

Mr. Starling asked about the consideration for those that would make a better Common Access Driveway in order to obtain more lots. Mr. Sanders stated that the pilot CAD with the higher standard of driveway failed as soon as the first house was being constructed due to the truck weight. He stated an applicant can still request a variance with specific construction standards for the Commission to consider and would be on a case by case basis. The applicant always has the option of a low volume/low density road in order to increase the number of lots.

VIII. POLICY / EDUCATION DISCUSSION

- Department of Public Utilities will hold an informational open house on the Upground Reservoir Project Thursday, July 13, 2006, 7-9pm at the Division of Power and Water's Maintenance Facility, 4544 SR 257 near Bellpoint, Ohio.

IX. RPC STAFF AND MEMBER NEWS

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

Meeting adjourned at 8:45 p.m.

The Public hearing of the Delaware County Regional Planning Commission on the proposed Subdivision Regulations will be held July 27, 2006 7:00 p.m. at the Delaware Hayes Services Building, 140 N. Sandusky Street, Conference Room G-35, Delaware, Ohio 43015. Immediately following will be the regular DCRPC meeting.

Holly Foust, Chairperson

Stephanie Matlack, Executive Administrative Assistant