



**DELAWARE COUNTY  
REGIONAL PLANNING COMMISSION**

50 Channing Street, Delaware, Ohio, 43015 Phone 740-833-2260 Fax 740-833-2259

Philip C. Laurien, AICP, Executive Director

\*MINUTES\*  
Thursday, July 25, 2002 at 7:00 PM  
Delaware Hayes Services Building,  
140 N. Sandusky Street, Conference Room G-35, Delaware, Ohio 43015

**I. ADMINISTRATIVE BUSINESS**

- Call to order
- Roll Call
- Approval of June 27, 2002 RPC Minutes
- Executive Committee Minutes of July 17, 2002
- Statement of Policy

**II. VARIANCES (none)**

**III. ZONING MAP/TEXT AMENDMENTS**

- 35-02 ZON Liberty Twp. Zoning Commission – text amendments
- 36-02 ZON Harlem Church of Christ – Harlem Twp. – 3.14 acres from FR-1 to PRD
- 37-02 ZON NorthStar LLC – 866.47 acres from FR-1 to PRD
- 38-02 ZON Porter Twp. Zoning Commission – text amendments
- 39-02 ZON Troy Twp. Zoning Commission – text amendments

**IV. SUBDIVISION PROJECTS**

		Township	Lots/Acres
<u>Preliminary</u>			
14-02	Bridlespur Place	Liberty	04 lots / 11.84 acres
09-02.2	Glen Oak, Section 2	Orange	61 lots / 20.39 acres

Preliminary/Final

43-00.CH	Golf Village Private Clubhouse	Liberty	
18-02 T-Final	Big Bear Farms, Section 10	Liberty	06 lots / 28.90 acres

Final

20-01	Serenity Woods	Concord	02 lots / 07.47 acres
23-97.3.B T	Eagle Trace, Section 3, Ph.B	Genoa	24 lots / 09.49 acres
17-01	Chapman Ravine	Liberty	03 lots / 08.29 acres
43-00.3.B	Golf Village, Sec. 3, Ph.B	Liberty	19 lots / 09.00 acres
43-00.4.A	Golf Village, Sec. 4, Ph.A	Liberty	31 lots / 14.04 acres
43-00.4.B	Golf Village, Sec. 4, Ph.B	Liberty	33 lots / 22.86 acres

**T=TABLED, W=WITHDRAWN**

**V. EXTENSIONS**

43-00.8	Golf Village, Section 8	Liberty	72 lots / 28.61 acres
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**VI. OTHER BUSINESS**

- Consideration of payment for Contracted Services: Loveland & Brosius \$9,587.41 (March – May)

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

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**I. ADMINISTRATIVE BUSINESS**

**#Call to Order**

Chairwoman Foust called the meeting to order at 7:02 p.m.

**# Roll Call**

**Representatives present:** Don Poland, John Schmidt, Robert Hedrick, Gary Spanner, Jim Ward, Gary Gunderman, Tom Hopper, Leslie Warthman, Cy Schmidt, Andrew Brenner, Holly Foust, Charles Heimlich, Dick Gladman, Yvonne Ball, Hansel Waugh, Linda Annette, Dennis Bell, and Larry DeWitt. **Alternates present:** Dusty Gurney, Scott Pike, Lloyd Shoaf, and Ken Baker. **Staff present:** Phil Laurien, Paul Deel, Scott Sanders, Da-Wei Liou and Stephanie Matlack.

**# Approval of the June 27, 2002 RPC Minutes**

**Mr. Brenner made a motion to approve the minutes of the previous meeting. Mr. Gladman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.**

**# July 17, 2002 Executive Committee Minutes**

01 lot / 11.82 acres

**1. Call to order**

Chairwoman Foust called the meeting to order at 8:35 a.m. Present: Holly Foust, Dick Gladman, Leslie Warthman, and Steve Burke (Absent: Jim Ward.). Staff present: Phil Laurien and Stephanie Matlack.

**2. Approval of Executive Committee Minutes**

- a. **June 19, 2002 – Mr. Gladman made a motion to approve the minutes of the last meeting, seconded by Mrs. Warthman. VOTE: Unanimously For, 0 Opposed. Motion carried.**

**3. Old Business**

- a. **Office Space** – Mr. Laurien presented the Committee with a draft lease for 109 N. Sandusky Street. The Committee reviewed the lease and

along with Mr. Laurien noted some issues for further consideration; DCRPC responsibilities vs. Commissioner responsibilities regarding insurance coverage. Bids for building renovations were scheduled to go out last week. Mr. Laurien projects the move in to be in late fall.

**4. New Business**

**a. Financial / Activity Reports for June 2002**

The Financial Report for June was presented:

<b>Ending balance as of 05/31/02</b>		<b>\$574,973.95</b>
<b>Receipts</b>	<b>June</b>	<b>YTD</b>
General Fees (NPA)	\$ 1,815.00	\$ 12,045.00
Inspec. Fees (Transfer)	\$ -40.00	\$ 500.00
Fees A (Site Review)	\$ 300.00	\$ 1,500.00
Membership Fees	\$	\$139,602.80
Planning Surcharge (Twp. Assist.)	\$	\$ 17,734.97
Charges for Services A (Prel. Appl.)	\$ 3,950.00	\$ 39,135.00
Charges for Services B (Final Appl.)	\$ 4,653.00	\$ 43,985.05
Charges for Services C (Ext. Fees)	\$ 300.00	\$ 1,050.00
Charges for Services D (Table Fees)	\$ 400.00	\$ 3,400.00
Charges for Services E (Appeal/Var)	\$	\$ 1,200.00
General Sales	\$ 314.00	\$ 3,990.09
Health Dept. Fees	\$ 1,010.00	\$ 4,500.00
Soil & Water Fees	\$ 525.00	\$ 3,453.00
Other Reimbursements	\$	\$ 216.66
Other Reimbursements A	\$ 39.00	\$ 39.00
Other Reimbursements B	\$	\$
Canceled Warrants	\$	\$
Inter-fund Revenues	\$	\$
<b>TOTAL</b>	<b>\$ 13,266.00</b>	<b>\$ 272,351.57</b>
<b>Balance after receipts</b>		<b>\$588,239.95</b>
<b>Expenditures</b>	<b>\$34,252.90</b>	
<b>End of June balance</b>		<b>\$553,987.05</b>

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

**b. July RPC Preliminary Agenda – Mr. Laurien presented the**

Preliminary agenda. 4 rezoning applications, 2 Preliminary, 2 combined Preliminary / Final, 7 Final and 1 extension.

- c. Consideration for Contracted Services: Loveland & Brosius \$9,587.41 (March, April, May bills) – Mr. Gladman made a motion to recommend approval of the attorney bills in the amount of \$9,587.41. Mr. Burke seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.**

**5. Other Business**

**a. Contract Updates –**

- (1.) **Trenton Twp.** – August 19<sup>th</sup> is the first scheduled meeting.
- (2.) **Village of Sunbury** – will begin contract in September.

**6. Personnel (none)**

**7. Adjourn**

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

Meeting adjourned at 10:30 a.m.

*The next Executive Committee meeting will be Wednesday, August 21, 2002 at 8:30 a.m. in the 2<sup>nd</sup> Floor conference room at 50 Channing St., Delaware, Ohio, 43015*

**# Statement of Policy**

As is the adopted policy of the Regional Planning Commission, all applicants will be granted 10 minutes to make their formal presentation. The audience will then be granted up to 10 minutes 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.

**II. VARIANCES (none)**

### III. ZONING MAP/TEXT AMENDMENTS

#### 35-02 ZON Liberty Twp. Zoning Commission – text amendments

**Applicant:** Liberty Township Zoning Commission

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

#### I. General

The Liberty Township Zoning commission initiated several clarification revisions to their zoning resolution to eliminate archaic and vague language. No actual changes were made to the standards of any of the districts, nor were any map changes made. The text changes were authored by Attorney Donald Brosius on behalf of Liberty Township.

Liberty Township has sent these amendments with the unanimous support of the Zoning Commission, to the DCRPC for statutory review.

#### II. Contents of text amendments

**Section 2.01-** Strike the last sentence in the paragraph.

**DCRPC Staff comment:** Eliminates confusing language; makes it clear that Planned Unit Developments may be permitted, as provided by Ohio Revised Code. Staff concurs with the change.

**Section 5.01-** adds the word “standard” when describing “standard districts” as opposed to Planned Districts, where the regulations may be flexible based upon a development plan.

**DCRPC Staff comment:** Eliminates confusing language; Staff concurs with the change.

**Section 6.02, A. 1.) and 2-** replaces the words “tract of land” and “parcel” with the word “lot”.

**DCRPC Staff comment:** Eliminates confusing language; staff concurs with the change.

**Section 6.02, B. -** replaces the words “less” with the word “more”. Relates to the treatment of true farm markets and their limited regulation by Ohio Revised Code. Also changes the reference from Section 21.09 to 21.10 for setbacks regulating farm markets.

**DCRPC Staff comment:** Eliminates confusing language; staff concurs with the change.

**Section 7.05-** changes the word “and” to “or” relating to inoperable “and” (or) unlicensed motor vehicles.

**DCRPC Staff comment:** Eliminates confusing language; staff concurs with the change. Vehicles may be either inoperable or unlicensed and be regulated.

#### Section 7.06 D

**DCRPC Staff Comment:** Changes the reference from Section 21.09 to 21.10 for setbacks

*Sections 9.02, 10.02, 13.02, 14.02, 16.02 and 17.02 of the Liberty Township Zoning Resolution are mostly or entirely deleted. Substitute, in lieu thereof, the following:*

**Section 9.02-APPLICATION-** “All lands designated on the Official Liberty Township Zoning Map as Neighborhood Apartment district shall be governed by the provisions of this article.”

**DCRPC Staff Comment:** Concur; eliminates confusing language.

**Section 10.02-APPLICATION-** “All lands designated on the Official Liberty Township Zoning Map as Planned Residence District shall be governed by the provisions of this article.”

**DCRPC Staff Comment:** Concur; eliminates confusing language.

**Section 13.02 APPLICATION:** “All lands designated on the Official Liberty Township Zoning Map as Neighborhood Retail District shall be governed by the provisions of this article.”

**DCRPC Staff Comment:** Concur; eliminates confusing language.

**Section 14.02 APPLICATION:** “All lands designated on the Official Liberty Township Zoning Map as Planned Commercial and Office District shall be governed by the provisions of this article.”

**DCRPC Staff Comment:** Concur; eliminates confusing language.

**Section 14.07- PCOD, Development Standards, Subsection J.** *Change reference from 21.04 to 21.05.*

**DCRPC Staff Comment:** Concur; corrects reference.

**Section 16.02 APPLICATION:** “All lands designated on the Official Liberty Township Zoning Map as Industrial District shall be governed by the provisions of this article.”

**DCRPC Staff Comment:** Concur; eliminates confusing language

**Section 17.02 APPLICATION:** “All lands designated on the Official Liberty Township Zoning Map as Planned Industrial District shall be governed by the provisions of this article.”

**DCRPC Staff Comment:** Concur; eliminates confusing language

**Section 17.06, A:** Strikes the words “Planned Residence” and replaces with the word Industrial.

**DCRPC Staff Comment: Retain the word Planned; this is a Planned Industrial district. Otherwise, concur.**

**Section 17.06 E, paragraph 3:** Strike the word “restored”, and replace with “recorded”.

**DCRPC Staff Comment: Concur; eliminates confusing language**

**Section 17.07 J. Lighting:** Strike the reference to Section 21.04 and replace with 21.05.

**DCRPC Staff Comment: Concur; corrects reference.**

**Section 21.02, F. Alternate Parking Provisions:** Change reference from 21.01 (E) to 21.02 (E).

**DCRPC Staff Comment: Concur; corrects reference.**

**Section 24.01 Intent:** Strike the language “However, a non conforming use which is consistent with the current zoning may be substituted for an existing use.”

**DCRPC Staff Comment: Suggest that language be retained that consideration may be given to converting from one non conforming use to another, more conforming use, which use may still not be a permitted use in that district.**

**Section 25.02 Zoning Certificate Required.** Strikes all language relating to agricultural buildings or public utilities.

**DCRPC Staff Comment: Concur.**

**Section 25.03 Procedures for Obtaining a Zoning Certificate.** Strikes the word “plat” and replaces it with “Plat” [sic]. Also replaces the word “plat” with “plot”.

**DCRPC Staff Comment: Both new references should be the word “plot”.**

**Article XXVII- Amendments:** Strikes the word “and in two places so that abutters are notified if they are “within, contiguous to, directly across the streets from, “and within 100 feet of the perimeter of the boundaries of” such area proposed to be rezoned...

**DCRPC Staff Comment: This is still confusing. Suggest it be worded to say “all owners of property within 100 feet of, or contiguous to, across the street from, the perimeter boundary of such are proposed to be rezoned...”**

**Section 29.03- Penalty:** changes the penalty from \$100 to \$500.

**DCRPC Staff Comment: Concur, now conforms to ORC.**

### **III. Staff Findings and Recommendation**

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

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

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

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**36-02 ZON**                      **Harlem Church of Christ – Harlem Twp. – 3.14 acres from FR-1 to PRD**

**Location:** 11229 Gorsuch Road, Galena, OH 43021.

#### **Conditions**

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

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

**Present Use:** Church and Parsonage

**Proposed Use:** Church, Parsonage and Multi-purpose Building

**School District:** Big Walnut

**Utilities Available-** Del Co Water

**Soils:** PwA Pewamo Silty Clay Loam 0-1% slope

BeA Bennington Silt Loam 0-2% slope

#### **Surrounding Land Use**

Large lot, Single Family residential homes. Zoning is FR-1 and AR-1 to the north.

#### **General Comments**

Applicant is requesting PRD to accommodate an existing church, parsonage and a proposed multi-purpose banquet and activity center. The site is just east of the original Harlem subdivision as the intersection of Harlem Rd. and Gorsuch Rd., platted in 1849.

Based on the Federal 2000 Religious Land Use Act (Public Law 106-274), a governmental body cannot be overly restrictive in requiring religious uses to meet zoning standards. However, the PRD rezoning process had already been initiated by the church and any change in the process would upset the proposed building schedule.

**Criteria for Approval**

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

Due to the nature of the Planned Residential District and its mixture of uses, the church, parsonage and multipurpose facility are consistent with the resolution.

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

The Harlem Township Master Plan of 1988 encourages development near traditional settlement centers. The county-wide plan of 1993 also encourages development near existing village centers and promotes development of social centers in rural areas.

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

The applicant states that the additional facility will be available to the congregation and also to other uses within the community and therefore does advance the general welfare.

**Conformance with Development Standards**

The following are concerns within the listed development standards of the Planned Residential District:

- 1) **Open Space:** PRDs typically provide for some open space within the development. Staff would like to see some open space identified on the development plan, along the street or in any existing or proposed recreation fields.
- 2) **Sewage disposal:** RPC Staff is concerned with the leach fields (both existing and proposed) which are located on Pewamo soil. However, the EPA has approved of the plan and the Health Department has also inspected and approved of the plan.

**DCRPC Staff Recommendation**

Staff recommends *conditional approval* of the zoning change from FR-1 to PRD to the DCRPC, the Harlem Township Zoning Commission and the Harlem Township Trustees, *subject to identification of Open Space on the development plan.*

**Commission / Public Comments**

Mr. Cy Schmidt made a motion to recommend conditional approval of the zoning request by the Harlem Church of Christ subject to staff comments. Mr. Brenner Seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

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**37-02 ZON      NorthStar LLC – Kingston Twp. - 866.47 acres from FR-1 to PRD**

**I. Introduction**

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

The 828-acre North Star South (Berkshire Township) includes commercial, single and multi-family residential and half an 18 hole golf course, to be operated commercially and serve as part of the irrigation area for a proposed on-site sewer system. The North Star South land was zoned Planned Commercial/Office (PCD) and Planned Residential (PRD) in 2001. The developer must still submit final development plans in Berkshire township.

The 866-acre North Star North (Kingston Township) is proposed to develop as 862 single-family residential homes, half the golf course, a school site, sewage treatment plant site, and open space, which includes woodlands and agricultural preserves for irrigation of treated effluents.

Planned Residential Zoning was previously sought for the Kingston Township lands under Delaware County Rural Zoning in 2001, but before a vote could be taken by the County Commissioners, Township Zoning was adopted and the County Prosecutor advised that jurisdiction shifted to the township. A lawsuit was filed seeking to force the final hearing to be held before the Board of County Commissioners; that suit is on hold while the PRD request is resubmitted under Kingston Township Zoning.

**II. Existing Conditions**

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

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

**Present Use:** Agriculture and woods

**Proposed Uses:**

- ❖ 862 single family homes
- ❖ Elementary & Middle school site- 36.3 acres
- ❖ Sanitary sewage treatment plant- 33 acres

- ❖ Open space and spray irrigation areas for on-site sanitary sewer system
- ❖ Golf course (half)

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

**Proposed Density-** .99 unit per gross acre in PRD with divergence (maximum PRD cluster density is 1 unit per 1.95 acres, with minimum .5 acre individual lot size if 50% open space is provided).

### Open Space Provided in Kingston Township

- 195 acres in “Farm Preservation area”
- 112 acres in Passive Recreational Park
- 52.8 acres in Open space
- 86.9 acres in golf course  
444.7 acres or 51.55%\*

\*If the 36.3-acre school site is included in the open space, the total is 55.6% open space)

**School District:** Big Walnut

**Utilities Available-** Del Co Water, no county sewer.

### III. Issues: Preliminary Development Plan Requirements

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

North Star would create significant new impacts on traffic, drainage, schools, fire protection, policing, and groundwater. Without county sewer, the applicant proposes an on site sewage treatment plant with land (spray) application of treated effluents in the watershed of Butler Run and Little Walnut Creek, both of which flow directly to the Hoover Reservoir four miles to the south.

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

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

*DCRPC Staff Comment: Adequately shown.*

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

*DCRPC Staff Comments- There are five primary areas of concern.*

*1.) Density-Kingston Township provides for a Planned Residential Development as a PUD, allowing for flexible design. The overall density is one unit per 1.95 acres if 50% open space is provided. The density permitted under this formula would be  $866.47/1.95 = 444$  units of housing. The applicant seeks a divergence to allow 862 units of housing. The township must determine if this is reasonable.*

*2.) Minimum lot size- the PRD resolution calls for a minimum lot size of 21,780 square feet. The development plan shows lots as small as 70' x 130' (9,100 square feet). The township must decide if this is reasonable.*

*3.) General development standards, and any requested divergences Density divergence-There was much discussion about density at the time of the adoption of this PRD (2001).*

*One school of thought was to zone the entire township as FR-1 and not have a PRD district. A second, and prevailing school of thought, was to permit a PRD, but to lower the density from the one unit per acre (permitted under county zoning) to one unit per 1.95 acres, making it “density neutral” with the surrounding development in the township.*

*Since the township just adopted zoning in November 2001, and this is the first PRD request, there is no precedent for such divergence. If anything, discussions by the zoning commission and citizens during the adoption of the zoning resolution would act as a policy not to authorize a density divergence.*

*Lot size divergence- 21,780 square feet (.5 acre) was specifically elected as being the smallest lot that was desired in a cluster development in Kingston, which is a rural farming community with no large subdivisions of any kind and very limited services (no county sewer, narrow two lane access roads).*

*Since North Star is the first PRD proposed, there is no precedent for a lot size divergence. Since the PRD does not require that every lot abut open space, however, a divergence for smaller lots, if abutting open space, would encourage a redesign that provides more open space lots, a benefit, and would preserve rural character.*

4.) Ownership of Open Space and Golf course-The application (p. 6 Ecology) indicates that “the applicant plans on keeping 789.8 acres (of the entire 1700 acre North Star development) as open space, park and golf course.” Furthermore, on several occasions, the applicant has stated the golf course land would be “given” to a third party to construct and operate a commercial golf course.

The Kingston PRD provides four types of Open Space ownership:

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

It is not clear how the open space is to be owned, and if this will conform to one of the four options or if a divergence is needed or requested. Clearly, the golf course land cannot be retained in fee simple by the developer.

5.) Setbacks- the applicant requests 25’ to 35’ front setbacks. PUD’s trade smaller lot sizes (density) for detail of lot footprints. No such footprints are as yet provided, so the setbacks are inappropriate. They could easily result in snout houses (homes with a front load garage fully projecting out front of the home at the minimum setback line, thereby reversing the traditional face on the street, and causing on-street parking). Side yard setbacks of 7’, with a total of 15’ are requested. Again, without footprint, bulk, height and mass standards, these are premature.

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

DCRPC Staff Comments- This plan is far more refined than the first version reviewed by DCRPC in 2001. At this time, there are letters from Del- Co Water, the Fire Departments, and electric companies regarding provision of utility service. Most importantly, the applicant submitted a letter from the county sanitary engineer indicating that the centralized sewer system with land application is feasible. A companion letter from Columbus agrees, provided the system is owned and maintained by Delaware County, as proposed. There are two creeks that wind through the property, so surface drainage should be no problem.

Care must be taken to avoid 100-year flood plains with new housing. This requirement is adequately addressed.

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

DCRPC Staff Comments - The long northern-most street exceeds county standards for a length of dead end street, has too many lots on a dead end street, and should allow for connection to Carter’s Corner Road and to adjacent land, east and west. The internal street pattern does not create a network that effectively distributes traffic.

Ray Lorello of ODOT agrees that the road design does not adequately provide future connections to other lands, nor does it internally distribute neighborhood traffic. The effect will be an overload of trips on Wilson and North Galena Roads. 862 new homes would generate 8,620 daily trips. The school would add significant traffic as well. These impacts are the most significant visible impact of North Star, and need much more discussion and consideration.

A traffic study has been completed by EMH&T. A letter from Greg Channel of ODOT indicates acceptance of the conceptual relocation/extension of Wilson Road intersection with US 36. The County Engineer has not accepted the traffic study, however, and there has been no written commitment to fair-share funding of direct impacts by the North Star developer.

For the moment, the applicant has partially met his burden for this requirement of the preliminary plan. He should submit, in writing, a commitment to construct or fund his fair share of traffic impacts caused by North Star to adjacent public roads.

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

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



#### IV. Criteria for Approval

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

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

DCRPC Staff Comment-Partially conforms (purpose and intent), but *not to density or lot size, or form of open space ownership* in the general standards.

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

#### DCRPC Staff Comment-

- *Kingston Township does not have an adopted stand-alone comprehensive plan. A comprehensive plan is being prepared by the DCRPC with a local steering committee. For the moment, the Kingston Zoning Resolution and zoning map are the comprehensive plan.*
- *The 1993 Delaware County Comprehensive Plan shows some of this area as prime agricultural soils and floodplain, and recommends low density residential use outside the county sewer service area.*
- *The 2001 Delaware County Thoroughfare Plan shows a need for a traffic signal at the intersection of North Galena road and US 36. Traffic counts in 1995 were 5,900 in 1995 on N. Galena, and are anticipated to be 18,900 in 2020, without the increase in density proposed by North Star. The TF plan used land use forecasts within traffic zones to estimate future population and trip generation. Kingston Township was expected to have a 2020 population of 1,566 based on 595 housing units. North Star's proposed 862 dwelling units exceed the entire anticipated Kingston Township housing stock for 2020, and would add significant unplanned new trips on local roads that will already be over capacity. The zoning request to PRD conforms to use but not density.*

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

#### DCRPC Staff Comment

A. *There are aspects of the development plan that could advance the health, safety and morals of the township and the immediate vicinity:*

- 1.) *Deal with one developer as opposed to piecemeal developments over time*
- 2.) *Significant open space preserved*
- 3.) *Centralized sewer dedicated to county maintenance*
- 4.) *Relocated Wilson Road connects to approved development in Berkshire Township to the south.*
- 5.) *School site dedicated.*

B. *There are also aspects of the plan that do not necessarily advance the health, safety and morals of the township and the immediate vicinity.*

- 1.) *Density of .99 units per acre (gross acreage) is double the allowable density anywhere else in the township.*
- 2.) *Lot dimensions of 70' x 130' will be very urban, and will create neighborhood forms that do not maintain rural character, which is the intended goal of the in-progress comprehensive plan.*
- 3.) *Many lots are buried in dense back-to-back streets that do not have a pleasing form, neither rural nor appropriate urban blocks. PUD's should use the flexible lot sizes to place more lots on open space. The development of a golf course creates lot premiums for lots along the course, but sacrifices the potential for better open space design. This development could, and should be redesigned to make more lots front on open space.*
- 4.) *The open space is not truly useable by the residents or the public. Farm preservation areas are really spray fields, which could be better integrated into the residential areas for more lot frontage along open space. The golf course, listed as a conditional use, is only useable for fee-paying golfers. The passive recreation park (wooded spray area) has not been accepted as an appropriate park location by Delaware Preservation Parks, and has access only via a local subdivision street.*

#### V. Staff Findings

*This version of the development plan contains much more detail than the previously reviewed version, and is more credible. Many of the first tier qualifications have been met, however, the 862 units of housing does not comply with the standards in the Kingston PRD resolution, and there is no hardship or*

inherent reason to so drastically vary the standards for density.

If amended to correct the deficiencies in Section IV above, North Star could be a benefit to the township.

#### **VI. DCRPC Staff Recommendation**

The DCRPC staff recommends denial of the requested rezoning from FR-1 to PRD for 866.47 acres by North Star Land LLC for 862 units of housing, golf course, sewage treatment facility, open space and school site to the DCRPC, the Kingston Township Zoning Commission and the Kingston Township Trustees.

DCRPC staff would recommend conditional approval of PRD zoning for North Star LLC on 866.47 acres of land in Kingston Township subject to the following amendments being made to the development plan:

1. *Reduce the density to 1 unit per 1.95 acres (gross) or 444 homes per the adopted PRD code.*
2. *Establish a minimum lot size of 21,780 square feet for house lots that do not abut common open space; grant a divergence for 10,000 square foot lots that abut significant common open space.*
3. *Provide for all open space to be owned by the homeowner's association or the township, in fee simple or by easement, or by a third party conservation trust. The golf course land should be designated as permanent open space, and owned by the homeowners association or the township trustees, per code.*
4. *Allow the golf course as active recreation (as a divergence, approved per plan, not require a conditional use permit). Suggest that the golf course land be leased long term for nominal cost (i.e. \$1/year for 40 years) to the golf course operator, who would be responsible for its development as the golf course, use as an irrigation easement, and payment of all property taxes.*
5. *Provide useable open space with a network of trails or paths that truly link all facets of the development.*
6. *Establish minimum setbacks on 10,000 square foot lots of:*
  - a.) *25' from street right of way for homes with front porches.*
  - b.) *35' from street right of way for homes without front porches.*
  - c.) *40' from street right of way for front-load garages.*
  - d.) *25' from street right of way for side-load garages.*
  - e.) *15' from paved alley surfaces for garages accessed from back alleys.*
- f.) *10' side yards (each side) for houses and front load garages, with air*

*conditioner and chimneys permitted to encroach up to 2'.*

- g.) *0' side yard for garages made of full masonry construction when used as part of an approved party wall to the adjoining lot, and when located fully behind the residence (whether attached or detached.)*
  - h.) *22' side setback for side load garages, with a 2' grass strip between the property line and the paved surface.*
7. *Establish setbacks on 21,780 square foot lots as follows:*
    - a.) *40' from street right of way for homes with front porches.*
    - b.) *50' from street right of way for homes without front porches.*
    - c.) *50' from street right of way for front-load garages.*
    - d.) *40' from street right of way for side load garages.*
    - e.) *15' side yards for houses and front load garages, with no encroachments.*
    - f.) *22' side setback for side load garages, with a 2' grass strip between the property line and the paved surface.*
  8. *Obtain a written "fair share" developer's commitment to adjacent road impacts caused by North Star development. Work with township legal counsel, ODOT and the County Engineer to obtain the proper language for such agreement.*

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

The applicant, Mr. Robert Weiler was present. He stated he hoped to receive a conditional approval from the RPC and then resolve any issues with the Township. He commented on several issues of concern from the staff report. The street layout will be revised to meet the requirements of both the RPC and Kingston Twp. Front and side yard setbacks will be met. They will try not to have any street longer than it needs to be. There will be no lots 70'x100'. If it shows that on the plan then it was an error. The smallest lot will be 10,000 square feet which was permitted under the zoning prior to the recent passage of Kingston Twp. zoning. He would also put in writing their fair share obligation of traffic impacts mitigation (which was also done in Berkshire Township). The golf course will be designed, built, operated and partly owned by Mr. Jim Cook. The golf course will be maintained as a golf course and will not at anytime in the future be developed. He stated that the attorneys involved will work out the proper way to handle this (deed restrictions). The development is just under one home per acre. Density is an issue that needs to be worked out with the Township. The 1.95 acres per unit does not make economic sense with the expenditure of the central sewage, golf course and other amenities. In regards to the connection to adjacent properties, the applicant is willing to do so and several plans have had extensions to the adjoining properties but it was not favored by the surrounding residents. They prefer that the NorthStar development be self-contained. Stubbing in streets would allow for expansion,

but there are no plans to add additional lands. The park will not be given to the Preservation Park agency. It will be maintained either by the condominium association, Kingston Township or by Delaware County itself. They will do whatever they are asked as far as that 112 acres is concerned. It will not be developed. A portion however, is going to be made available to Big Walnut Schools. The school site is right across the street and they can have as much of that land as they want (with Kingston Township's approval). It is very likely that another 10-15 acres will be made available which would increase the school size to 45-50 acres total. There is a total of 866.5 acres in this project. Total open space, which includes the farm preservation area (195 acres), passive park (112 acres) additional open space (53 acres), the golf course (87 acres), treatment plant (33 acres) and the school (36+ acres) that's 516 acres out of approximately 866 that will remain open space. That means about 60% of the land in NorthStar is open space. There will be streets, water and sewer to the school site at no cost to the school.

Mr. Jim McCord lives close to the proposed development. He stated that he is not in favor of the development but would prefer to work with one developer over 20 different ones.

Ms. Mary Beth Deavers, Kingston Twp. resident, stated that she supports this development. She would rather drive by a beautiful golf course than by the three moto cross tracks on residential lots on Kilbourne Road.

Mr. Spanner asked what the density was approved on the Berkshire Twp. side. Mr. Weiler stated 1.25 homes per acre.

Mr. Brenner stated that Regional Planning has done a good job of reviewing the site and their recommendation of conditional approval seems to be reasonable.

***Mr. Poland made a motion to recommended conditional approval of the zoning request for NorthStar subject to staff comments, seconded by Mr. Cy Schmidt. VOTE: Majority For, 1 Opposed (Trenton Twp. Rep.), 2 Abstained (Kingston Twp. Rep. and Mr. Ward). Motion carried.***

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**38-02 ZON                      Porter Twp. Zoning Commission – text amendments**

**Applicant:** Porter Township Zoning Commission  
**Request:** Review and Comment on Application language of Planned

Districts

**General**

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

**Contents of text amendments**

The proposed amendments apply to Article VIII, Planned Residence District, and Article XI, Planned Commercial District.

The intent of the Zoning Commission is to delete Sections 8.02 and 11.02 of the Porter Township Zoning Resolution in their entirety, and substitute, in lieu thereof, the following:

**Section 8.02 APPLICATION:** The provisions of this Article of the Zoning Resolution may be applied only to lands of the Township that have been approved for a zoning map amendment to Planned Residential District. An owner of land in the township that is served by centralized water and sanitary sewer may submit an application for change to Planned Residential District zoning under the provisions of this Article. The action of the Township upon an application processed pursuant to this Section shall be considered a legislative act, subject to referendum.

**Section 11.02 APPLICATION:** The provisions of this Article of the Zoning Resolution may be applied only to lands of the Township that have been approved for a zoning map amendment to Planned Commercial District. The action of the Township upon an application processed pursuant to this Section shall be considered a legislative act, subject to referendum.

**Staff Findings and Recommendations**

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

**Commission / Public Comments**

***Mr. Ward made a motion to recommend approval of the text amendments to the Porter Twp. Zoning resolution. Mr. Gladman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.***

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**39-02 ZON Troy Township Zoning Commission – text amendments**

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

**I. General**

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

**II. Contents of text amendments**

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

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

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

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

**Section 18.02 APPLICATION:** *The provisions of this Article of the Zoning Resolution may be applied only to lands of the Township that have been approved for a zoning map amendment to PID. The action of the Township upon an*

*application processed pursuant to this Section shall be considered a legislative act, subject to referendum.*

**Staff Comment**

A portion of the proposed language in Section 11.02 stating “in the township that is served by centralized water and sanitary sewer” was deleted by the Zoning Commission. This language should be reinserted so as to read:

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

**Staff Recommendation**

Staff finds that the Troy Township “housekeeping” text amendments for Sections 11.02, 15.02 and 18.02 are appropriate and recommends approval to the DCRPC, Troy Township Zoning Commission, and Trustees, subject to the language revising section 11.02 (see above).

**Commission / Public Comments**

***Mr. Gladman made a motion to recommend conditional approval of the text amendments to the Troy Twp. zoning resolution, subject to staff comments. Mr. Brenner seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.***

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#### IV. SUBDIVISION PROJECTS

##### Preliminary

##### **14-02 Bridlespur Place – Liberty Twp. - 04 lots / 11.84 acres**

**Applicant:** Frank Del Greco and Georgeanne Reuter  
**Subdivision Type:** Single-family residential (CAD)  
**Location:** South side of Bridlespur Lane, app. 2000 feet south of Home Road, Liberty Township  
**Current Land Use:** Open meadow with a pond and treeline  
**Zoned:** Farm Residence (FR-1)  
**Utilities:** Del Co. water and on site septic  
**School District:** Olentangy  
**Engineer:** Floyd Browne Associates

##### Staff Comments

Bridlespur Place is a proposed 4-lot CAD subdivision on the south side of Bridlespur Lane, approximately 2000 feet south of Home Road in Liberty Township. Lot 2 and 3 (3.398 and 3.202 acres respectively) contain a large pond along the south boundary, which will be used for curtain drain outlets. Lot 4 (2.72 acres) will own the CAD. Lot 1 (2.514 acres) is a flag lot adjacent to the CAD, but will access the CAD (as provided for in Section 306.07 of the Subdivision Regulations). All lots will be served by Del Co water and individual on-site septic systems.

The owners originally sought a variance for a four lot CAD (fourth lot had no frontage), but were denied due to concerns that Lot 4 may not be suitable for leaching and there was no hardship to the property owners if only a 3 lot CAD was developed. Since that time, the fourth lot has been shown to be acceptable for on site treatment and legal frontage has been provided for Lot 1.

**A technical review was held on July 16, 2002, after which the applicant has addressed all of the required changes.**

##### Staff Recommendation

Staff recommends *Preliminary approval* of **Bridlespur Place** to the RPC.

##### Commission / Public Comments

Mr. Chuck Orth of Floyd Browne Associates was present to represent the applicant.

Mr. Kim Cellar, Liberty Twp. Trustee stated that the Trustees of Liberty Twp. are unanimously in favor of approval of this project rather than the alternatives.

Mr. Scott Pike (County Engineer Alternate) stated that the developer and the engineer have worked diligently with the County Engineer's office to alleviate some of the concerns with the amount of lots on Bridle Spur. Bridle Spur exceeds the maximum standards for dead end streets. It was put in well before the current standards were established. The work to ensure that a street will not ever be connected through this property to Bridlespur alleviated the County Engineers concerns but they would still be voting no in order to maintain consistency with their standards. They don't feel the Commission should follow their recommendation. The developer has done what was requested to be done and they are comfortable with that.

Chairwoman Foust as the Liberty Twp. representative, thanked the applicant and the engineer for working to prove that the fourth lot is buildable.

***Mr. Ward made a motion for Preliminary approval of Bridlespur Place, seconded by Mr. Brenner. VOTE: Majority For, 1 Opposed (County Engineer Alternate). Motion carried.***

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##### **09-02.2 Glen Oak, Section 2 – Orange Twp. - 61 lots / 20.39 acres**

**Applicant:** Robert Taek Ro  
**Subdivision Type:** Residential  
**Location:** North of East Orange Road, West of South Old State Road  
**Current Land Use:** Former agriculture  
**Zoned:** SFPRD (Single Family Planned Residential District)  
**Utilities:** Del-Co water and county sanitary  
**School District:** Olentangy  
**Engineer:** R.D. Zande and Associates

##### Staff Comments

Section 2 includes Glen Oak's main entrance, Blue Holly Drive, from Orange Road. It is just north and west of Section 1. It consists of 59 house lots and two open space reserves. One reserve is an entrance feature along Orange Road and the other is in the powerline easement. Geranium Drive runs west to east from Blue Holly and a small section of Primrose will extend from Section 1 through future Section 9 and into this section.

**A technical review was held on July 16, 2002, after which the applicant has addressed all of the required changes.**

**Staff Recommendation**

Staff recommends *Preliminary approval* of **Glen Oak, Section 2** to the RPC.

**Commission / Public Comments**

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

Mr. Gladman asked if the “future development” section was going to be part of Section 9. It seemed that an area on Primrose was being left out. Mr. Kershner stated that it would be a part of the last phase.

Mr. Laurien asked what the timing was for the stub street in Phase 1. The stub street is to be built up to the north edge of Phase 1. Attorney McNealy had stated in conversations that the applicant was preferring to make it a parking area for the model homes. Mr. Laurien was agreeable as long as the people that buy the model homes are aware that it would ultimately be a street. Mr. Gladman stated that he doesn't think he would issue a permit for the corner lots unless that street is built to the north end of those lots. Mr. Kershner stated that he would work it out with the Township.

Mr. Gladman asked if all the green space under the power lines was to be in Phase 1. Mr. Kershner stated that he thought Phase 1 was to go to the center of the power line. If the plan does not show that, it was not done intentionally and would be changed. Mr. Gladman stated that it is important that the corner lots have the roadway to the rear of their lot line.

***Mr. Gladman made a motion for Preliminary approval of Glen Oak, Section 2, seconded by Mr. Brenner. VOTE: Unanimously For, 0 Opposed. Motion carried.***

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**Preliminary/Final**

**43-00.CH                      Golf Village Private Clubhouse - Liberty Twp. - 01 lot  
/ 11.82 acres**

**Applicant:** Triangle Properties, Inc.  
**Subdivision Type:** Single-Family Residential  
**Location:** West of Sawmill Parkway, South of Village Club Drive

**Current Land Use:** Former Agriculture, Woodland  
**Zoned:** Planned Residential District (PRD)  
**Utilities:** Del-Co water and public sewer  
**School District:** Olentangy  
**Engineer:** R.D. Zande and Associates

**Staff Comments**

This application is for one parcel on which will be located the Kinsale Private Golf and Fitness Club of Golf Village. It is bordered to the west by single-family sections and to the south by the golf course. The facility will include the main clubhouse, pool and tennis clubhouse, tennis courts and parking areas. The site also includes a retention pond on the corner of Sawmill and Village Club Drive. The club is accessed by a driveway from Village Club Drive directly across from High Wind Drive. There is a system of interconnected walkways and cartways that proceed throughout the Golf Village development. No public street is platted with this section and there are no vehicular connections to other sections.

**A technical review was held on July 16, 2002, after which the applicant has addressed all of the required changes. The applicant has also presented to the RPC Office a Final Plat signed by the various County agencies, a requirement for Final approval.**

**Staff Recommendation**

Staff recommends *Preliminary and Final approval* of **Golf Village Private Clubhouse** to the RPC.

**Commission / Public Comments**

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

***Mr. Spanner made a motion for Preliminary and Final approval of Golf Village Private Clubhouse. Mr. Brenner seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Mr. Ward). Motion carried.***

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**18-02 (Final tabled) Big Bear Farms, Section 10 – Liberty Twp. - 06 lots / 28.90 acres**

**Applicant:** Capital Square, Ltd.  
**Subdivision Type:** Commercial  
**Location:** South side of Powell Rd between Sawmill Parkway and Old Sawmill Rd  
**Current Land Use:** Vacant  
**Zoned:** Planned Commercial & Office District (PC)  
**Utilities:** Del Co. water and public sewer  
**School District:** Olentangy  
**Engineer:** EMH&T.

**Surrounding Land Use**

To the north: First Citizens National Bank (Big Bear Farms, Section 4)  
To the east: Village Communities Condominiums (City of Powell)  
To the south: Drug Mart, vacant commercial site (Wedgewood Commerce Center, Section 3)  
To the west Donato's, BP Service Station (Big Bear Farms, Section 6A)

**Staff Comments**

Big Bear Farms, Section 10 includes 3 commercial outlots along Sawmill Parkway (1.4 acres each), a 22 acre lot reserved for future commercial lots, and the construction of Attucks Drive from Sawmill Parkway to Old Sawmill Road. The internal streets will be private and will be platted within a separate reserve lot with cross easements to all internal lots. Right in/right out access only will be provided on Sawmill Parkway (across from Donato's/BP access) and Powell Road (across from Galloway Drive). All other access to the Parkway and Powell Road will be prohibited. The outlots will retain stormwater within the parking lots until the remainder of Section 10 is developed. A small open space area is reserved between Attucks Drive and the south boundary that will probably be combined with the adjacent undeveloped commercial tract to the south. If it not transferred it will remain as permanent open space.

Attucks Drive straddles the southern boundary for approximately 800' from Sawmill Parkway going east. This plat will dedicate 30' of the right-of-way with the remaining 30' existing by easement on the Drug Mart lot to the south. Drug Mart will dedicate its portion of the right-of-way with a future plat. The remaining leg of Attucks extending to Old Sawmill Road will be entirely on the Big Bear Farms plat and align with Grey Oaks Drive in the City of Powell to the east.

A technical review was held on July 16, 2002, after which the applicant has addressed all of the required changes, except:

- According to Greg Channel of ODOT, the access to Powell Road can only be right in/right out. The revisions still indicate "full service curb cut". Change this note or provide documentation that ODOT will allow full turning movement.
- References to notes are incorrect.

**The applicant has requested a 90-day tabling of the Final plat.**

**Staff Recommendation**

Staff recommends *conditional Preliminary approval* of **Big Bear Farms, Section 10** to the RPC, subject to correcting the notes and references on the plan. Staff also recommends approval of the 90-day tabling of the Final plat.

**Commission / Public Comments**

Mr. Jeff Miller of EMH & T was present to represent the applicant. He stated that they would comply with the staff comments.

Mr. John Schmidt asked what the applicant would do if they found anything of archeological significance. Mr. Laurien thought the Ohio Historical Society would do some investigating. Once that is complete they may say it's ok to proceed or if something is found the applicant may be requested to do further excavation to see if there is anything significant.

Mr. Gunderman asked if a traffic study was done for this project. Mr. Pike said no. Mr. Gunderman asked if there were any expectations of any traffic or land improvements. Mr. Pike stated that the developers are required to put in drop turn lanes for entrances for what is proposed.

***Mr. Gladman made a motion for conditional Preliminary approval of Big Bear Farms, Section 10, subject to staff comments. Mr. Brenner seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.***

***Mr. Gladman made a motion to approve the 90-day table request for Big Bear Farms, Section 10 final plat. Mr. Brenner seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.***

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**CONSENT AGENDA**

Chairwoman Foust asked the Commission if they wanted to remove any of the applications from the consent agenda. There were none.

*Mr. Gladman made a motion for Final approval of Serenity Woods, Chapman Ravine, Golf Village, Section 3, Phase B, Golf Village, Section 4, Phase A, and Golf Village, Section 4, Phase B. Mr. Brenner seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

**Final**

**20-01                      Serenity Woods – Concord Twp. - 02 lots / 07.47 acres**

- Applicant:** Elizabeth Essig
- Subdivision Type:** Single-family residential (CAD)
- Location:** East end of Serenity Drive about 630' East of Sylvian Drive
- Current Land Use:** Wooded
- Zoned:** FR-1
- Utilities:** Del-Co Water, Union County Rural Electric, Columbia Gas, on site septic
- School District:** Dublin
- Engineer:** Scioto Land Surveying Service

**Staff Comments**

Serenity Woods is a two-lot CAD at the end of Serenity Drive. The site is wooded with a deep ravine running south to north through the property. The center of the original lot was conveyed to the adjacent lot to the west, leaving one lot on the north and one flag lot to the south. These lots are 3.115 acres and 4.353 acres, respectively. The CAD is a 60' x 60' access point at the end of Serenity Drive. Private driveways will extend into each property from that point. Homes will be served by individual septic systems. Preliminary Approval was granted January 31, 2002.

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

**Staff Recommendations**

Staff recommends *Final approval* of **Serenity Woods** to the RPC.

**Commission / Public Comments**

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

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**23-97.3.B    T            Eagle Trace, Section 3, Phase B – Genoa Twp. - 24 lots / 09.49 acres**

- Applicant:** Centex Homes
- Consultant:** Ed Miller, EMH & T

**Staff Comments**

On behalf of Centex Homes, Mr. Miller has requested a 30 day tabling for Eagle Trace, Section 3, Phase B.

**Staff Recommendation**

Staff recommends approval of the 30 day tabling request for Eagle Trace, Section 3, Phase B.

**Commission / Public Comments**

*Mr. Ward made a motion to approve the 30-day table request for Eagle Trace, Section 3, Phase B. Mr. Brenner seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*



**17-01 Chapman Ravine – Liberty Twp. - 03 lots / 08.29 acres**

**Applicant:** Michael Linde  
**Subdivision Type:** Single-family residential (CAD)  
**Location:** East and west side of Chapman, about 1500 ft. South of S.R. 23, Liberty Township  
**Current Land Use:** Single-family residential  
**Zoned:** Farm Residential District (FR-1)  
**Utilities:** Del-Co water, on site septic  
**School District:** Olentangy  
**Project Engineer:** Patridge Surveying

**Staff Comments**

Chapman Ravine is a three-lot CAD subdivision on Chapman Road on the east side of the Olentangy River. The three lots have a total acreage of 8.286 acres (4.504, 1.548, and 1.623 acres). There is an existing house on the lot closest to Chapman Road. This lot also retains ownership of the land between Chapman Road and the river. The site and surrounding area is mostly wooded. The soils are not ideal, but adequate for septic systems. Preliminary approval was granted November 29, 2001.

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

**Staff Recommendation**

Staff recommends *Final approval* of **Chapman Ravine**, to the RPC.

**Commission / Public Comments**

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

**43-00.3.B Golf Village, Section 3, Phase B – Liberty Twp. - 19 lots / 09.00 acres**

**Applicant:** Centex Homes  
**Subdivision Type:** Single-Family Residential  
**Location:** South side of Rutherford Road, east of Sawmill Parkway, Liberty Twp.

**Current Land Use:** Vacant/Wooded  
**Zoned:** Planned Residential (PR)  
**Utilities:** Del-Co water and public sewer  
**School District:** Olentangy  
**Engineer:** R.D. Zande and Associates

**Staff Comments**

Golf Village Section 3, Phase B contains 19 lots on 9.00 acres on the south side of Rutherford Road east of Sawmill Parkway. Phase A & B received preliminary approval in January 2001, and was amended April 2001. Phase A was recorded December 2001. This section will extend Trail Lake Drive from Phase A and connect to Rutherford Road. Highground Ct. is a cul-de-sac east of Trail Lake Drive. There are two open space lots at the entrance to this phase from Rutherford Road.

Surrounding land use includes mostly single-family and opens space. To the north is Golf Village, Section 4, Phase A & B and to the east large lot single family homes. To the south of this section is the future Golf Village, Section 3, Phase A and to the west is land for the Golf Village Golf Course. The density of this phase is 1.889 du/acre with a total of 0.423 acres of open space in 2 reserve lots (4.7%).

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

**Staff Recommendation**

Staff recommends *Final approval* of **Golf Village, Section 3, Phase B** subdivision to the RPC.

**Commission / Public Comments**

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

**43-00.4.A Golf Village, Section 4, Phase A – Liberty Twp. – 31 lots / 14.04 acres**

**Applicant:** Centex Homes  
**Subdivision Type:** Single-family residential  
**Location:** On the north side of Rutherford Rd., east of Sawmill

Parkway, Liberty.

**Current Land Use:** Vacant

**Zoned:** Planned Residential District (PR)

**Utilities:** Del Co. water and public sewer

**School District:** Olentangy

**Engineer:** R.D. Zande & Associates

**Staff Comments**

Golf Village Section 4, Phases A contains 31 lots on 14.04 acres on the north side of Rutherford Road east of Sawmill Parkway. Phase A & B received preliminary approval in July 2001. Trail Lake Drive extends north into the site from Rutherford Road and turns east. Hickory Field Lane is a loop street around a 0.815-acre open space lot. Flagg View Drive is stubbed to the south for future Phase B. The density of this Phase is 1.92 du/acre with a total of 1.92 acres of open space in 4 reserve lots (13.67%). Lots are typically 11,000 sq. ft.

This section is currently surrounded by mostly vacant land with scattered single family residences along Rutherford Rd. The future golf course will be located north and west. Phase B and vacant land owned by United Medical Products of Ohio (Zoned Industrial) is to the east. Golf Village, Section 3 is to the south across Rutherford Rd.

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

**Staff Recommendation**

Staff *recommends Final approval* of the **Golf Village, Section 4, Phases A**, to the RPC.

**Commission / Public Comments**

**Mr. Gladman made a motion for Final approval Golf Village, Section 4, Phase A. Mr. Brenner seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.**

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**43-00.4.B**

**Golf Village, Section 4, Phase B – Liberty Twp. - 33 lots / 22.86 acres**

**Applicant:** Centex Homes

**Subdivision Type:** Single-family residential

**Location:** On the north side of Rutherford Rd., east of Sawmill Parkway, Liberty.

**Current Land Use:** Vacant

**Zoned:** Planned Residential District (PR)

**Utilities:** Del Co. water and public sewer

**School District:** Olentangy

**Engineer:** R.D. Zande & Associates

**Staff Comments**

Golf Village Section 4, Phases B contains 33 lots on 22.86 acres on the north side of Rutherford Road east of Sawmill Parkway. This section received preliminary approval in July 2001. Phase B is the extension of Trail Lake Drive and the platting of lots on Flagg View Drive and Pine Way. This section contains 9.752 acres of open space. 0.671 is encompassed in Trail Lake Drive, 0.336 acres are on the northwest corner of Rutherford Road and Flagg View Drive and the remaining 8.754 acres are to the east of the subdivision along the CSX Rail lines, which includes a large retention pond towards Rutherford Rd. The large open space lot is designated on the plat as “active recreation”, and may be used as a future Township (or City of Powell) park.

This section is currently surrounded by mostly vacant land with scattered single family residences along Rutherford Rd to the south. The future golf course will be located north. Phase A and vacant land owned by United Medical Products of Ohio (Zoned Industrial) is to the west. To the east are the CSX Rail Lines.

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

**Staff Recommendation**

Staff *recommends Final approval* of the **Golf Village, Section 4, Phases B**, to the RPC.

**Commission / Public Comments**

**Mr. Gladman made a motion for Final approval of Golf Village, Section 4, Phase B. Mr. Brenner seconded the motion. VOTE: Unanimously For, 0**

*Opposed. Motion carried.*

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**V. EXTENSIONS**

**43-00.8 Golf Village, Section 8 – Liberty Twp. - 72 lots / 28.61 acres**

**Applicant:** Rockford Homes, Inc.

**Consultant:** RD Zande, Kevin Kershner

**Staff Comments**

The consultant has requested a 6-month extension of Golf Village, Section 8. Preliminary approval was given July 26, 2001.

**Staff Recommendation**

Staff recommends the approval of the 6-month extension for Golf Village, Section 8, to the RPC.

**Commission / Public Comments**

*Mr. Ward made a motion to approve the 6-month extension request for Golf Village, Section 8, seconded by Mr. Brenner. VOTE: Unanimously For, 0 Opposed. Motion carried.*

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**VI. OTHER BUSINESS**

- **Consideration of payment for Contracted Services: Loveland & Brosius \$9,587.41 (March – May)**

*Mr. Brenner made a motion to approve the \$9,587.41 legal fee expenditure, seconded by Mr. Spanner. VOTE: Unanimously For, 0 Opposed. Motion carried.*

**VII. POLICY / EDUCATION DISCUSSION**

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

Meeting adjourned at 8:40 p.m.

*The next meeting of the Delaware County Regional Planning Commission will be Thursday, August 29, 2002, 7:00PM at the Delaware Hayes Services Building, 140 N. Sandusky Street, Conference Room G-35, Delaware, Ohio 43015.*