



**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 26, 2001 at 7:00 PM
Delaware Joint Vocational School Auditorium
1610 St. Rt. 521, Delaware, Ohio 43015**

I. ADMINISTRATIVE BUSINESS

- Call to order
- Roll Call
- Approval of June 28, 2001 RPC Minutes
- Executive Committee Minutes of July 12, 2001
- Statement of Policy
- **Presentation of the Delaware County Thoroughfare Plan**

II. VARIANCES (none)

III. ZONING MAP/TEXT AMENDMENTS

- 28-01 ZON Denzil Dean Conley – Genoa Twp. – 1.57 acres from RR to SR
- 29-01 ZON LLD Properties – Harlem Twp. – 5.002 acres from AR-1 to FR-1
- 30-01 ZON Bonnie Sewell – Harlem Twp. – 6.851 acres from AR-1 to FR-1
- 31-01 ZON Walter Schuette, Davidson Phillips, Virginia Homes – Liberty Twp. – 138.209 acres from FR-1 to PRD

IV. SUBDIVISION PROJECTS

		Township	Lots/Acres
<u>Preliminary</u>			
01-98.3.A/BT	Sage Creek, Sec. 3, Ph.'s A & B	Berk./Genoa	20 lots / 51.50 acres
43-00.4.A/B	Golf Village, Section 4, Ph.'s A&B	Liberty	57 lots / 29.48 acres
43-00.6.A	Golf Village, Section 6, Phase A	Liberty	02 lots / 17.36 acres
43-00.8	Golf Village, Section 8	Liberty	70lots / 28.61 acres

Preliminary/Final

15-01	T Green Meadows Commerce Center	Orange	01 lot / 30.53 acres
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Final

33-00	Whispering Creek	Berlin	14 lots / 24.51 acres
29-98.3.3	Scioto Reserve, Sec. 3, Ph. 3	Concord	35 lots / 19.80 acres
29-98.3.4	Scioto Reserve, Sec. 3, Ph. 4	Concord	32 lots / 10.06 acres
29-98.4.7 T	Scioto Reserve, Sec. 4, Ph. 7	Concord	58 lots / 23.79 acres
06-00	O'Shaughnessy Reserve, Sec. 1	Concord	25 lots / 49.93 acres
07-01.1	The Pines No. 1	Delaware	05 lots / 12.45 acres
07-01.2	The Pines, No. 2	Delaware	03 lots / 11.06 acres

01-01	Shiraz	Delaware	04 lots / 09.54 acres
07-97.4	T	Riverby, Phase 4	
23-97.2.A	TEagle Trace, Sec. 2, Ph. A	Genoa	28 lots / 12.16 acres
38-95.2	T	Shellbark Ridge, Phase 2	
10-01	Abbington of Powell	Liberty	01 lots / 03.64 acres
08-00	Malabar	Liberty	12 lots / 20.79 acres
46-00	Rusk #2	Orange	03 lots / 08.68 acres
81-93.2.A	Cross Creek, Sec. 2, Ph. A	Orange	31 lots / 28.19 acres
81-93.2.B	TCross Creek, Sec. 2, Ph. B	Orange	23 lots / 07.95 acres
45-00	AIDA	Troy	03 lots / 10.28 acres

T=TABLED

V. EXTENSIONS

- 23-00 Tall Oaks III – Liberty Twp. - 10 lots / 27.08 – requests a 6 month extension

VI. OTHER BUSINESS

- **Consideration for approval: Fireproof file cabinet \$1,300.00**
- **Consideration for approval: Workstation computer for Admin. Assistant \$2,500.00**
- **Personnel Announcements**

VII. POLICY / EDUCATION DISCUSSION

I. ADMINISTRATIVE BUSINESS

• **Call to Order**

Chairwoman Foust called the meeting to order at 7:05 p.m.

• **Roll Call**

Representatives present: Don Poland, Robert Hedrick, Jim Ward, Debbie Martin, Don Wuertz, Steve Burke, Chad Antle, Chris Bauserman, Dale Simpkins, Leslie Warthman, Cy Schmidt, Holly Foust, Dick Gladman, Hansel Waugh, and Jeannette Curren.
Alternates present: Tom D'Amico, Barry Bryant, Steve Smith and Ken Baker. *Arrived after roll call:* Tom Hopper (R) and Shawn Leininger (A). *Staff present:* Philip Laurien, Mike Bissett, Paul Deel, Jiyeong Lee, Da-Wei Liou, Jeremy Krotz and Stephanie Matlack.

• **Approval of the June 12, 2001 RPC Minutes**

Mr. Gladman made a motion to approve the minutes from the June meeting, seconded by Ms. Curren. VOTE: Unanimously For, 0 Opposed. Motion carried.

• **July 12 2001 Executive Committee Minutes**

1. Call to order
Chairwoman Foust called the meeting to order at 3:05 p.m. Present: Holly Foust, Dick Gladman, Leslie Warthman, Steve Burke and Commissioner Ward. Staff present: Philip Laurien and Stephanie Matlack.
2. Approval of Executive Committee Minutes
 - a. June 20, 2001 – **Mr. Gladman made a motion to approve the minutes of the previous meeting. Commissioner Ward seconded the motion. VOTE: 4 For, 0 Opposed, 1 Abstained (Mrs. Warthman). Motion carried.**
3. Old Business
 - a. Office Space – Mr. Laurien stated that he had not ordered a land appraisal yet but that 2 quotes have been received. He will be checking into alternative office space options.
4. New Business
 - a. Financial / Activity Reports for June 2001 were presented:
 - (1.) 6-month review: Budget vs. Actual

Revenue:	Current \$327,525.05	Projected FY'01 \$490,200.00
Expenditure:	Current \$231,252.76	Projected FY'01 \$481,858.00

Ending balance as of 05/31/01 \$612,151.71

<u>Receipts</u>	<u>June</u>	<u>YTD</u>
General Fees (NPA)	\$ 2,475.00	\$ 8,250.00
Inspec. Fees (Transfer)	\$ 200.00	\$ 1,200.00
Fees A (Site Review)	\$ 300.00	\$ 1,700.00
Membership Fees	\$	\$122,017.00
Planning Surcharge (Twp. Assist.)	\$ 4,645.26	\$
28,668.55		
Charges for Services A (Prel. Appl)	\$ 7,150.00	\$ 66,058.75
Charges for Services B (Final Appl)	\$23,732.20	\$ 76,959.95
Charges for Services C (Ext. Fees)	\$	\$ 3,450.00
Charges for Services D (Table Fees)	\$ 1,400.00	\$ 3,800.00
Charges for Services E (Appeal/Var)	\$ 300.00	\$
1,800.00		
General Sales	\$ 417.70	\$ 3,185.80

Health Dept. Fees	\$ 1,530.00	\$ 5,020.00
Soil & Water Fees	\$ 375.00	\$ 2,425.00
Other Reimbursements	\$	\$
Other Reimbursements A	\$	\$
Other Reimbursements B	\$	\$
Canceled Warrants	\$	\$
Inter-fund Revenues	\$	\$
TOTAL	\$42,525.16	\$ 324,535.05

Balance after receipts \$654,676.87

Expenditures \$45,167.25

End of June balance \$609,509.62

Mrs. Warthman made a motion to approve the financial report as presented for June 2001, seconded by Mr. Burke. VOTE: Unanimously For, 0 Opposed. Motion carried.

- b. July RPC Preliminary Agenda – 3 rezoning applications, 4 Preliminary, 1 Preliminary / Final, and 17 Final applications. Mr. Laurien explained that the Thoroughfare Plan would not be on the agenda for consideration of approval. Public and Commission discussion will be the focus on the plan at this meeting (7/26/01).
- c. Thoroughfare Plan – Mr. Laurien explained that there were a few changes to the plan since the last RPC meeting and the Thoroughfare Plan Advisory Committee meeting. (See attached map.) The Thoroughfare Plan will be considered for approval at the August 30, 2001 RPC meeting.
5. Other Business
 - a. Contract Updates
 - (1.) Current Plans
 - (a.) Berkshire – plan adopted, currently printing (in-house) 14 copies due the contract.
 - (b.) Brown – adopted the Plan July 3, 2001. The Thoroughfare Plan layer was taken off the Comprehensive Plan map. There will be a reference to it in the text instead.
 - (c.) Troy – Plan should be complete by mid-September
 - (d.) Shawnee Hills – draft Plan completed in June. Reviewing

the Plan now.

- (2.) New Plans
 - (a.) Concord – Projected to start in August
 - (b.) Kingston – Projected to start in September
 - (c.) Trenton – Projected to start in October
 - (d.) Sunbury – Have contract and anticipate signing it
 - (e.) Berkshire Zoning – requested an immediate review of their Zoning Resolution. Proposed contract (with comments from Attorney Brosius) has been mailed.

- b. Fireproof file cabinets – as recommended by Duncan Whitney, Co. Prosecutor, Mr. Laurien asked for recommendation of approval of a fire proof file cabinet. He said that all file cabinets purchased in the future should be fire proof. Chairwoman Foust suggested keeping a fireproof room in mind when acquiring office space.

Mr. Gladman made a motion to recommend approval of up to \$1300.00 for a fire proof file cabinet. Mrs. Warthman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

- c. Computer purchase – Mr. Laurien explained that Mrs. Matlack’s computer is no longer able to handle the large comprehensive plan files due to their size and lack of RAM in her present computer. Recently 4 hours of materials was lost due to her computer crashing. He requested a recommendation of approval for a Dell Precision Workstation (currently \$2259.87 as of 7/12/01).

Commissioner Ward made a motion to recommend approval of up to \$2500.00 for a new computer for the Administrative Assistant. Mr. Gladman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

6. Personnel
 - a. Resignation – Mike Bissett will be leaving for graduate school in Holland (specializing in GIS) in mid-September.
 - b. Recognition – Jiyeong Lee defended his dissertation on July 6th and it was accepted. He will be graduating with his Ph.D. in September.
7. Adjourn – Mrs. Warthman made a motion to adjourn the meeting. Mr. Burke seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

The Executive Committee meeting was changed from August 22 to August 24 due to a previously scheduled meeting conflict.

Meeting adjourned at 4:30 p.m.

The next Executive Committee meeting will be Friday, August 24, 2001 at 8:30 a.m. in the 2nd Floor conference room at 50 Channing Street, Delaware, Ohio, 43015

• **Review of the Delaware County Thoroughfare Plan**

Mr. Robert Lawler of the Mid Ohio Regional Planning Commission (MORPC) stated that Delaware County has been experiencing a lot of growth over the last couple of decades. Over half of the future growth is expected to be between the Scioto River and I-71. Between 1995 and 2020, it is expected to add 31,000 new roof tops to the area. The number of trips beginning or ending in Delaware County, are expected to go up 283% by the year 2020. The vehicle miles traveled are expected to go up 253%. The numbers of hours traveled is projected to go up 318%. The fact that the number of hours traveled is going up more rapidly than the number of miles traveled means that travel is slower, a sign of increased congestion. In 1995, it was estimated that 16% of miles driven were under congestive conditions. By the year 2020 that number is closer to 30%. The City of Delaware is the County seat. 42% of traffic passes through the City of Delaware without stopping and 58% stop in the city.

Thoroughfare Plan goals:

County goals: improving road systems to be more efficient (remove gaps and jogs), additional access to major arterial roads, and relieve congestion throughout the County.

City: relieve congestion, address some of the truck traffic volume through the center of the City, and getting the road system to support development.

Some concerns to examine included the scenic river, Ecological Center, residences, and businesses. It was recommended to retain the US 42 / Cheshire connector (“Y” on the map). The Hoover crossing was eliminated and the extension of Sunbury Road to Harlem Road was restored.

Commissioner Wuertz stated that he was opposed to the Cheshire Road alignment because it’s taking US 42 traffic and putting it through a developed area.

Questioned why not take it north onto Section Line Road to a new interchange at SR 521. He also, wanted to know why the State isn't contributing to the resolution of the traffic problems. Mr. Lawler stated that the links to get to I-71 are already in the plan. There are other alternatives that are intermediate between the Cheshire extension and those routes that are further north. The computer models are an attempt to replicate how traffic would really travel. Mr. Lawler stated that he can not speak for ODOT, but said that he has noticed that they wait for local communities to put together plans to come up with what they consider to be better alternatives to handle the traffic problems. Then you approach them (ODOT) to try to convince them to help fund those alternatives.

Mr. Bauserman asked if the increased traffic was over today's volume or the future projected volume. Mr. Lawler said the future projected volume compared to the recommended plan.

Commissioner Ward asked if a cost study has been conducted to build the Cheshire connector or the crossing over the river? Mr. Lawler stated that costs are estimated after the corridor study. Mr. Bauserman stated that the outcome of a corridor study would be the preferred alternative.

Mr. George Speese, Chairman of the Delaware City / County Transportation Thoroughfare Plan Task Force, said he appreciates Mr. Bauserman's and Mr. Laurien's input. He said since the County is the fastest growing County in the State of Ohio we need to look at the future's traffic needs not just today's needs.

Mr. David Simmons, President of the Village Council in Galena, stated that the extension of Cheshire Road to SR 36 ("N") would create an economic impact on the Village (golf course). He also questions the need for the extension because there is an existing bypass of Sunbury.

Ms. Barb Williamson (Cheshire Road) stated that Mr. Lawler said that there would be 2,700 cars using the Cheshire Rd. / 42 Interchange. He also said at a later time that he couldn't tell them what route the trucks would be using. She questioned how he could tell the total number of vehicles using that 42 / Cheshire Rd. intersection. Mr. Lawler said that the truck modeling isn't as detailed as the other parts of the model. He also said that the majority of the traffic would be the automobile traffic. But the models do consider the truck traffic that is traveling through the area.

Mr. Ray Lorello, Planning Program Administrator for ODOT District 6, stated that they do not dictate the corridors or the road locations, but do accept their responsibility in the process. After the corridor study, ODOT assists local entities

to work out a plan. An audience member asked why are they doing the 42 bypass to 23 when it doesn't fit with this plan. Mr. Lorello stated that it is a short-term investment that allows for southbound movement on 23 for the vehicles using 42. It was driven by the business community and the local planning process.

Ms. Rita Brumley, Chairwoman of the Citizens for Responsible Road Development, stated that the west side of 315 is large lots and putting a road through there would be very costly. What was the density used (in the northern part of Liberty Twp.) for the traffic study. She also wanted to know if the 23/42/36 (#16) proposal was a wide swath and if other alternatives were examined. Mr. Laurien said that the existing comprehensive plans and zoning were used for the traffic study. If the Comprehensive plan said 1 unit per acre (which it does) that's what was used. There were no anticipated increases in density even if sewer is provided. All one-acre lots were anticipated. Mr. Laurien stated that the 23/42/36 is a broad swath where other alternatives are being considered.

Mr. Kevin Hennessy (716 Curve Road) stated that he has heard of the lands as "virgin lands" but there are too many people in opposition to be "virgin lands". The red lines drawn on the map are causing concern to current property owners and prospective buyers.

Mr. Matt Monticue (374 Penry Rd., Delaware, Ohio) stated that the (Delaware County Regional) Planning Commission should control the development and growth.

Mr. Laurien stated that the DCRPC cannot "control growth". Ohio has some of the weakest land use legislation in the United States, which hasn't been revised in 50 years. It was tried 25 years ago and was defeated. Mr. Laurien has offered an option to state legislators that would give additional powers to Townships and Counties. Right now there is no enabling legislation for Townships or Counties to control their growth in the State of Ohio, unlike Maryland, Florida or Oregon. If you are in a home rule community, such as a City or a Village, and you specifically have a short term problem such as lack of sewer service or water service you may be able to have an interim moratorium or slow down in building permits until you respond and fix the problem.

Ms. Dala Bishop (1276 Bean Oller Road) owns property in the city and the county. She thinks the 23/42 changes was a poor decision. She said that through streets attract traffic.

Mr. David Brown (1557 Bean Oller Road) suggested dating the lines that are put on the Thoroughfare Plan.

Mr. Ron Bishop (Bean Oller Road) asked Mr. Lawler why Hyatts Rd. was not an option to carry east/west traffic. Mr. Lawler said that is less likely to be a major arterial but would be able to carry traffic. Mr. Bishop said that east/west problems are caused because there is no good north/south major arterials.

Mr. Laurien thanked all the residents that made their comments to the Commission. He stated at next month’s RPC meeting (Aug. 30th) the Thoroughfare Plan will be presented to the Commission for a vote. The RPC will have a formal presentation similar to those presented for zoning amendments.

• **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

28-01 ZON Denzil Dean Conley – Genoa Twp. – 1.57 acres from RR to SR

I. Request

This request is for a Suburban Residential zoning to plat three single-family lots of approximately 20,000 square feet each behind 6399 Tussic Street Road in Genoa Township.

II. Conditions

Present Zoning: Rural Residential
Proposed Zoning: Suburban Residential

Proposed Density: 2 units/acre
Existing Density: 1units / 2 acres

School District: Westerville

Utilities Available- Del Co Water, Delaware County sanitary sewer.
Soils: BeA) Bennington Silt Loam, 0 – 2 % slope, (BeB2) Bennington Silt Loam 2-6 %

III. Facts

1. Adjacent Existing Land Use:

West: Single family home
North: Eagle Trace subdivision, single family PRD.
South: Harvest Wind subdivision, single family PRD.
East: Harvest Wind subdivision, single family PRD.

2 Sanitary Sewer

Delaware County Sanitary sewer will serve this site via extension down Center Green Drive.

3.) Water

Del-Co water is available.

4.) Drainage- The land is flat. Drainage will have to enter the Harvest Wind drainage and or Eagle Trace drainage systems as it currently does.

5.) Compatibility with existing and future probable uses

The uses and densities proposed are compatible with the surrounding land uses.

6.) Compliance with the Genoa Township Comprehensive Plan

The current Township Comprehensive Land Use Plan Area I recommends 1.8 units per acre, or the sewer capacity of the area, whichever is less. The proposal would be 1.91 units per acre, which slightly exceeds the plans recommended density. The applicants 1 acre lot to the west should be included in this application to help reduce the density and to avoid creating a 1 acre non-conforming lot.

Approval of the zoning does not assure the applicant that he will be able to subdivide 3 lots – The rear lot is questionable.

IV. DCRPC Staff Recommendation

DCRPC staff recommends that the application for rezoning 1.57 acres to SR at 6399 Tussic Street Road by Denzil Dean Conley be *conditionally approved subject to the applicant including his 1 acre lot to the west in the application*, because the use and density complies with the surrounding land uses and the Comprehensive Plan.

Commission / Public Comments

Mr. Dean Conley was present to answer questions from the Commission. He stated that there is room to put a CAD on this lot. Mr. Seidle previously agreed that one drive could come off of Centergreen Drive and branch off to each lot. There is 253 feet from the right side to lot 3. He questioned the need to include the 1-acre lot in the zoning. Mr. Laurien stated that if the 1-acre lot is not in the zoning, the density for the potential of the 3 lots remaining exceeds the Comprehensive Plan, then Township could not approve the request. Mr. Deel said the Plan states 1.8 units per acre. 3 lots on 1.5 acres is 1.9 units per acre. Including that lot will also provide flexibility in case you need to shift the lots to the west to provide frontage to the back 2 lots.

Mr. Laurien stated that this is not a subdivision review, just a zoning review. We are not approving or denying a potential CAD. Whether or not a CAD is a good idea will be decided when it comes through the subdivision process. Mr. Laurien stated that it might not be an appropriate location for a CAD at a curve in the road. Mr. Conley agreed to include the 1.0-acre lot into the overall zoning application.

Mr. Cy Schmidt made a motion to recommend conditional approval of the Conley rezoning request, subject to staff comments. Mr. Waugh seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

****Mr. Deel stated that the following zoning case (#29-01) was previously reviewed and recommended for approval in May 2001, but due to a procedural error the Township asked for the applicant to go through the process again. The application has not changed. No Commission action is necessary.**

29-01 ZON LLD Properties LLC, an Ohio Limited Liability Company, and Timothy W. Dickens – Harlem Twp. – 5.002 acres from AR-1 to FR-1

Request

The applicant is requesting to rezone a 5.002-acre lot from Agriculture Residential (AR-1) to Farm Residential (FR-1).

Conditions

- Location:** 5353 Harlem Road, Harlem Twp.
- Present Zoning:** Agriculture Residential (AR-1)
- Proposed Zoning:** Farm Residential (FR-1)
- Present Use:** Residential
- Proposed Use:** Residential

- Existing Density:** 1 unit / 5 acres
- Proposed Density:** 1 unit / acre
- School District:** Big Walnut
- Utilities Available:** Del-Co water and private septic
- Soils:** Bennington Silt Loam (0-2 percent slopes) - BeA
Bennington Silt Loam (2-4 percent slopes) - BeB

Staff Comments

The site has an existing home and barn with vacant land on the east side of the lot. The surrounding land use includes scattered single-family homes and agriculture. The applicant is rezoning the property in order to lower the minimum lot size from five acres to one. This rezoning would allow the applicant to subdivide the lot into 2 or 3 lots. Several homes along Center Village Road in the vicinity are on lots between 1 and 3 acres. The homeowner should consult with the Health Department to assure that there is adequate area for additional septic systems.

The 1988 Harlem Township Comprehensive Plan shows the proposed site as agricultural. The plan recommends that residential development in this area be on large lots and smaller subdivisions, but does not define the acreage requirement. However, a goal of the residents was that residential lots be a minimum of 1 ¼ acres.

Staff Recommendation

Staff recommends *approval* of the 5.002 acre rezoning from Agriculture Residential (AR-1) to Farm Residential (FR-1) to the RPC, Harlem Township Zoning Commission, and the Harlem Township Trustees.

****NOTE**** This request was approved by the Commission in May 2001. Further Commission action is not necessary.

30-01 ZON Bonnie Sewell – Harlem Twp. – 6.851 acres from AR-1 to FR-1

Request

The applicant is requesting to rezone 6.851 acres from AR- 1 to FR- 1 from an original 22.431 acres, for residential use at 1459 Green Cook Road in Harlem Township.

Conditions

- Location:** East side of Green-Cook Rd., between Lewis Rd. and Needles Rd.
- Present Zoning:** (AR- 1) Agricultural/ Residential
- Proposed Zoning:** (FR- 1) Farm Residential

Present Use: Agricultural Residential
Proposed Use: Residential
Existing Density: 1du/ 5 acres
Proposed Density: 1 du/ acre
School District: Big Walnut
Utilities Available: Private well and septic
Soils: BeA: Bennington Silt Loam, 0 – 2 percent slope
PwA: Pewamo silty clay loam 0 – 1 percent slope

General comments

The applicant requests a zoning change from AR-1 to FR-1 in order to reduce the minimum lot size from five acres to one. The 6.851-acre parcel is within a large 22.431-acre tract of land that contains a house and several agricultural outbuildings. This rezoning would allow the applicant to split the re-zoned lot into 2 buildable lots, including the existing structures. The applicant will need to work closely with the Health Department to assure that there is adequate area for on site septic systems due to the presence of Pewamo soils. The site is surrounded by agricultural zoning and land use.

The 1988 Harlem Township Comprehensive Plan shows the proposed site as agricultural. The plan recommends that residential development in this area be on large lots and smaller subdivisions, but does not define the acreage requirement. However, a goal of the residents was that residential lots be a minimum of 1 ¼ acres.

Staff Recommendation

Staff recommends *approval* of the 6.851 acres rezoning from Agriculture Residential (AR- 1) to Farm Residential (FR- 1) to the RPC, Harlem Township Zoning Commission, and the Harlem Township Trustees.

Commission / Public Comments

Mr. Mike Forman and Bonnie Sewell were present to answer any questions from the Commission.

Mr. Cy Schmidt made a motion to recommend approval of the rezoning request from Bonnie Sewell. Ms. Curren seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

31-01 ZON Walter Schuette, Davidson Phillips, Virginia Homes – Liberty Twp. – 138.209 acres from FR-1 to PRD

I. Request- This request is to rezone 138.209 acres, from FR-1 to Planned Residential District, east side of Riverside Drive, north of Sunset Cove subdivision, to construct Wedewood Park II, a subdivision of 145 lots.

II. Conditions

Present Use: Agriculture, woods
Proposed Use: 145 single-family homes
Liberty Township Comprehensive Plan -Residential at 1 unit/acre below elevation 900’; 1.25 units per acre above 900’
School District: Olentangy
Utilities Available- Del Co Water, Delaware County sanitary sewer.

III. Facts

The applicant requests a zoning change from FR-1 to PRD to construct 145 single-family homes on lots of 1/3 acre and larger. The development plan provides for a connection to the east to Wedgewood Park I, but no connection to the stub of Sunset Drive to the south. No connection is possible to the Trotter’s Gait subdivision to the north since Timber Rock Blvd is a private street with large (1+ acre typical) lots.

IV. Existing Land Use:

To the west is open space, part of Columbus’ O’Shaughnessey Reservoir.
To the north is Trotter’s Gait subdivision, 1+ acre single-family lots.
To the south is single family residential, Sunset Cove subdivision, one-acre lots; 21 acres owned by Diane Hodges; and 14 acres owned by Franklin County Commissioners for Columbus zoo expansion.
To the east is 129 acres owned by the Franklin County Commissioners for Columbus zoo expansion and Wedgewood Park I.

V. Conformance with the Comprehensive Plan

The 1995 Liberty Township Comprehensive Plan Planning Unit Six recommends single family development with a minimum one acre lot size below 900’ elevation, or .75 acre lots in a PRD. Above 900’ the minimum lot size is .6 acres. Approximately 80% of the 138 acres are below 900’ elevation with open views towards the Scioto River. This area is expressly planned for large lots to maintain the rural character. With proposed .3-.4 acre lots above and below 900’, the development plan does not conform to the comprehensive plan.

VI. Conformance with Development Plan Standards

a.) The Plan requires divergences for lot sizes. Typical lot sizes above and below the 900' elevation range from .316 acres to .5 acres. These lots do not conform to lot sizes as prescribed in the comprehensive plan (.75 acres below 900', .6 acre above 900' in a PRD). Zoning Resolution Article 10.07 A. 1.) states that "minimum lot sizes "may be modified to permit clustering where appropriate." The most recent adjacent development, Trotter's Gait subdivision, retained FR-1 zoning with average lot sizes of 1+ acres below 900'. The Traphagen lands north of Seldom Seen Road were the subject of a PRD rezoning in 1998, with .6 acre minimum lot sizes (above and below 900'), which was not supported by the township, and ultimately withdrawn, then acquired by Metro Parks.

The applicant has not stated a hardship or reason to justify lots sizes less than the .75 and .6 acres specified lots in the Scioto River Valley corridor of Planning Unit 6, especially below 900'. The PRD is being used to bulk up the density by using gross 1 unit/acre, when truly the same number of one acre lots is not feasible.

- b.) Because lot sizes are proposed to be smaller than normally permitted, a divergence is requested for side yards to be reduced from 25' to 12.5'.
- c.) 25 of the 145 lots cannot meet the township requirement for a 100' setback for driveways from an intersection, so a divergence is requested.
- d.) Sanitary sewer- the letter submitted from the county sanitary engineer indicates that there is capacity in the 10" line in Wedgewood Place I to serve this second phase.
- e.) Del Co water can be extended from Wedgewood Park to serve the development.
- f.) A traffic impact letter from ms consultants indicates the need for left and right turn lanes at the entrance from SR257. These turn lanes are not shown on the development plan.
- g.) A street connection must be shown to Sunset Drive. Although the residents of Sunset Cove (by letter dated July 24, 2001) are opposed to this connection, the road connection needs to be made, and will be a subdivision requirement.

- h.) No landscaping plan is included.
- i.) Three sample renderings of homes are submitted, but no architectural design criteria are included.
- j.) There is no stormwater feasibility shown on the plan. Although there appear to be 3 existing ponds on the site in the 1997 aerial photo, the development plan does not show them.

VII. Required findings for Approval of a Planned Residential Development

The Zoning Commission and Trustees may approve Planned Residential Development zoning provided they find that the proposed use complies with all of the following requirements:

1.) That the proposed development is consistent in all aspects with the purposes, intent, and applicable standards of this zoning resolution.

DCRPC Staff Finding: No; the development plan is incomplete, and density standards (minimum lot sizes) are not met.

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

DCRPC Staff Finding: No; lot sizes do not meet minimum standards of .75 acres below 900' elevation or .6 acres above 900' elevation.

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

DCRPC Staff Finding: No; the development plan is incomplete and does not conform to the adopted comprehensive plan.

VIII. Recommendation

Staff recommends *denial* of the proposed rezoning of 138.209 acres on SR 257 from FR-1 to PRD for Walter Schuette and Davidson Phillips, Virginia Homes because:

- 1.) The applicant has not stated a hardship or reason to justify lot sizes less than the .75 and .6 acres specified in the Scioto River Valley corridor of Planning Unit 6, especially below 900’.
- 2.) 25 of the 145 lots cannot meet the township requirement for a 100’ setback for driveways from an intersection.
- 3.) A traffic impact letter from MS consultants indicates the need for left and right turn lanes at the entrance from SR257. These turn lanes are not shown on the development plan.
- 4.) A street connection must be shown to Sunset Drive. Although the residents of Sunset Cove (by letter dated July 24, 2001) are opposed to this connection, the road connection needs to be made, and will be a subdivision requirement.
- 5.) No landscaping plan is included.
- 6.) Although three renderings of homes are submitted, no architectural design criteria are included.
- 7.) Stormwater feasibility is not shown. 3 existing ponds are not shown on the development plan – it is unclear what will happen to these ponds, and how stormwater will be handled.

Commission / Public Comments

Mr. Charles Ruma on behalf of Virginia Homes was present. The east side of the site is wooded with a major stream through it. They tried to keep those lots larger (1.5 to 3.0 acres each) to preserve that area. There is a major parks system planned for this site, to include the 3 ponds that are on the site along with bike paths and gazebos. This would be similar to that in Phase 1. Mr. Laurien stated that in Liberty Twp., they specifically wanted to adhere to the 900’ elevation, both in the Olentangy River valley and the Scioto River valley. In the 3 years that Mr. Laurien has been with the RPC they (liberty Twp.) have not approved lots smaller below 900’ then what was called for. Mr. Baker asked what was the importance of the 900’ regulation. Mr. Laurien said that the areas of the Olentangy River valley and the Scioto River valley, at the time of the Comprehensive Plan, were considered to be the corridors with the most rural character. The Township wanted to minimize the impact to those corridors. Liberty Twp. does give the flexibility in the PRD to go to ¾ of an acre. But this is double that allowance.

Mr. Ruma said that there are 25 lots that don’t meet the 100’ setbacks for driveways near an intersection and that they have had trouble with that regulation

in the past. They will be asking the Township for a variance and will do their best to keep the driveways as far from the intersection as possible. Mr. Laurien stated that if the lots were larger and in conformance with the comprehensive plan, you would have a fewer number of lots that don’t conform to that standard.

Mr. Ruma stated that the turn lanes should be on the plan going both northbound and southbound and will conform to ODOT standards. Mr. Laurien stated that the subdivision plat must conform to the development plan that is why the staff called out that deficiency.

Mr. Ruma stated that the residents of Sunset Cove are opposed to the connection because of the unsafe intersection at SR 257. Mr. Laurien said that all subdivisions need to connect. There are too many roads that go no where. Mr. Bauserman agreed. He said it’s not just for residents but for school buses, emergency vehicles, police, etc. Chairwoman Foust stated that the Comprehensive Plan requires a minimum of 2 connections for every subdivision, but prefers 3.

Mr. Ruma stated that the landscaping plan would be submitted to the Township. Mr. Ruma said that page 9 of the deed restrictions states that the developer reviews all plans for colors and designs. Chairwoman Foust stated that architectural design criteria not only needs to be in the deed restrictions, but also needs to be in the development plan. Mr. Ruma agreed to add the same text to the development plan prior to the Township meeting.

Mr. Ruma stated that the storm water feasibility would be completed prior to the Township meeting. His engineer has stated that they will be able to meet all the standards required.

Mrs. Nola Gendy (Sunset Drive resident) stated that she has lived at her home for 30 years. They moved there because of the large lots and quiet area. There is no through street. The kids living there are able to play in the street without fear of traffic traveling through to the adjoining subdivision. The road is very narrow and cars must slow down to pass one another. Mr. Laurien stated that it is not just a question of residential traffic. It’s the emergency vehicles, police, buses, snow plows. The road is public and therefore could not be gated and used only in emergency situations.

Mr. Poland made a motion to deny the zoning request by Walter Schuette, Davidson Phillips, and Virginia Homes, based on staff comments. Commissioner Martin seconded the motion. VOTE: 20 For, 0 Opposed, 1 Abstained (Liberty Twp.). Motion carried.

Subdivision Type: Single-family residential
Location: On the north side of Rutherford Rd., west of Liberty Road.
Current Land Use: Agricultural
Zoned: Planned Residential District (PR)
Utilities: Del Co. water and public sewer
School District: Olentangy
Engineer: R.D. Zande & Associates

Surrounding Land Use

North: Vacant (Future Golf Course in Golf Village)
South: Rutherford Road and Golf Village Section 3 Phase 2
West: Vacant (Future Golf Course in Golf Village)
East: CSX Rail Tracks

Staff Comments

Section 4 is in the eastern portion of the overall Golf Village development on the north side of Rutherford Road. The design includes two streets extending north from Rutherford Road with two small loops and a cul-de-sac accessing 57 lots. There are 12.1 acres in seven open space lots; three along the north side of Rutherford Road, two in the center of the loop streets, one small strip along the south side of Trail Lakes Drive and a large open space lot to the east that borders the railroad tracks. The Large open space lot to the east will have a detention basin along the north side of Rutherford Road. The relocation of Rutherford Road will be incorporated into the Sawmill Parkway extension plat. The site surrounds a 5-acre industrial zoned property that the Township may wish to down zone to a more appropriate district.

A Technical review was held on July 17th, 2001 after which the applicant has addressed all of the required changes.

Staff Recommendation

Staff recommends conditional Preliminary approval of the **Golf Village, Section 4, Phases A & B**, to the RPC subject to the Sawmill Parkway being completed prior to Final Plat approval.

Commission / Public Comments

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

Commissioner Martin made a motion for Preliminary approval of Golf Village, Section 4, Phases 4 & 5, subject to staff comments. Mr. Simpkins seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

IV. SUBDIVISION PROJECTS

Preliminary

01-98.3.A/B Sage Creek, Sec. 3, Ph.'s A & B – Berkshire & Genoa Twp.'s – 20 lots / 51.50 acres

Applicant: Trenton Land Co.
Engineer: Bischoff & Associates Inc.

Staff Comments

The applicant has requested to table Sage Creek Section 3, Phase A & B for 90 days.

Staff Recommendation

Staff recommends the 90 day tabling of **Sage Creek Section 3, Phases A & B**. This application will be placed on the October 25, 2001 RPC meeting.

Commission / Public Comments

Commissioner Ward made a motion to approve the table request of Sage Creek, Section 3, Phases A & B for 90 days. Mrs. Warthman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

43-00.4.A/B Golf Village, Section 4, Phases A & B – Liberty Twp. - 57 lots / 29.48 acres

Applicant: Triangle Real Estates, Inc.

Staff Recommendation

Staff recommends conditional Preliminary approval of the **Golf Village, Section 6, Phase A** to the RPC, subject to the Sawmill Parkway being constructed prior to final plat approval.

Commission / Public Comments

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

Commissioner Martin made a motion for conditional Preliminary approval of Golf Village, Section 6, Phase A, subject to staff comments. Mrs. Curren seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

43-00.6.A Golf Village, Section 6, Phase A – Liberty Twp. - 02 lots / 17.36 acres

Applicant: Triangle Real Estate, Inc.
Subdivision Type: Maintenance Building/Open Space
Location: On the north side of Rutherford Rd., west of Liberty Road.
Current Land Use: Agricultural
Zoned: Planned Residential District (PR)
Utilities: Del Co. water and public sewer
School District: Olentangy
Engineer: R.D. Zande & Associates

Surrounding Land Use

North: Vacant (Future Condo's and industrial portion of Golf Village)
South: Vacant (Future phase of Golf Village)
East: CSX Rail Tracks
West: Vacant (Future phase of Golf Village)

Staff Comments

There are two lots in this application, including an open space lot with a large retention pond and a lot for the Golf Course Maintenance building. The subdivision also includes a new street called Beechview Drive that will extend to the east from Sawmill Parkway and turn to the north towards Home Road.

A Technical review was held on July 17th, 2001 after which the applicant has addressed all of the required changes except the correction of the RPC number on the plan.

43-00.8 Golf Village, Section 8 – Liberty Twp. - 70 lots / 28.61 acres

Applicant: Triangle Real Estates
Subdivision Type: Single-family residential
Location: South of Home Rd., east of Steitz Rd, Liberty Township
Current Land Use: Agricultural
Zoned: Planned Residential District (PR)
Utilities: Del Co. water and public sewers
School District: Olentangy
Engineer: R. D. Zande A Associates

Surrounding Land Use

North: Vacant (Future Golf Course, Golf Village)
South: Section 9 of Golf Village
East: Vacant (Future Golf Course, Golf Village)
West: Vacant (Future Golf Course, Golf Village)

Staff Comments

Section 8 is in the northwestern portion of the overall Golf Village development. The design consists of a large loop street (Polo Lane) with a cul-de-sac (Hidden Hill Lane) and a short street (Havenrock Lane). Polo Lane extends north from Village Club Drive in Section 9 to the south. The site has no open space within it but is to be surrounded by the golf course. The site will drain to a retention pond on the future golf course to the east.

A Technical review was held on July 17th, 2001 after which the applicant has

addressed all of the required changes.

Staff Recommendation

Staff recommends conditional Preliminary approval of the **Golf Village, Section 8**, to the RPC, subject to the Sawmill Parkway being completed prior to final approval.

Commission / Public Comments

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

Chairwoman Foust stated that the Trustees have a concern of how the names are being assigned on the loop street where it is not clear where they are beginning and ending. Mr. Kershner stated that they are working on it.

Commissioner Martin made a motion for conditional Preliminary approval of Golf Village, Section 6, Phase A, subject to staff comments. Mr. Simpkins seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

Preliminary/Final

15-01 Green Meadows Commerce Center – Orange Twp. - 01 lot / 30.53 acres

Applicant: Kenny-Wilcox LLC
Engineer: Bauer, Davidson, and Merchant, Inc.

Staff Comments

The applicant has requested to table the preliminary and final application for Green Meadows Commerce Center for 30 days.

Staff Recommendation

Staff recommends the tabling of **Green Meadows Commerce Center** preliminary and final for 30 days. These applications will be placed on the August 30, 2001 RPC meeting.

Commission / Public Comments

Commissioner Ward made a motion to table the Preliminary / Final application of Green Meadows Commerce Center for 30 days. Mrs. Warthman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

CONSENT AGENDA

Chairwoman Foust asked if there were any applications the Commission would like removed from the Consent Agenda. Mr. D’Amico stated that the print for the Whispering Creek subdivision still showed the incorrect setbacks. He has spoken to the developer and they have agreed to change them to 90’. Mr. D’Amico asked if the mylar showed the 90’ requirement? *Commissioner Martin made a motion to remove the Whispering Creek subdivision from the consent agenda for discussion. Mrs. Warthman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

Commissioner Martin made a motion for Final approval of Scioto Reserve, Section 3, Phase 3, Scioto Reserve, Section 3, Phase 4, O’Shaughnessy Reserve, Section 1, The Pines No. 1, The Pines No. 2, Shiraz, Abbington of Powell, Malabar, Rusk #2, Cross Creek, Section 2, Phase A, and AIDA. Mrs. Warthman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

**Final
33-00**

Whispering Creek – Berlin Twp. - 14 lots / 24.51 acres

Applicant: David Holbert, Luke Blazek, and Pat Paykoff
Subdivision Type: Single-family residential
Location: On the west side of Lackey Old State Rd., north of Berlin Station, Berlin Township
Current Land Use: Vacant/woods
Zoned: Farm Residential District (FR-1)
Utilities: Del Co. water and private septic
School District: Olentangy
Engineer: Scioto Land Surveying Services, Inc.

Staff Comments

Whispering Creek is a 14-lot subdivision on 24.51 acres on the west side of Old State Road north of Berlin Station Road. The site is surrounded by Whispering Acres 1 and 2 to the north and Berlin Acres No. 2 to the west. Alum Creek Lake is to the east and 1+ acre lots are located along Berlin Station Road to the south. The design consists of lots ranging from 1.2 to 2.1 acres accessed by a LULD cul-de-sac street (Whispering Creek Lane) and a CAD. The terrain of the site is rolling and includes two ravines (each within a drainage easement) that cut through the site flowing west to east into Alum Creek Lake. Del-Co water and septic systems will serve each of the lots. The site and the surrounding area is zoned FR-1 with a minimum lot size of one acre. Four lots from the original 32-acre tract have been subdivided to the south along the

north side of Berlin Station Road. This subdivision received conditional preliminary approval in August 2000. All conditions have been resolved.

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

Staff Recommendation

Staff recommends *Final approval* of the **Whispering Creek Subdivision** to the RPC.

Commission / Public Comments

Mr. Laurien suggested that the application be approved with the condition that the Director won't sign the mylar until the drafting correction for setbacks has been done.

Commissioner Martin made a motion for Final approval of Whispering Creek, seconded by Mrs. Warthman. VOTE: Unanimously For, 0 Opposed. Motion carried.

29-98.3.3 Scioto Reserve, Sec. 3, Ph. 3 – Concord Twp. - 38 lots / 19.80 acres

Applicant: Triangle Properties, Inc.
Subdivision Type: Single-family residential
Location: On the north side of Home Rd., east of South Section Line Rd., Concord Township
Current Land Use: Vacant
Zoned: Planned Residential District (PRD)
Utilities: Del. Co. water and sanitary sewer with land application, County maintenance
School District: Buckeye Valley
Engineer: R. D. Zande and Associates

Staff Comments

Scioto Reserve Section 3, Phase 3 consist of 35 lots on 19.8 acres as part of the overall Scioto Reserve subdivision on the north side of Home Road, east of South Section Line Road. The site is zoned PRD with a density of 3.04 du/acre and three open space areas (two of which have a pond) making up 8.28 acres (41.8%). The recorded Section 3, Phase 1 and 2 are located to the south with future phases to the north and east (Section 3, Phases 4 and 5). The golf course driving range is located to the south with the 15th and 16th hole to the north.

Section 3, Phases 3 consist of the continuation of Scioto Parkway to the north, as well as a cul-de-sac extending to the east (Regional Place). A stub (Laurent Drive) is extended to the west boundary for potential development to the west. This development is to be served by an alternative land application sewage system that will be owned and maintained by Delaware County. Section 3 Phase 3, 4, and 5 received conditional preliminary approval in January 2001 with all concerns being addressed on the final, including drainage issues and an access easement being provided to the open space (Lot 5830).

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

Staff Recommendation

Staff recommends *Final approval* of **Scioto Reserve, Section 3, Phase 3** to the RPC, subject to staff comments.

Commission / Public Comments

Commissioner Martin made a motion for Final approval of Scioto Reserve, Section 3, Phase 3. Mrs. Warthman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

29-98.3.4 Scioto Reserve, Sec. 3, Ph. 4 – Concord Twp. - 32 lots / 10.06 acres

Applicant: Triangle Real Estates, Inc.
Subdivision Type: Single-family residential
Location: On the north side of Home Rd., east of South Section Line Rd., Concord Township
Current Land Use: Vacant
Zoned: Planned Residential District (PRD)
Utilities: Del Co. water and sanitary sewer with land application, County maintenance
School District: Buckeye Valley
Engineer: R. D. Zande & Associates

Staff Comments

Scioto Reserve Section 3, Phase 4 consist of 32 lots on 10.06 acres as part of the overall Scioto Reserve subdivision on the north side of Home Road, east of South Section Line Road. The site is zoned PRD with a density of 3.18 du/acre. The golf course driving range is located to the south with the 15th and 16th hole

to the north. Section 3, Phases 4 consist of the continuation of Scioto Parkway to the east from Phase 3, as well as a cul-de-sac extending to the north (Shadow Woods Court). This development is to be served by an alternative land application sewage system that will be owned and maintained by Delaware County. Section 3 Phase 3, 4, and 5 received conditional preliminary approval in January 2001 with all concerns being addressed on the final, including drainage issues.

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

Staff Recommendation

Staff recommends *Final approval* of **Scioto Reserve, Section 3, Phase 4** to the RPC's.

Commission / Public Comments

Commissioner Martin made a motion for Final approval of Scioto Reserve, Section 3, Phase 4. Mrs. Warthman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

29-98.4.7 Scioto Reserve, Sec. 4, Ph. 7 – Concord Twp. - 58 lots / 23.79 acres

Applicant: Home Rd., Ltd.
Engineer: R. D. Zande & Associates

Staff Comments

The applicant has requested to table Scioto Reserve, Section 4, Phase 7 for 90 days.

Staff Recommendation

Staff recommends the tabling of **Scioto Reserve, Section 4, Phase 7** for 90 days. This application will be placed on the October 25, 2001 RPC meeting.

Commission / Public Comments

Commissioner Ward made a motion to approve the 90 day table request of Scioto Reserve, Section 4, Phase 7. Mrs. Warthman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

06-00 O'Shaughnessy Reserve, Sec. 1 – Concord Twp. - 25 lots / 49.93 acres

Concord

Applicant: Countrytyme Grove City Ltd.
Subdivision Type: Single-family residential
Location: On the south side of Duffy Rd., west of Dublin Rd.,
Township
Current Land Use: Agricultural
Zoned: Farm Residential District, (FR-1)
Utilities: Del-Co water and private septic
School District: Buckeye Valley
Engineer: Scioto Land Surveying Services, Inc.

Staff Comments

O'Shaughnessy Reserve Phase 1 is a 25-lot subdivision of 49.93 acres on the south side of Duffy Road west of Dublin Road. The site is agricultural with a wooded lot in the southwestern portion. The zoning is FR-1 with proposed lot sizes between 1.4 and 2.3 acres. This phase consists of a through street (Irish Hills Drive) stubbing to the west as well as a cul-de-sac (Blarney Stone Way) extending to the south. The site consists mainly of Blount soils and will have pretreatment for the leach fields. A new Del-Co line being extended from Dublin Road along Duffy Road will supply water. The surrounding land uses include residential and agricultural along Duffy Road. The site is generally flat with the southern portion draining to the southeast through two swales. This subdivision received conditional preliminary approval in March 2000 subject to the resolution of lot widths with the township, which have since been resolved.

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

Staff Recommendation

Staff recommends *Final approval* of **O'Shaughnessy Reserve, Phase 1** to the RPC.

Commission / Public Comments

Commissioner Martin made a motion for Final approval of O'Shaughnessy Reserve. Mrs. Warthman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

07-01.1 The Pines No. 1 – Delaware Twp. - 05 lots / 12.45 acres

Applicant: David and Virginia Holbert
Subdivision Type: Single-family residential (CAD)
Location: On the east side of Berlin Station Rd., north of Braumiller Rd., Delaware Township
Current Land Use: Agricultural
Zoned: Farm Residential (FR-1)
Utilities: Del Co. water and private septic
School District: Delaware City
Engineer: Scioto Land Surveying Inc.

Staff Comments

The site is surrounded by agriculture and large residential lots along Berlin Station Road. The zoning of the site and surrounding area is Farm Residential with a one-acre minimum lot size. The CAD will access four 1.5-acre lots and one 6.1-acre lot with the front lots being prohibited access from Berlin Station Road. There is a stream crossing the site running north south through the back lot (Lot 1016) as well as an abandoned railroad right of way. At the eastern boundary of the site is an active railroad line. Each of the lots will be served by private septic and Del-Co water. All of the septic systems for the lots will require pretreatment because of the Blount soils on the site and some may require a lift pump. Preliminary approval was granted in February 2001.

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

Staff Recommendation

Staff recommends *Final approval* of **The Pines No. 1** to the RPC.

Commission / Public Comments

Commissioner Martin made a motion for Final approval of The Pines No. 1. Mrs. Warthman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

07-01.2 The Pines, No. 2 – Delaware Twp. - 03 lots / 11.06 acres

Applicant: David and Virginia Holbert
Subdivision Type: Single-family residential (CAD)
Location: On the east side of Berlin Station Rd., north of Braumiller

Rd., Delaware Township

Current Land Use: Agriculture
Zoned: Farm Residential (FR-1)
Utilities: Del Co. water and private septic
School District: Delaware City
Engineer: Scioto Land Surveying Service, Inc.

Staff Comments

The Pines No. 2 is a proposed 3 lot CAD on the east side of Berlin Station Road immediately south and adjacent to the Pines No. 1. The lots are 1.747, 2.625, and 6.634 acres in size with the CAD part of the large rear lot (lot 1019). An existing pond will remain on the rear lot. The Norfolk and Southern Railroad Tracks run along the east boundary of the subdivision. Each of the lots will be served by private septic and Del-Co water. Pretreatment of sewage effluent will be required on all 3 lots because of the Blount soils on the site and a lift pump may also be required. The site is surrounded by agriculture and large residential lots along Berlin Station Road. The zoning of the site and surrounding area is Farm Residential with a one-acre minimum lot size. Preliminary approval was granted in March 2001.

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

Staff Recommendation

Staff recommends *Final approval* of **The Pines No. 2**, to the RPC.

Commission / Public Comments

Commissioner Martin made a motion for Final approval of The Pines No. 2. Mrs. Warthman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

01-01 Shiraz – Delaware Twp. - 04 lots / 09.54 acres

Applicant: MH Dakhteh Companies Inc.
Subdivision Type: Single-family residential (CAD)
Location: North side of Braumiller Rd., west of Berlin Station Rd., Delaware Township
Current Land Use: Agricultural
Zoned: Farm Residential District (FR-1)
Utilities: Del Co. water and private septic

School District: Delaware City
Engineer: Scioto Land Surveying Service, Inc.

Staff Comments

The site is agricultural with residential lots across Braumiller Road to the south, agriculture to the west and large lot residential to the east. The zoning of the site and surrounding area is Farm Residential with a one-acre minimum lot size. The CAD is to serve four lots (1.618, 1.491, 1.216 and 5.006) on a very flat site with a power line crossing the rear lot (lot 7961). The front lot will access the CAD and be prohibited access from Braumiller Road. This subdivision received conditional preliminary approval in January 2001. All conditions have been resolved.

In regards to the Electric Power line on the site, the following note has been placed on the final plat:

“NOTE: Potential health and environmental impacts associated with high voltage power line electromagnetic fields are not completely understood at this time.”

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

Staff Recommendation

Staff recommends *Final approval* of **Shiraz Subdivision** to the RPC.

Commission / Public Comments

Commissioner Martin made a motion for Final approval of Shiraz. Mrs. Warthman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

07-97.4 Riverby, Phase 4 – Delaware Twp. - 22 lots / 14.92 acres

Applicant: Riverby Development Co.
Engineer: Bob Wolf/Jerry Mallot, Surveyor

Staff Comments

The applicant has requested to table Riverby Estates, Phase 4 for 90 days.

Staff Recommendation

Staff recommends the tabling of **Riverby Estates, Phase 4** for 90 days. This

application will be placed on the October 25, 2001 RPC meeting.

Commission / Public Comments

Commissioner Ward made a motion to approve the 90 day table request of Riverby Phase 4. Mrs. Warthman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

23-97.2.A Eagle Trace, Sec. 2, Ph. A – Genoa Twp. - 28 lots / 12.16 acres

Applicant: Centex Homes
Engineer: Adam Long, EMH & T

Staff Comments

The applicant has requested to table Eagle Trace, Section 2, Phase A for 90 days.

Staff Recommendation

Staff recommends the tabling of **Eagle Trace, Section 2, Phase A** for 90 days. This application will be placed on the October 25, 2001 RPC meeting.

Commission / Public Comments

Commissioner Ward made a motion to approve the 90 day table request of Eagle Trace, Section 2, Phase A. Mrs. Warthman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

38-95.2 Shellbark Ridge, Phase 2 – Genoa Twp. - 33 lots / 15.37 acres

Applicant: Highland Woods, Ltd.
Engineer: Bauer, Davidson & Merchant, Inc.

Staff Comments

The applicant has requested to table Shellbark Ridge, Phase 2 for 90 days.

Staff Recommendation

Staff recommends the tabling of **Shellbark Ridge, Phase 2** for 90 days. This application will be placed on the October 25, 2001 RPC meeting.

Commission / Public Comments

Commissioner Ward made a motion to approve the 90 day table request of Shellbark Ridge, Phase 2. Mrs. Warthman seconded the motion. VOTE:

Unanimously For, 0 Opposed. Motion carried.

10-01 Abbington of Powell – Liberty Twp. - 01 lots / 03.64 acres

Applicant: Harold and Joyce Hardin
Subdivision Type: An assisted living residence
Location: On the east side of Sawmill Road, east of Bradford Drive,
Liberty Township
Current Land Use: Wooded
Zoned: Planned Commercial (PC) and Farm Residential (FR-1)
Utilities: Del Co. water and public sewer
School District: Olentangy
Engineer: John McCann, Stults & Associates

Existing Land Use:

To the west is open space part of Wedgewood Commerce Park.
To the north is the Sawmill Baptist Church.
To the south is single family residential.
To the east will be a 7.4-acre residual residential tract after dividing this 3.64-acre parcel.

Staff Comments

The Abbington of Powell is a single lot subdivision to accommodate a proposed assisted living facility with 48 rooms on the east side of Old Sawmill Road across from Bradford Court. The 3.64-acre development will also extend Bradford Court approximately 230 feet to the east, which will serve as the sites only access. The subdivision will leave 7.4 acres out of the original 11.04-acre tract with an existing house to the east. Most of the site (3.21 acres) was recently rezoned from Farm Residential to Planned Commercial (RPC # 50-00ZON). The subdivision received conditional preliminary approval in May 2001 with all concerns being addressed on the final.

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

Staff Recommendation

Staff recommends *Final approval* of **Abbington of Powell** to the RPC.

Commission / Public Comments

Commissioner Martin made a motion for Final approval of Abbington of

Powell. Mrs. Warthman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

08-00 Malabar – Liberty Twp. - 12 lots / 20.79 acres

Applicant: Tel-Del Corporation
Subdivision Type: Single-family residential
Location: On the east side of Liberty Rd, south of Bean-Oller Rd.,
Liberty Township
Current Land Use: Agriculture
Zoned: Farm Residential District, (FR-1)
Utilities: Del-Co water and private septic
School District: Olentangy
Engineer: Stults and Associates, Inc.

Staff Comments

The Malabar subdivision is a 12-lot subdivision of 20.794 acres on the east side of Liberty Rd. south of Bean-Oller Rd. The surrounding land uses include open space to the south, single family residential to the north and east and agricultural land to the west. The site is zoned Farm Residential (FR-1) and the lots average just under one and a half acres with two larger lots on the eastern portion of the site. The design of the subdivision consists of a long single loaded cul-de-sac called Malabar Court with 18' of pavement width and a 60' right of way. The larger right of way is to accommodate an upgrade to the road if the land to the south were to be developed in the future and utilize Malabar Court for access. The rolling terrain of the site consists of a large swale cutting through its eastern boundary, which will be used as a drainage outlet. Each lot will be served by leach fields, which have been inspected by the OEPA. Preliminary approval was granted in July of 2000.

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

Staff Recommendation

Staff recommends *Final approval* of the **Malabar Subdivision**, to the RPC.

Commission / Public Comments

Commissioner Martin made a motion for Final approval of the Malabar Subdivision. Mrs. Warthman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

RPC.

Commission / Public Comments

Commissioner Martin made a motion for Final approval of Rusk #2. Mrs. Warthman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

81-93.2.A Cross Creek, Sec. 2, Ph. A – Orange Twp. - 31 lots / 28.19 acres

Applicant: Homewood Corporation
Subdivision Type: Single-family residential
Location: On the north side of Orange Rd., east of South Old State Rd., Orange Township
Current Land Use: Open Space/Wooded
Zoned: Single Family Planned Residence District (SF-PRD)
Utilities: Del. Co. water and public sewers
School District: Olentangy
Engineer: R. D. Zande and Associates

Staff Comments

This section is the northern extension of Rosepark Boulevard from Section 1, which stubs to the north. There is also a stub street (Roe Drive) to the west and a cul-de-sac (Jeanne Court) to the east. Three large open space lots make up 18.5 acres of the site where a large ravine crosses east to west. Cross Creek Section 1 is to the south and future Cross Creek Sections are to the west, with Abbey Knoll to the north and large lot residential to the east. Preliminary approval was granted in February of 1994.

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

Staff Recommendation

Staff recommends Final approval of the Cross Creek, Section 2, Phase A, to the RPC.

Commission / Public Comments

Commissioner Martin made a motion for Final approval of Cross Creek, Section 2, Phase A. Mrs. Warthman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

46-00 Rusk #2 – Orange Twp. - 03 lots / 08.68 acres

Applicant: Gary and Ruth Ann Rusk
Subdivision Type: Single-family residential
Location: On the south side of Lewis Center Rd., east of Fourth St., Orange Township
Current Land Use: Open Space/field
Zoned: Farm Residence District (FR-1)
Utilities: Del-Co water and private septic
School District: Olentangy
Engineer: Scioto Land Surveying Services Inc.

Staff Comments

The surrounding area is agricultural or large lot residential along the south side of Lewis Center Road. The plat includes a CAD accessing three lots (4.154, 3.35 and 1.033 acres). The 1.033 acre lot is part of the Rusk # 1 subdivision and is now included as part of this subdivision. There is an existing pond on the southern portion of lot 5103. The site has a large amount of Pewamo soil, but does contain enough adequate soils for leach fields. Fire Chief Stewart has come to an agreement with the applicant regarding the construction of the CAD. Preliminary approval was granted in November of 2000.

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

Staff Recommendation

Staff recommends Final approval of the Rusk Subdivision, Number 2, to the

Township
Current Land Use: Agriculture
Zoned: Farm Residential District (FR-1)
Utilities: Del Co. water and private septic
School District: Delaware City
Engineer: Scioto Land Surveying Service, Inc.

Staff Comments

AIDA is a CAD subdivision containing 3 lots on 10.28 acres on the west side of Horseshoe Road south of Case Road. The surrounding land is being split into similar sized lots using the NPA subdivision process and 5 acre exempted splits. There is open agricultural land to the east, Horseshoe Acres Subdivision to the north and Delaware City to the south of the site. The zoning of the site and surrounding area is Farm Residential with a one-acre minimum lot size. The CAD is to serve three lots of 2.2, 2.8 and 5.2 acres in size. The site is very flat with a large amount of Pewamo soil. There is adequate room for leach fields outside of the Pewamo soils. Ditches are provided along the CAD for drainage to Horseshoe Road and to the rear of the site. Preliminary approval was granted in November 2000.

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

Staff Recommendation

Staff recommends *Final approval* of **Aida Subdivision** to the RPC.

Commission / Public Comments

Commissioner Martin made a motion for Final approval of AIDA. Mrs. Warthman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

V. EXTENSIONS

23-00 Tall Oaks III – Liberty Twp. – 10 lots / 27.08 acres

Applicant: Bruce Davidson
Consultant: Stults & Associates and Attorney James Dietz

The attorney for the applicant has requested a 6-month extension of Tall Oaks III to resolve some planning options. This application received preliminary approval

81-93.2.B Cross Creek, Sec. 2, Ph. B – Orange Twp. - 23 lots / 07.95 acres

Applicant: Homewood Corporation
Engineer: R. D. Zande and Associates

Staff Comments

The applicant has requested a tabling of the final plat of Cross Creek, Section 2, Phase B for 90 days.

Staff Recommendation

Staff recommends the 90 day tabling of **Cross Creek, Section 2, Phase B**, to the RPC.

Commission / Public Comments

Commissioner Ward made a motion to approve the 90 day table request of Cross Creek, Section 2, Phase B. Mrs. Warthman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

45-00 AIDA – Troy Twp. - 03 lots / 10.28 acres

Applicant: Dirt LLC.
Subdivision Type: Single-family residential (CAD)
Location: On the west side of Horseshoe Rd., south of Case Rd., Troy

June 27, 2000.

Staff Recommendation

Staff recommends approval of the 6-month extension of the Tall Oaks III subdivision to the RPC.

Commission / Public Comments

Commissioner Ward made a motion to approve the 6-month extension of Tall Oaks III. Mr. Baker seconded the motion. VOTE: 20 For, 0 Opposed, 1 Abstained (Commissioner Martin). Motion carried.

VI. OTHER BUSINESS

- **Consideration for approval: Fireproof file cabinet \$1300.00**
Mr. Baker made a motion to approve the purchase of a fire proof fire cabinet not to exceed \$1300.00, seconded by Mr. Poland. VOTE: Unanimously For, 0 Opposed. Motion carried.

- **Consideration for approval: Workstation computer for Admin. Assistant \$2500.00**
Mrs. Curren made a motion to approve the purchase of a workstation computer not to exceed \$2500.00. Mr. Baker seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

- **Personnel Announcements**
Mike Bissett would be leaving to pursue a master's degree in Holland. His last day will be September 7th.

Mr. Lee recently received his PhD and will be taking a position teaching at Minnesota State University. His last day will be August 10th. (See attached proclamation.)

Mr. Laurien requested up to \$2,000.00 for travel reimbursements for upcoming interviews for the Planner I/II positions. **Commissioner Ward made a motion to approve the travel reimbursement request for up to \$2,000.00, seconded by Mrs. Warthman. VOTE: 20 For, 1 Opposed (Commissioner Wuertz). Motion carried.**

Commissioner Wuertz stated that the County Commissioners do not pay for travel expenses for applicants.

VII. POLICY / EDUCATION DISCUSSION (none)

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

Meeting adjourned at 10:15 p.m.

The next meeting of the Delaware County Regional Planning Commission will be Thursday, August 30, 2001, 7:00PM at the Delaware Joint Vocational School North Campus, 1610 St. Rte. 521, Delaware, Ohio 43015.