



**DELAWARE COUNTY
REGIONAL PLANNING COMMISSION**

109 N. Sandusky Street, Delaware, Ohio, 43015 Phone 740-833-2260 Fax 740-833-2259

Philip C. Laurien, AICP, Executive Director

MINUTES

**Thursday, August 28, 2003 at 7:00 PM
Delaware Hayes Services Building,**

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

I. ADMINISTRATIVE BUSINESS

- Call to order
- Roll Call
- Approval of July 31, 2003 RPC Minutes
- Executive Committee Minutes of August 20, 2003
- Statement of Policy

II. VARIANCES (none)

III. ZONING MAP/TEXT AMENDMENTS

- 43-03 ZON George Hansel – Delaware Twp. – 2.49 acres from FR-1 to PCD
- 44-03 ZON Troy Twp. Zoning Commission – text amendments
- 45-03 ZON Scioto Twp. Zoning Commission – text amendments
- 46-03 ZON Cutler Properties – Orange Twp. – 6.3 acres from FR-1 to SFPRD
- 47-03 ZON Charlie Vince – Berkshire Twp. – 81.005 acres from A-1 to PRD
- 48-03.A ZON Joyce & Harold Hardin – Liberty Twp. – 3.352 acres from FR-1 to PR
- 48-03.B ZON Joyce & Harold Hardin – Liberty Twp. – 4.056 acres from FR-1 to PC
- 49-03 ZON Charles Geddis – Trenton Twp. – 6.008 acres from FR to RR

IV. SUBDIVISION PROJECTS

Preliminary (none)

Preliminary/Final

16-03(T-Final) The Ravines of Alum Creek Berlin 67 lots / 38.22 acres

Final

01-98.3.A	Sage Creek, Sec. 3, Ph. A	Berk. / Gen	09 lots / 27.73 acres
43-99.4.A	Harbor Pointe, Sec. 4, Ph. A	Berlin	17 lots / 14.82 acres
43-99.4.B	Harbor Pointe, Sec. 4, Ph. B	Berlin	26 lots / 25.10 acres
10-99	Sugarwoods	Concord	03 lots / 07.13 acres
03-01.2.B	T Grand Oak, Sec. 2, Ph. B	Genoa	35 lots / 52.49 acres
19-01.1.B	Sheffield Park, Sec. 1, Ph. B	Genoa	37 lots / 38.65 acres
04-03	T The Lakes at Silverleaf	Liberty	31 lots / 30.42 acres
05-01	Willow Springs North, Section 2	Orange	60 lots / 40.91 acres
27-98.4.A	T Abbey Knoll, Sec. 4, Ph. A	Orange	21 lots / 08.95 acres
09-02.2.B	Glen Oak, Sec. 2, Ph. B	Orange	36 lots / 10.15 acres
15-02.2	The Estates of Glen Oak, Sec. 2	Orange	29 lots / 26.14 acres

47-00.1.2.A W North Orange, Sec. 1, Ph. 2, Pt. A Orange 02 lots / 18.13 acres
T=TABLED, W=WITHDRAWN

V. EXTENSIONS

VI. OTHER BUSINESS

- Consideration for approval: computer hardware \$2383.55

VII. POLICY / EDUCATION DISCUSSION

I. ADMINISTRATIVE BUSINESS

#Call to Order

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

Roll Call

Representatives present: Robert Hedrick, Fred Fowler, Jim Ward, Kris Jordan, Steve Jefferis, Andrew Brenner, Holly Foust, Charles Heimlich, Dick Gladman, Marvin Miller, Lloyd Shoaf, Sandra Stults, Dennis Bell, Mike Datillo, and Larry Starling. Alternates present: Dusty Gurney, Scott Pike, Carolyn VanBrimmer. Arrived after roll call: Garry Spanner and Shawn Leininger. Staff present: Phil Laurien, Paul Deel, Scott Sanders, Joe Clase, Da-Wei Liou, Bob Sochor and Stephanie Matlack.

Approval of the July 31, 2003 RPC Minutes

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

August 20, 2003 Executive Committee Minutes

1. Call to order

Vice-Chairwoman Warthman called the meeting to order at 8:37 a.m. Present: Leslie Warthman (by phone), Dick Gladman and Steve Burke. Absent: Holly Foust and Jim Ward. Staff present: Phil Laurien and Stephanie Matlack.

2. Approval of Executive Committee Minutes

- a. **July 23, 2003 – Mr. Gladman made a motion to approve the minutes of the last meeting, seconded by Mr. Burke. VOTE: Unanimously For, 0 Opposed. Motion carried.**

3. Old Business

- a. **Sewer Master Plan Update** – Mr. Laurien stated that good progress has been made with the weekly meetings. Phone calls are being made to those individuals that attended the sewer master plan meeting that have not returned their questionnaires.

4. New Business

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

Ending balance as of 06/30/03
\$397,931.45

RECEIPTS		July	YTD TOTAL
General Fees (Lot Split)	(4201)	\$525	\$5775
Insp. Fees (Lot Line Transfer)	(4203)	\$100	\$2000
Fees A (Site Review)	(4202)	\$80	\$720
Membership Fees	(4204)		\$146,731
Planning Surcharge (Twp. Plan. Assist.)	(4205)	\$249.03	\$19,423.64
Charges for Serv. A (Prel. Appl.)	(4230)	\$10920	\$50,760
Charges for Serv. B (Final. Appl.)	(4231)	\$14,845.86	\$56,085.08
Charges for Serv. C (Ext. Fee)	(4232)		\$450
Charges for Serv. D (Table Fee)	(4233)		\$2,400
Charges for Serv. E (Appeal/Var.)	(4234)		\$600
General Sales	(4220)	\$366.10	\$4,778.10
Health Dept. Fees	(4242)	\$3,250	\$4,760
Soil & Water Fees	(4243)	\$532	\$3,254
Other Reimbursements	(4720)		
Other Reimbursements A	(4721)	\$5.54	\$26.85

Other Reimbursements B	(8092)		
Canceled Warrants	(8099)		
Interfund Revenues	(8701)		
TOTAL RECEIPTS		\$30,873.53	\$297,763.67

Balance after receipts	\$428,804.98
Expenditures	\$229,428.69
End of July balance	\$199,376.29

Mr. Laurien noted that the \$229,428.69 expenditures in July included approximately \$190,000 to the County Commissioners for our share of the office renovations.

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

- b. **August RPC Preliminary Agenda** – Mr. Laurien presented the preliminary agenda including; 7 zoning/text amendments, 1 preliminary, and 12 final applications.

5. Other Business

- a. Mr. Laurien stated that the Troy Twp. Trustees reconvened its Comprehensive Plan Committee and held a meeting last week. Mr. Ron Sabatino was present to discuss plans for 300 acres of property he owns and has options on. He proposes to build a treatment plant and give to the County to maintain. OEPA has requested that it discharge above the water intake for the City of Delaware for higher water quality. The mayor, city manager and utilities manager from the City of Delaware also attended the meeting to voice their concerns regarding growth in this area.

6. Personnel (none)

- 7. Adjourn** – *Mr. Gladman made a motion to adjourn the meeting, seconded by Mr. Burke. VOTE: Unanimously For, 0 Opposed. Motion carried.*

Meeting adjourned at 9:10 a.m.

The next regular Executive Committee meeting will be Wednesday, September 17, 2003 at 8:30 a.m. at 109 North Sandusky Street, Delaware, Ohio, 43015

Statement of Policy

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

II. VARIANCES (none)

III. ZONING MAP/TEXT AMENDMENTS

43-03 ZON George Hansel - Delaware Twp. - 2.49 acres from FR-1 to PCD

I. Location

West side of Houk Road, north of US 36, Delaware Township

II. Request

The applicant is requesting to rezone this 2.49-acre tract from Farm Residential (FR-1) to Planned Commercial and Office District (PCD) to permit the construction of a Veterinary Hospital for Pet Health Plus. Pet Health Plus has temporary plans of also keeping their existing facility at 4059D State Route 37 East in Berlin Township.

III. Conditions

- Present Zoning:** Farm Residential District (FR-1)
- Proposed Zoning:** Planned Commercial and Office District (PCD)
- Present Use(s):** Vacant, with small existing shed
- Proposed Use(s):** Veterinary Hospital
- Existing Density:** 1 du/acre
- Proposed Density:** N/A
- School District:** Delaware City School District
- Utilities Available:** Del-Co Water and Delaware City sewer (across Houk Road)
- Soils:** Glynwood Silt Loam (GwB) - 2 to 6% slopes
Glynwood Silt Loam (GwC2) - 6 to 12% slopes, eroded

Sloan Silty Clay Loam Till Substratum (SoA) - 0 to 2% slopes, occasionally flooded

IV. Description

The Veterinary Hospital will offer boarding and grooming. Outdoor runs will be in an atrium within the building. With approximately ten (10) employees, the hospital will be open Monday through Saturday and for emergencies. The development plan shows a proposed 2-story building with over 7,000 square feet on the first floor and over 3,000 square feet on the second floor. The building has a total floor area of approximately 10,000 square feet. The plan shows 19 parking spaces with 2 handicap parking spaces.

V. Conformance with Development Plan Standards

The submitted plan does not conform to the following development standards: Article XV, Section 15.06(b):

Article XV - Planned Commercial and Office District

- Section 15.06 (b) - Criteria for proposed signs, with proposed control procedures, were not submitted. It should be submitted to the township for review to determine that it meets sign regulations.
- Section 15.07 (k) - "All yards, front, side and rear shall be landscaped." Landscape plans should be submitted to the township for review to determine that the site meets landscape requirements.

Article XXI - General Development Standards

- Section 21.01 - "Parking areas and driveways shall be paved with asphalt material or cement." This is not noted on the development plan.

VI. Issues

- 1) This appears to be a spot commercial zoning in a predominantly residential area. Although the site to the south is being used for a commercial business, it does not conform with the existing zoning and staff feels that a PCD zoning for this use on this parcel would be inappropriate.
- 2) The Ohio EPA does not agree with approving a private septic system for this site. Their letter states, "Please note that based solely on sanitary sewer availability (across Houk Road), the proposed veterinary clinic must connect to the centralized sanitary sewers. However even if sanitary sewers were not considered available, we could not recommend the installation of a septic system for this business, based on the soil data provided." The Ohio EPA "also have concerns about the nature and the amount of the wastewater to be

generated." Connection to City of Delaware sewers requires annexation of the property.

- 3) Surrounding land uses include single-family residences to the north, the Delaware Church of Christ to the west, a small (nonconforming use) business to the south and high density multi-family condos to the east of Houk Road.
- 4) The development plan submittal is incomplete as noted above in V.

VII. Criteria for Approval

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

Staff Finding: No. The development plan submission is incomplete for reasons noted in V & VI.

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

Staff Finding: No. The township does not have a locally adopted comprehensive plan. The 1993 Delaware County Master Plan shows this site in the City of Delaware. The City of Delaware's DRAFT Comprehensive Plan recommends this parcel for moderate density single-family residential development (0.9 to 2.5 du/acre).

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

Staff Finding: No. The proposed veterinary hospital is surrounded by residential, the Delaware Church of Christ and a nonconforming business. This use, on this parcel, seems too intense. Without sewer, the business cannot be approved by the Ohio EPA.

VIII. Staff Recommendations

Staff recommends **Denial** of this zoning change for George Hansel from FR-1 to PCD to the DCRPC, the Delaware Twp. Zoning Commission and the Delaware Township Trustees, *because:*

- 1) *It is too intense a use for the site, a back-lot behind a Single-family home, next to a church and adjacent to other residential to the north and east across Houk Road.*

- 2) *Ohio EPA has denied a septic/leach system on the site. No county sewer is available. With city sewer on Houk Road, the EPA will order this parcel to connect, which means probable annexation to obtain sewer services.*

- 3) *The development plan is incomplete.*

Commission / Public Comments

Mr. Brad Dixon was present. He stated that he and his wife purchased this property to build a veterinary clinic. Relocating her business was due to most of her clients residing in the City of Delaware. He stated that the sewer has only recently been extended across Houk Road and he has only recently begun discussions with the City of Delaware regarding annexation. He also stated that the sign layout and landscape plan was submitted with their application to the Township. He wasn't sure why the RPC staff did not have them to review.

Mr. Ward stated that Delaware County and Delaware City officials have begun talks about extending sewers outside the City without annexation.

Mr. Starling asked if the EPA wouldn't approve a septic system, what was the applicant planning to do. Mr. Dixon stated that soil samples have been given to the EPA for testing and he believes a system would work.

Mr. Heimlich stated that in the area he lives there is a vet clinic near a church and there have been no problems. Mr. Gladman stated that he can hear animals in a similar clinic that is a mile from his home.

Mr. Dixon stated that all kennels are within the building to keep noise at a minimum.

Mr. Miller made a motion to recommend denial of the rezoning application of George Hansel (Mr. & Mrs. Dixon) based on staff comments. Mr. Gladman seconded the motion. HAND VOTE: 9 For denial, 8 opposed. Motion carried.

44-03 ZON Troy Twp. Zoning Commission – text amendments

Applicant: Troy Township Zoning Commission
Request: Review and comment on text amendments

Staff Comments

The Troy Township Zoning Commission is proposing revisions to Article VIII Farm Residential District (FR-1) of the Township Zoning Resolution. Most of the changes are minor housekeeping items. The Township should submit the proposed amendments to the County Prosecutor for review and comment. Staff suggests using a more consistent method of identifying deletions (strike through) and additions (Italics), so that the public is not confused.

Amendments:

- 1.) Section 8.03 d) 3) requires a minimum of 3 acres for lots proposed to be used for agricultural purposes, unless a conditional use is granted. **Staff comment:** According to ORC 519.21, agricultural uses are exempt from local zoning regulations unless the land is in a platted subdivision. Therefore this change may not be legal. Consult with the County Prosecutor for a legal opinion.
- 2.) Section 8.03 f) Adds Home Occupation as a permitted use if standards in Section 21.13 are met. **Staff comment:** The section referenced should be 21.14.
- 3.) Section 8.04 g) 1) requires boarding kennels, riding stables and animal shelters to be at least 500' from any residential property line. **Staff comment:** ok.
- 4.) Section 8.04 g) 5) Adds language requiring boarding kennels to be in compliance with the licensing requirements of the Delaware County Auditor. **Staff comment:** ok.
- 5.) Section 8.04 h) Amends the requirement for Group Homes that there be no structural alterations, which depart from the residential character of the building, to allow such alterations if required by the Americans with Disability Act. **Staff comment:** Check that Group Homes are defined and differentiated from Adult Family Homes, which should be permitted pursuant to ORC 3722.
- 6.) Section 8.04 h) Zero Lot Line housing is added to this section, which addresses group homes, while in the current zoning regulation it is a separate item. **Staff comment:** This appears to be a typographical error.
- 7.) Section 8.04 j) deletes helicopter and adds hot air balloons for private landing fields. **Staff comment:** This section allows landing fields for aircraft, which would include helicopters. If the amendment is intended

to prohibit helicopter landing pads then the resolution should specifically exclude them.

- 8.) Section 8.04 k) 2) lighting standards for model homes references Section 21.02. **Staff comment:** Incorrect reference. There are no lighting standards in Article 21 or anywhere else in the Zoning Resolution.
- 9.) Section 8.04 l) 2) lighting standards for Bed and Breakfast references Section 21.02. **Staff comment:** Incorrect reference. There are no lighting standards in Article 21 or anywhere else in the Zoning Resolution.
- 10.) Section 8.04 n) Home Occupation conditional use references Section 21.15. Replaces item “a)” in current Zoning Resolution. **Staff comment:** Some of the items deleted are not addressed in Section 21.15. These restrictions/conditions should be incorporated into 21.15.
- 11.) Section 8.06 a) increases the minimum lot size from 1 net acre to 2 gross acres. **Staff comment:** This was one of the recommendations of the 2002 Troy Township Comprehensive Plan. Staff notes that the definition for lot area in Article IV is “exclusive of easements”, which would make the 2 acres “net” not “gross”. Staff also notes that the proposed text is not highlighted (italicized) and may be construed as existing language, which could create a problem since this is the most significant change being proposed.
- 12.) Section 8.06 b) Amends the frontage table to reflect the increase lot size requirement. This section also provides standards for creating “conforming lots” and “nonconforming lots”. Conforming lots meet the minimum frontage requirement while nonconforming lots are irregular, pie-shaped, and flag lots. The text will also require any 2 nonconforming lots be separated by a conforming lot. Additionally there is a requirement that a lot shall contain a front, rear, and 2 side lines and that the rear line cannot be decreased in width from the frontage line by more than 10 percent. **Staff comment:** The Resolution should not provide for the creation of nonconforming lots, which by definition (Article VI) are incompatible uses. The Township could simply add the language requiring lots having less than the required frontage to not be located adjacent to another lot having less than the required frontage, to achieve the same result. The language regarding rear lot line width not being more than 10 percent less than the front lot line may be problematic when lots are created that have less than the required

frontage at the right of way line (i.e. flag lots). Why not require that the rear line be equal to or greater than the frontage requirement? The requirement of 2 conforming lots being separated by a conforming lot is illegal in our opinion, and should be reviewed by the Prosecutor.

- 13.) Section 8.06 e) requires building setbacks to meet the requirements of Section 21.09, except along US 23, which shall be 150'. Conforming lots in the FR-1 shall have a setback of 130' and nonconforming lots shall have a setback as prescribed in 8.06 2) b). **Staff comments:** Section 21.09 already requires 150' setback from US 23. This proposed text is not needed. Also, the reference regarding conforming and nonconforming lots conflicts with the setbacks in 21.09 and should be taken out.
- 14.) Section 8.06 f) Adds swimming pools and ponds to list of structures that must be set back at least 25' from a side lot line. **Staff comment:** ok.
- 15.) Section 8.06 i) requires a minimum of 4 parking spaces per dwelling unit. **Staff comment:** This is excessive, but if garage spaces count, it is acceptable.
- 16.) Section 8.06 j) Prohibits directional signs, and references Section 22.02 for construction signs. **Staff comments:** This Section already references Article XXII so calling out directional and construction signs is not necessary.
- 17.) Section 8.06 k) adds reference to Section 21.17. **Staff comment:** There is no Section 21.17, nor does any other section in the Resolution address lighting standards.
- 18.) Section 8.06 m) adds driveway standards with reference to Section 21.10. **Staff comment:** ok.
- 19.) Section 8.06 n) adds drainage standards with reference to Section 21.05, 21.06, 21.07, and 21.08. **Staff comment:** ok, but make sure there is an acknowledgement of the Count Engineer's drainage standards.

Staff Recommendation

The staff recommends **Conditional Approval** of the text amendments to the Regional Planning Commission, the Troy Township Zoning Commission, and the Troy Township Trustees, *subject to staff comments. Staff suggests that a meeting between the Troy Twp. drafters of this new language, RPC staff and*

the Prosecutor's office prior to the Zoning Commission sending the revisions to the Trustees.

Commission / Public Comments

Mr. Ward asked why the Commission is considering a recommendation when they don't know if it's legal. Mr. Deel stated that Troy Twp. has sent the proposal to the Prosecutor's office but have not received comments yet. Mr. Starling agreed that there needs to be a meeting prior to the Trustees hearing.

Mr. Miller made a motion to recommend conditional approval of the text changes in the Troy Twp. Zoning Resolution, subject to staff comments. Mr. Brenner seconded the motion. VOTE: Majority For, 1 Opposed (Mr. Ward), 1 Abstained (Mr. Starling). Motion carried.

45-03 ZON Scioto Twp. Zoning Commission – text amendments

Applicant: Scioto Township Zoning Commission

Request: Text Amendments to Section 7.06 a; Article VIII; Section 12.06 b.); Section 13.06 b.); Section 16.06 a.); Section 19.06 a.); Section 14.06 b.); Section 17.06 b.); Section 18.06 b.); Section 14.06 b.4; Section 17.06 b.4; Section 18.06 b. 4

I. General

The Scioto Township Zoning Commission has initiated various revisions to their zoning text. These zoning amendments create no new map changes.

II. Amendments

1. Section 7.06 a.) – Increases the lot size from 1 acre to 2 acres in the FR-1 district. Scioto Township has initiated this change in response to the County Wide Sewer Master Plan questionnaire regarding demand for future sewer service and density changes. Since there is currently no sewer service in Scioto Township, large lots are needed in order to permit on-site wastewater disposal systems. Many soils in Scioto Township are not conducive to leach fields, and the typical lot size required by the Board of Health on somewhat poorly drained soils has been 2-2.5 acres. The township is signaling its intent to stay rural and not demand sewer service by increasing FR-1 lot size to comport with the need for on-site sewage disposal.

DCRPC Staff Comments- The increased lot size is a matter of local choice and is appropriate if no sewer service is available, however, consider:

- 1.) Change to 1.95 acre (85,000-sq. ft.) so that the required frontage will not increase to 175 feet.
- 2.) Converting Article X PRD to a true conservation subdivision code that would permit conservation subdivisions with 50% open space at the density of the FR-1 district (1-unit/2 acres) as a permitted use in the FR-1 district. If the township would like to pursue the conservation subdivision concept, DCRPC staff has developed a model code and can assist.

Staff recommends approval of the change from 1 acre to 1.95-acre lots in FR-1.

2. **Article VIII:** Deletes Article VIII R-2 district in its entirety. R-2 allows a lot size of 20,000 square feet. It seems the township is again signaling its intent to go without sewers and stay rural. This is a matter of local choice. There do not appear to be any areas already zoned for R-2 on the Scioto Township zoning map, so deletion of this text does not make any area non-conforming.

DCRPC Staff Comments- None. The Prosecutor's office, however, advises against this change. See their comments.

3. **Section 12.06 b.)** - adds the following paragraph to modify the provisions for no minimum lot size in the Neighborhood Office District:

"In addition, identify specific provisions for water, sanitary sewer and surface drainage with engineering specifications and feasibility studies and/or other evidence of solutions that comply with health and safety standards and/or regulations as defined by County, State or Federal jurisdictions."

DCRPC Staff comments: this language is needed, but please check with the Prosecutor's office before adoption to see if there are any suggested amendments.

4. **Section 13.06 b.)** adds the following paragraph to modify the provisions for no minimum lot size in the Neighborhood Commercial District:

"In addition, identify specific provisions for water, sanitary sewer and surface drainage with engineering specifications and feasibility studies and/or other evidence of solutions that comply with health and safety standards and/or regulations as defined by County, State or Federal

jurisdictions."

DCRPC Staff comments: this language is needed, but please check with the Prosecutor's office before adoption to see if there are any suggested amendments.

5. **Section 16.06 a.)** adds the following paragraph to modify the provisions for no minimum lot size in the Industrial District:

"In addition, identify specific provisions for water, sanitary sewer and surface drainage with engineering specifications and feasibility studies and/or other evidence of solutions that comply with health and safety standards and/or regulations as defined by County, State or Federal jurisdictions."

DCRPC Staff comments: this language is needed, but please check with the Prosecutor's office before adoption to see if there are any suggested amendments.

6. **Section 19.06 a.)**- Adds the following paragraph to modify the provisions for 5 acre minimum lot size in the Agricultural Preservation District.

"In addition, identify specific provisions for water, sanitary sewer and surface drainage with engineering specifications and feasibility studies and/or other evidence of solutions that comply with health and safety standards and/or regulations as defined by County, State or Federal jurisdictions."

DCRPC Staff Comments- This language seems unnecessary and is not recommended for an Agricultural district.

7. **Section 14.06 b.) 4.)** replaces the existing paragraph with the following paragraph to modify the requirements for development plan submission in the Planned Commercial and Office District:

"The specific proposed provisions for water, sanitary sewer and surface drainage with engineering specifications and feasibility studies and/or other evidence of solutions that comply with health and safety standards and/or regulations as defined by County, State or Federal jurisdictions."

DCRPC Staff comments: this language is needed, but please check with the Prosecutor's office before adoption to see if there are any suggested amendments.

- 8. **Section 17.06 b.)** replaces the existing paragraph with the following paragraph to modify the requirements for development plan submission in the Planned Industrial District:

“The specific proposed provisions for water, sanitary sewer and surface drainage with engineering specifications and feasibility studies and/or other evidence of solutions that comply with health and safety standards and/or regulations as defined by County, State or Federal jurisdictions.”

DCRPC Staff comments: this language is needed, but please check with the Prosecutor’s office before adoption to see if there are any suggested amendments.

- 9. **Section 18.06 b.)** replaces the existing paragraph with the following paragraph to modify the requirements for development plan submission in the Quarry District:

“The specific proposed provisions for water, sanitary sewer and surface drainage with engineering specifications and feasibility studies and/or other evidence of solutions that comply with health and safety standards and/or regulations as defined by County, State or Federal jurisdictions.”

DCRPC Staff comments: this language is needed, but please check with the Prosecutor’s office before adoption to see if there are any suggested amendments. Also, it is suggested that the title of the Quarry district be changed to Planned Quarry District to signify it is a Planned Unit Development.

III. DCRPC Staff Recommendation

Staff recommends **conditional Approval** of the proposed changes, *subject to the recommendations attached to each amendment*, to the DCRPC, Scioto Twp. Zoning Commission, and Scioto Twp. Trustees.

Commission / Public Comments

Mrs. Stults stated that she would like to see the Prosecutor’s comments incorporated in the amendments. Chairwoman Foust stated that that could be done at the Township level. The revised amendments can be sent back to the Commission for recommendation if they wanted.

Mr. Miller made a motion to recommend conditional approval of the text amendments to the Scioto Twp. Zoning Resolution, subject to staff

comments. Mr. Gladman seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Mrs. Stults). Motion carried.

46-03 ZON Cutler Properties – Orange Twp. – 6.3 acres from FR-1 to SFPRD

This application is a proposal to rezone 6.3 acres for the purpose of building 10 single-family house lots.

I. Conditions

- Present Zoning:** Farm Residential
- Proposed Zoning:** Single Family Planned Residential
- Present Use:** Large lot single-family residence with barn
- Proposed Use:** 10 single-family lots with open space
- Existing Density:** 1 unit/acre
- Proposed Density:** 1.61 units per gross acre
- School District:** Olentangy
- Utilities Available:** Del-co water and County Sewer
- Soils:** CaB – Cardington Silt Loam 2-6% slope
CaC2 – Cardington Silt Loam 6-12% slope

II. Location / Surrounding land use

The property is on the east side of Africa Road, 600 feet south of Big Walnut. To the east and south is agriculture land (Leppart farm) and Interstate 71, to the north is large lot single-family residential, to the west is Crystal Valley subdivision with ½ acre lots.

III. General comments

The design of this subdivision will be a cul-de-sac with 10 lots. Open space will be located along Africa Road, with an additional 1.26 acres of open space in the southwestern corner of the site. There are also two no-build/no-disturb areas located on along the north and south property lines to retain and preserve existing trees. Sidewalks will be built on either side of the road and the landscape plan includes street trees. Retention is proposed along Africa Road on the south side of the street.

Staff comment: Staff supports the general design concept. However, at the time of platting, the need for a road connection to adjoining property will be determined in discussions with the County Engineer.

IV. Conformance with Development Standards

The application complies with all the development standards as listed in the zoning regulations with regards to open space, setbacks, building dimensions, landscaping, parking, lighting, signage, and similar issues.

V. Compliance with the 1999 Orange Township Comprehensive Plan

This site is in Sub-area 11, characterized by development around the Alum Creek Reservoir. The plan calls for single-family in-fill at one unit per acre without sewer or 2 units per acre with centralized sewer.

The request conforms to the Comprehensive Plan.

VI. Required Findings for SFPRD

The Orange Twp. Zoning Commission and Trustees may approve SFPRD zoning provided they find that the proposed use complies with the following requirements:

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

DCRPC Staff Finding: Yes, it is consistent.

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

DCRPC Staff Finding: The development plan conforms to the recommendations of the 1999 Orange Township Comprehensive Plan for use and density.

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

DCRPC Staff Finding: Since this project is an in-fill residential development similar to adjacent subdivisions, the zoning does advance the general welfare of the Township and immediate vicinity.

VII. Staff Recommendation

The DCRPC staff recommends to the Regional Planning Commission, the Orange Township Zoning Commission, and the Orange Township Trustees that the application by Cutler Properties for rezoning 6.3 acres on Africa Road from

FR-1 to SFPRD be **Approved.**

Commission / Public Comments

Mr. Jeff Cutler was present.

Mr. Miller made a motion to recommend approval of the rezoning application by Mr. Cutler, seconded by Mr. Brenner. VOTE: Unanimously For, 0 Opposed. Motion carried.

47-03 ZON Charlie Vince – Berkshire Twp. – 81.005 acres from A-1 to PRD

I. Request

Charlie Vince submitted a request to change 81.005 acres (the Griffith tract) on the east side of South 3 B's and K Road in Berkshire Township 1850' north of Dustin Road from A-1 zoning to a Planned Residential District (PRD) zone. A preliminary development plan as permitted under Section 11.08 has been submitted for zoning consideration of proposed Summerwood Lakes. This is a legislative act and subject to referendum.

If zoning is approved, a final development plan must be submitted to the Zoning Commission for administrative review. That plan will not be subject to referendum.

Present Use: Agriculture

Proposed Use: 101 single family homes on 10,400 square-foot lots, with 8' side yards; 43.5 acres of open space

Existing Density: 1-unit/5 acres (.20 units/acre) in A-1 zone

Proposed Density: 1.25 units/gross acre (calculation does not include 8.456 acres within the I-71 easement)

School District: Olentangy

Utilities Available- Del Co Water, electric, Delaware county sewer, gas, Verizon phone.

II. Existing Conditions

Adjacent Existing Land Uses-

West- Summerwood, single family subdivision in Berlin Township.

East – I-71

North- Approved Middlesex LLC PRD 121-lot single-family subdivision at

1.25 units per acre.

South- Large acreage lots along Dustin Road

III. Preliminary Development Plan Comments pursuant to Section 11.08 b.):

A. General character and landscaping-

- 1.) The layout of the plan is generally very good, with 99 of 101 lots facing open space. Five retention ponds provide a scenic view for 25 of the 101 lots. A network of 8' wide paths around the ponds and the perimeter of the subdivision are shown. Path material is not stated. This could be considered a conservation subdivision.
- 2.) The existing farmhouse and windmill are being saved and a new driveway for this outlot will come off the new road, eliminating a driveway on 3 B' and a K Road.
- 3.) Streets will have curb and gutter design. Street widths are not stated but scale off to approximately 26 feet.
- 4.) Minimum square footage is 1800 per house, which exceeds the 1400 required.
- 5.) Two divergences are requested:
 - a.) To allow driveways 11 and 12 to enter a street within 50 feet of an intersection. Since these drives are opposite the T intersection, and not on an inside corner, staff recommends approval.
 - b.) A height variance is requested to retain the existing windmill as an aesthetic feature and reminiscent of the farm heritage. Staff recommends approval.
- 6.) Density of 1.25 units per acre complies with the Berkshire Comprehensive Plan.
- 7.) A landscape plan was submitted showing street trees that comply with Article 23. Trees shall be placed 45 feet on center for each lot, minimum 2 1/2" diameter. There is no mention of sidewalks, but sidewalks should be provided on the north-south collector street, and street trees should be placed in the tree lawn between the sidewalk and curb.
- 8.) Entrance details and a sign and fence detail are also provided.

DCRPC staff note that if this is the identical fence detail used for Summerwood it is excessively tall and out of scale. The fence should not be 6' tall. At Summerwood some of the support posts extend out of the ground 1-2 feet making the fence appear 7-8 feet tall. Otherwise the landscape details are very complete and attractive.

- 9.) Open space- 10% required; 53% provided.

B. Architectural design criteria are minimal; the township may wish to see additional detail. The 30' setback should be for the house only, and front loading garages should have setback of 40' from street ROW to prevent snout houses.

C. Proposed provisions for water, fire hydrants, sanitary sewer and surface drainage, to the extent known.

1. Water- letter from Del Co indicates the site can be served by a 16 inch main in 3 B's and K Road.
2. Fire hydrants- no service letter was included from Fire Chief Caito, BST&G. Hydrants should be provided on adequately sized water lines.
3. Sanitary Sewer- Delaware County Sanitary Sewer Summerwood subdivision to the west.
4. Surface Drainage-Soils are CaB (Cardington, 2-6 % slope), BeA (Bennington 0- 2% slope), PwA Pewamo silty clay loam. A series of retention ponds are shown on the plan.

D. Traffic- 101 homes generate 1,010 new trips/day. 3 B's and K Road may need turn lanes. Future street stub to the north is good.

E. Phasing- time schedule for streets, buildings, utilities and other facilities should be part of a final development plan.

F. Police- this development would add approximately 290 new residents. Final development plan should include service letter from the county sheriff.

IV. Requirements for approval, Section 11.08 c.)

A development plan must be submitted which meets listed criteria, and which is the expectation of what can, and would be built if the Planned District were approved and platted. In approving an application for a PRD, the reviewing authority shall determine:

- 1.) **If there are unique circumstances or conditions present which prevent the simultaneous submission of a final development plan with the application and whether the absence of a final development plan is materially detrimental to the public health, safety or welfare.**

RPC staff finding: The preliminary development plan is appropriate because the use and density conform to the comprehensive plan.

- 2.) **If the proposed development is consistent in all respects with the purpose, intent and applicable standards of this Zoning Resolution:**

RPC Staff Finding: The preliminary development plan is generally complete.

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

Berkshire’s Comprehensive Plan Sub Area IX recommends low density residential use 1.25 dwelling units per acre if provided with centralized sanitary sewer that is maintained by the county.

RPC Staff finding: The PRD plan for the 81.005 acres does conform for PRD use and density of the adopted 2001 Berkshire Comprehensive Plan.

- 4.) **If the proposed development advances the health, safety and general welfare of the township and the immediate vicinity.**

RPC staff finding: The preliminary development plan does advance the public health safety and welfare. Architectural design criteria must be added, and a final development plan submitted to the township.

V. DCRPC Staff Recommendation

Staff recommends the preliminary plan and PRD zoning for 101 homes on 81.005 acres for the Griffith tract be **conditionally Approved**, subject to staff comments and:

- 1.) A 40’ garage setback be established for front loading

garages.

- 2.) Fire hydrants be provided.
- 3.) Sidewalks be provided on the north-south collector road and street trees be located in the tree lawn from sidewalk to curb.

Commission / Public Comments

Mr. John McCann, Landscape Architect and Dan Whited, Engineer with Floyd Browne & Assoc. were present along with the applicant Charlie Vince. Mr. McCann stated that this development would include ponds, an 8’ walking trail and a large mound to screen I-71. Street would be 27’ wide. He stated that the staff comments are acceptable and that they would work with the County Engineer on the fire hydrants.

Mr. Gladman suggested using gravel instead of mulch for the walking trails. Mr. Vince said that was probably a good idea.

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

48-03.A ZON Joyce & Harold Hardin – Liberty Twp. – 3.352 acres from FR-1 to PR

This application is for rezoning to create six single-family home lots between Liberty Lakes and Abington of Powell.

I. Conditions

- Present Zoning:** Farm Residential
- Proposed Zoning:** Planned Residential
- Present Use:** Large lot residential
- Proposed Use:** Six single-family lots
- Existing Density:** 1 unit/acre
- Proposed Density:** 1.8 units/acre
- School District:** Olentangy
- Utilities Available:** Del-co water and Delaware County sewer
- Soils:** BoA – Blount silt loam, 0 to 2 percent slopes
- BoB – Blount silt loam, 2 to 4 percent slopes
- GwB – Glynwood silt loam, 2 to 6 percent slopes

II. Location / Surrounding land use

The property is on the west side of (old) Sawmill Road. To the east is Liberty Lakes subdivision, to the north is Sawmill Baptist Church, to the west is Abbingdon of Powell Assisted Living residence and a proposed office campus, to the south is Bainbridge Mills Subdivision.

III. General comments

The applicant is requesting change in zoning for 3.352 acres adjacent to the Liberty Lakes subdivision for six single-family lots, representing a density of 1.8 units per acre. New lots in the development, which shall be known as “Liberty Lakes Estates” will range in size from .322 acres to .551 acres, which are comparable to or bigger than existing lots in Liberty Lakes. These new lots would access an extension of Waterbury Lane. The applicant has developed a set of deed restrictions, which ensure unified design criteria between the existing subdivision and the homes on the proposed lots. The development will include mounding and landscaping on the northeastern lot, which serves as the entrance from Sawmill.

Access: The plan shows a road extending from Waterbury Lane and joining Bradford Court at its intersection with Sawmill Road. The applicant requests that the entire road be named “Waterbury Lane”. This would only be possible with cooperation of the residents of the existing Abbingdon of Powell, which already has a Bradford Court address. The applicant also states that the residents of Liberty Lakes and the developers would prefer a cul-de-sac from the existing Waterbury Lane with no connection to Sawmill.

Staff Comment: Staff recommends making the connection. Through traffic should be minimal, as there are several other road connections between Sawmill and Liberty. Applicant may consider naming the office portion of the road “Bradford Court” and the residential portion “Waterbury Lane”.

IV. Compliance with the Liberty Township Comprehensive Plan

The 1995 Liberty Township Comprehensive Plan shows an area of mixed use, mostly non-residential for 1000’ from Sawmill with single-family residential to the east at 1.5 units per acre.

The request conforms to the Comprehensive Plan with regards to use. However, the proposal is slightly higher with regards to density. The proposed 1.8 units/acre is lower than the existing density in adjacent Liberty Lakes. However, the Comprehensive Plan calls for 1.5 units/acre. A total of five units would be more consistent with the Plan.

Staff Comment: The applicant should continue to work with the Liberty Township Zoning Commission to determine the total number of lots allowed.

V. Conformance with Development Standards

The application generally complies with all the development standards as listed in the zoning regulations. The applicant proposes to utilize a detention basin at Abbingdon of Powell for this development and the office buildings to the west by upgrading it to a wet retention basin and making other improvements.

Staff Comment: This issue will need to be resolved with the County Engineer to determine if the proper improvements can be made to the existing basin.

The plan shows no sidewalk along the proposed road. Waterbury Lane has sidewalks along both sides as it stubs into the property.

Staff Comment: A sidewalk should be continued along the length of the street. Sidewalk may be on only the south side as it passes in front of the office buildings to the west.

VI. Required Findings for PR

The Zoning Commission and Trustees may approve PR zoning provided they find that the proposed use complies with the following requirements:

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

DCRPC Staff Finding: Yes, it is consistent.

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

DCRPC Staff Finding: The development plan conforms to the recommendations of the 1995 Liberty Township Comprehensive Plan for use but not for density. The density is slightly higher than the plan, but is consistent with the adjacent development.

- 3.) That the proposed development advances the general welfare

of the township and the immediate vicinity.

DCRPC Staff Finding: Yes, it does.

VII. Staff Recommendation

The staff recommends to the Regional Planning Commission, the Liberty Township Zoning Commission, and the Liberty Township Trustees that the application by Joyce and Harold Hardin for rezoning 3.352 acres on Old Sawmill Road from FR-1 to PR be **conditionally Approved**, *subject to the following:*

1. *The applicant should work with the township to determine the appropriate density for the site;*
2. *The applicant should resolve the drainage issues with the County Engineer; and*
3. *A sidewalk or pedestrian/bike path should be built from the stub of Waterbury Lane to Sawmill Road.*

Commission / Public Comments

No one was present to represent the applicant.

Chairwoman Foust stated that the sixth lot can not meet the setback requirements, although the developer feels he is entitled to it.

Mr. Gladman made a motion to recommend conditional approval, subject to staff comments of the rezoning application by Joyce and Harold Hardin (48-03.A ZON). Mr. Miller seconded the motion. VOTE: Majority For, 1 Opposed (Mrs. Foust). Motion carried.

48-03.B ZON Joyce & Harold Hardin – Liberty Twp. – 4.056 acres from FR-1 to PC

This application is for rezoning to create an office campus of two buildings between Liberty Lakes and Abbington of Powell.

I. Conditions

- Present Zoning:** Farm Residential
Proposed Zoning: Planned Commercial
Present Use: Large lot residential
Proposed Use: Office campus of two buildings.
Existing Density: 1 unit/acre

- Proposed Density:** NA
School District: Olentangy
Utilities Available: Del-co water and Delaware County sewer
Soils: BoA – Blount silt loam, 0 to 2 percent slopes
BoB – Blount silt loam, 2 to 4 percent slopes
GwB – Glynwood silt loam, 2 to 6 percent slopes

II. Location / Surrounding land use

The property is on the west side of Old Sawmill Road. To the east is a proposed Liberty Lakes Estates subdivision (48-03.A ZON), to the north is Sawmill Baptist Church, to the west is Abbington of Powell Assisted Living residence, and to the south is Bainbridge Mills Subdivision.

III. General comments

The applicant is requesting change in zoning for 4.056 acres adjacent to Abbington of Powell for an office campus of two 12,750 s.f. buildings. These office buildings would access a connection between Waterbury Lane and Bradford Court. The development will include mounding and landscaping on the northeastern lot, which serves as the entrance from Sawmill. Mounding and landscaping is located on the south and east property lines, buffering the proposed Liberty Lakes Estates and Bainbridge Mills to the south.

The two buildings will be one-story each and separated by a landscaped courtyard and surrounded with 127 parking spaces. The project calls for condominium office space, with a flexible interior design allowing up to four entrances per building if necessary.

Access: The plan shows a road extending from Bradford Court at its intersection with Old Sawmill Road and continuing through to Waterbury Lane. The applicant requests that the entire road be named “Waterbury Lane”. This would only be possible with the agreement of the residents of the existing Abbington of Powell, which already has a Bradford Court address. The applicant also states that the residents of Liberty Lakes and the developers would prefer a cul-de-sac from the existing Waterbury Lane with no connection to Sawmill.

***Staff Comment:** Staff recommends making the connection. Through traffic should be minimal as there are several other road connections between Sawmill and Liberty. Applicant may consider naming the office portion of the road “Bradford Court” and the residential portion “Waterbury Lane”.*

IV. Compliance with the Liberty Township Comprehensive Plan

The 1995 Liberty Township Comprehensive Plan shows an area of mixed use, mostly non-residential for 1000' from Sawmill with single-family residential to the east at 1.5 units per acre.

The request conforms to the Comprehensive Plan.

V. Conformance with Development Standards

The application generally complies with all the development standards as listed in the zoning regulations. The applicant proposes to utilize a detention basin at Abbington of Powell for this development and the single-family lots to the east by upgrading it to a wet retention basin and making other improvements.

Staff Comment: This issue will need to be resolved with the County Engineer to determine if the proper improvements can be made to the existing basin.

The plan shows no sidewalk along the proposed road. Waterbury Lane has a sidewalk along the north side as it stubs into the property.

Staff Comment: A sidewalk should be continued along the length of the street. Sidewalk may be on only the south side as it passes in front of the office buildings.

VI. Required Findings for PC

The Zoning Commission and Trustees may approve PC zoning provided they find that the proposed use complies with the following requirements:

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

DCRPC Staff Finding: Yes, it is consistent.

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

DCRPC Staff Finding: The development plan conforms to the recommendations of the 1995 Liberty Township Comprehensive Plan for use.

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

DCRPC Staff Finding: Yes, it does.

VII. Staff Recommendation

The staff recommends to the Regional Planning Commission, the Liberty Township Zoning Commission, and the Liberty Township Trustees that the application by Joyce and Harold Hardin for rezoning 4.056 acres on Old Sawmill Road from FR-1 to PC be **conditionally Approved**, *subject to the following:*

- 1. *The applicant resolve the drainage issues with the County Engineer; and*
- 2. *A sidewalk is built from the stub of Waterbury Lane to Sawmill Road.*

Commission / Public Comments

No one was present to represent the applicant.

Mr. Ward said that the road should have one name.

Mr. Miller made a motion for conditional approval of the zoning request by Mr. & Mrs. Hardin (#48-03.B ZON), subject to staff comments. Mr. Brenner seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

49-03 ZON Charles Geddis – Trenton Twp. – 6.008 acres from FR-1 to RR

Request

The applicant is requesting to rezone 6.008 acres from FR-1 to RR in order to subdivide into two 3-acre lots.

Conditions

Location: North of Hartford Road, west of North County Line Road

Present Zoning: Farm Residential (FR-1)

Proposed Zoning: Rural Residential (RR)

Present Use: Agriculture

Proposed Use: Residential

Existing Density: 1du/5 acres

Proposed Density: 1 du/3 acre

School District: Big Walnut

Utilities Available: Individual wells and on-site septic systems

Soils: BeA – Bennington silt loam, 0-2% slope

BeB – Bennington silt loam, 2-4% slope

CeB – Centerburg silt loam, 2-6% slope
PwA – Pewamo silty clay loam, 0-1% slope

General comments

This rezoning would allow the applicant to split two 3-acre sites from an original 7.12-acre site, leaving a 1.11 residual which will be transferred to an adjoining lot. Surrounding land use includes mostly agricultural acreage. There are three 1-acre parcels in the vicinity that were created prior to Trenton’s current 3-acre minimum. Otherwise, nearby residential properties are all at least five acres.

Approximately 1.14 acres of this parcel was approved for rezoning from FR to R-1 in March of 1994. The R-1 zoning had a minimum lot size of 1 acre and is no longer part of the Trenton Zoning Code. There is no evidence that the rezoned acreage was ever split from the original tract.

The proposed configuration of the two lots utilizes acreage in the right-of-way of both Hartford and North County Line Roads. The Trenton Township Zoning Code does not restrict acreage to land that is exclusive of easements or rights-of-way. This would appear to be acceptable. However, the configuration shows that the lot to the west narrows to approximately 150’ at the road frontage. The zoning code calls for 250’ of frontage in this district, in an effort to prevent flag lot configurations. This would create a non-conforming lot and would not be approved by the township as designed. The applicant may be able to utilize some of the residual property to the north so that the required frontage can be maintained by both lots.

The 2003 proposed Trenton Township Comprehensive Plan draft shows the proposed site as residential and recommends the 3-acre lot size.

Staff Recommendation

The staff recommends that the 6.008-acre rezoning from FR to RR, to the DCRPC, Trenton Township Zoning Commission, and the Trenton Township Trustees, be **Conditionally Approved**, *subject to redesigning the lots so that they conform to township zoning requirements for frontage. If additional land is required to meet frontage requirements the applicant can add to the 6.008 acres requested for zoning.*

Commission / Public Comments

Mr. Charles Geddis was present to address the Commission. He stated that a revised plan was submitted to the Township and the RPC staff, just prior to the meeting that should meet frontage concerns.

Mr. Ward made a motion for conditional approval of the rezoning request by Mr. Geddis, subject to staff comments. Mr. Miller seconded the motion. VOTE: Unanimously For, 0 Opposed, 1 Abstained (Mr. Dattilo). Motion carried.

IV. SUBDIVISION PROJECTS

Preliminary (none)

Preliminary/Final

16-03 The Ravines of Alum Creek - Berlin Twp. - 67 lots / 38.22 acres

Applicant: J. D. Partnership and T & R Properties, Inc.
Subdivision Type: Single Family Residential
Location: East side of Africa Road approximately 2,500’ south of US 36/37, Berlin Twp.
Current Land Use: wooded ravine and former agriculture
Zoned: PRD (Planned Residential District)
Utilities: Del-Co Water, public sewer system
School District: Olentangy
Engineer: Bischoff Miller & Associates

Staff Comments

The Ravines of Alum Creek is a proposed 67-lot subdivision on 38.22 acres (1.75 du/acre). It is located on the east side of Africa Road approximately 2,500’ south of US 36/37. The lots are generally between 0.25 and 0.3 acres with a few larger lots of approx. 0.5 acres. Alum Creek Drive will provide access to the site from Africa Road and extends to the east side of the subdivision terminating at Cliff View Drive. Cliff View Drive extends to the south, stubbing at the property line for potential development of the Cockrell tract to the south. It also extends to the north then west ending in a cul-de-sac. A proposed “eyebrow” on the northern extension of Cliff View must be approved by the Township before final engineering is approved. Creekside Circle is a loop street extending from Alum Creek Drive to Cliff View Drive.

The subdivision contains 11.286 acres of open space in 3 reserve lots (29.5%).

The large wooded ravine through the middle of the development from east to west will be contained within a large 6.413-acre open space reserve. Stormwater will be controlled with 2 retention ponds at the front of the development on either sides of Alum Creek Drive and 1 detention pond toward the back of the site just north of the ravine. The developer proposes to fill a small portion of the ravine as it enters the east side of the site to develop lot 20.

The drainage would be piped slightly to the north but will be released back into the ravine. Lot 20 may also become a road to provide access into the Biancone tract to the east if that property is rezoned to a residential district (currently zoned Industrial) and the property owner/developer acquires lot 20 and constructs the road. If the road is not provided within 3 years, then lot 20 will be developed as a single-family lot (assuming the County Engineers office approves the proposed drainage plan).

A technical review was held on August 19, 2003, after which the applicant has addressed the required changes.

The applicant has requested that the final plat be tabled for 30 days to obtain final engineering approval.

Staff Recommendation

Staff recommends *conditional Preliminary approval* of **The Ravines of Alum Creek** to the RPC, *subject to resolving engineering issues relating to filling the ravine in the area of lot 20 and the Township approving the “eyebrow”*. Staff also recommends *approval* of the 30-day tabling request for the Final of **The Ravines of Alum Creek**.

Commission / Public Comments

Mr. Ed Bischoff with Bischoff Miller was present to represent the applicant. He stated that he was fine with the recommendations.

Mr. Rick Gemienhardt was present as a concerned neighbor. He stated his concern for protecting his easements and would like the 20’ easement put on the plat in its current location. He also stated that the Zoning officer has some development plan concerns with the final plat that need to be worked out.

Mr. Miller made a motion for conditional Preliminary approval of The Ravines of Alum Creek, subject to staff comments. Mr. Gladman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

Mr. Miller made a motion to approve the 30-day table request for The Ravines of Alum Creek. Mr. Gladman seconded the motion. VOTE:

Unanimously For, 0 Opposed. Motion carried.

CONSENT AGENDA

Chairwoman Foust asked if there were any subdivisions to be removed from the consent agenda. There were none.

Mr. Gladman made a motion for Final approval of Sage, Creek, Section 3, Phase A, Harbor Pointe, Section 4, Phase A, Harbor Pointe, Phase B, Sugarwoods, Sheffield Park, Section 1, Phase B, Willow Springs North, Section 2, Glen Oak, Section 2, Phase B, and The Estates of Glen Oak, Section 2. Mr. Brenner seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

Final

01-98.3.A Sage Creek, Sec. 3, Ph. A - Berk. / Genoa Twp.’s - 09 lots / 27.73 acres

Applicant: Trenton Land Co.

Subdivision Type: Single Family Residential

Location: East-side of Sunbury Road on the Berkshire/Genoa Twp. line

Current Land Use: Woods

Zoned: Farm Residential District (FR-1) in Berkshire & Rural Residential (RR) in Genoa

Utilities: Del-Co water and private septic

School District: Big Walnut

Engineer: Bischoff & Associates, Inc.

Staff Comments

Sage Creek, Section 3, Phase A contains 9 lots on 27.73 acres on the east side of Sunbury Road on the Berkshire/Genoa Township line. The plat was previously approved in August 2002 but will not be recorded within the required 1-year limit. Since the recording deadline cannot be extended, the applicant has resubmitted the plat. Phase A & B received preliminary approval in September 2001 (19 lots total). This phase will plat 9 lots along the existing Sage Creek Dr. (private). Sage Creek Drive extends from Sunbury Road to Trenton Road in Sections 1 and 2, and will eventually be gated. The lot sizes in

this phase range from 1.514 acres to 3.613 acres, with 4.442 acres of open space in 1 reserve lot (16%).

This site is heavily wooded and contains a stream flowing from east to west, which ultimately feeds into the Hoover Reservoir. Surrounding land use includes mostly single-family homes. To the north is Mathews (CAD) Subdivision and to the east is the future Sage Creek, Section, 3, Phase B. To the south and southeast is Sage Creek, Section 1 and 2 and to the west are large lot single family homes.

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 **Sage Creek, Section 3, Phase A** to the RPC.

Commission / Public Comments

Mr. Gladman made a motion for Final approval of Sage, Creek, Section 3, Phase A. Mr. Brenner seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

43-99.4.A Harbor Pointe, Sec. 4, Ph. A – Berlin Twp. - 17 lots / 14.82 acres

Applicant: M/I Schottenstein Homes, Inc.
Subdivision Type: Single-family Residential
Location: East side of Africa Rd., about 1,000 feet south of Cheshire Rd.
Current Land Use: Agriculture/Wooded
Zoned: Planned Residential District (PRD)
Utilities: Del-Co water and public sanitary sewer
School District: Olentangy

Engineer: EMH&T

Staff Comments

This is the continued platting of Harbor Pointe Subdivision, which received overall preliminary approval on October 28th, 1999 for 189 lots on 154.4 acres. Section 4, Phase A contains 17 single-family lots on 14.82 acres. It includes the easterly continuation of Bayside Ridge Drive from Section 3 to the east boundary and the southerly extension of Meadowshire Road from the Meadows at Cheshire subdivision. Meadowshire Road intersects Bayside Ridge Drive and then ends in a cul-de-sac to the south. Section 4, Phase A also includes a 4.693 acre open space reserve lot at the terminus of Meadowshire Road to be used for passive recreation including a bike path, and will also be utilized for stormwater management. The lots are generally 0.3 to 0.5 acres in size and will be served by Del-Co water and County sewer.

Surrounding land uses include Meadows of Cheshire to the north, other phases of Harbor Pointe to the west (existing) and east (future), and USA land to the south. Alum Creek State Park is also located west of the Harbor Pointe subdivision.

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 **Harbor Pointe, Section 4, Phase A**, to the RPC.

Commission / Public Comments

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

43-99.4.B Harbor Pointe, Sec. 4, Ph. B – Berlin Twp. - 26 lots / 25.10 acres

Applicant: M/I Schottenstein Homes, Inc.
Subdivision Type: Single-family Residential
Location: East side of Africa Rd., about 1,000 feet south of Cheshire Rd.
Current Land Use: Agriculture/Wooded
Zoned: Planned Residential District (PRD)

Utilities: Del-Co water and public sanitary sewer
School District: Olentangy
Engineer: EMH&T

School District: Dublin
Engineer: Floyd Browne Associates

Staff Comments

This is the continued platting of Harbor Pointe Subdivision, which received overall preliminary approval on October 28th, 1999 for 189 lots on 154.4 acres. Section 4, Phase B contains 26 single-family lots on 25.10 acres. It includes the easterly extension of Bayside Ridge Drive from Section 4, Phase A and ends in a cul-de-sac. Open Bay Court is a cul-de-sac extending south from Bayside Ridge Drive. Section 4, Phase B also includes a 10.947 acre open space reserve lot at the terminus of Bayside Ridge Drive. The open space will be used for passive recreation including a bike path, and will also be utilized for stormwater management. The lots are generally 0.3 to 0.5 acres in size and will be served by Del-Co water and County sewer.

Surrounding land uses include Meadows of Cheshire to the north, other phases of Harbor Pointe to the west (existing) and east (future), and USA land to the south. Alum Creek State Park is also located west of the Harbor Pointe subdivision.

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 **Harbor Pointe, Section 4, Phase B**, to the RPC.

Commission / Public Comments

Mr. Gladman made a motion for Final approval of Harbor Pointe, Phase B. Mr. Brenner seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

10-99 Sugarwoods – Concord - 03 lots / 07.13 acres

Applicant: Dodson Limited Partnership
Subdivision Type: Single-Family Residential (CAD)
Location: North side of Cook Road, west of Concord Road
(Partially in Union County)
Current Land Use: Wooded open space
Zoned: FR-1 (Farm Residential)
Utilities: Del-Co Water, Private on-site sewer

Staff Comments

Sugarwoods was originally approved May 25, 2000 but was never recorded and has since expired. This 4-lot (CAD) subdivision is located in Concord Township at the western boundary of Delaware County and includes two lots crossing into Union County. Only one of the 2 lots within Delaware County will be a build lot, with the other fronting on Cook Road being an open space reserve lot. Union County will be approving the two lots within its boundaries by way of a lot split and will be a signatory to the plat. The site consists of woods with three swales crossing through the site draining east into a pond off-site. The three residential lots are approximately 1.5 acres in size with the CAD being part of the reserve/open space lot. The surrounding land uses include similar sized single-family residential lots and FR-1 zoning. Private on-site sewage systems and Del-Co water will serve the lots. The Concord Twp. Fire Chief requires a fire hydrant 500' into the CAD. This must be installed prior to the RPC Director signing the plat.

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 Sugarwoods Subdivision, to the RPC.

Commission / Public Comments

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

03-01.2.B Grand Oak, Sec. 2, Ph. B – Genoa Twp. - 35 lots / 52.49 acres

Applicant: Centex Homes
Consultant: EMH & T

Staff Comments

The applicant has requested a 90-day tabling of Grand Oak, Section 2, Phase B

in order to obtain the required signatures for final approval. This is the second table request.

Staff Recommendation

Staff recommends *approval of the 90-day tabling* for **Grand Oak, Section 2, Phase B** to the RPC.

Commission / Public Comments

Mr. Gladman made a motion to approve the 90-day table request for Grand Oak, Section 2, Phase B. Mr. Brenner seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

19-01.1.B Sheffield Park, Sec. 1, Ph. B – Genoa Twp. - 37 lots / 38.65 acres

Applicant: Virginia Homes

Subdivision Type: Single Family Residential

Location: West and east side of Worthington Road, north of Jaycox Road, Genoa Twp.

Current Land Use: Agriculture and a Single-family home

Zoned: Planned Residential District (PD-1)

Utilities: Del-Co water and public sewer

School District: Olentangy

Engineer: CF Bird & RJ Bull, Inc.

Staff Comments

Sheffield Park Section 1, Phase B includes 37 lots on 38.65 acres on the east and west side of Worthington Road north of Jaycox Road. A 10.903-acre “Public Open Space” lot is located on the east side of Worthington Road and will be given to the Township. The remaining open space within this section will be owned by the homeowners association and will include a bike path and stormwater retention ponds. An existing house will remain on 1.823 acres and will be allowed to continue using the existing access to Worthington Road. This section includes the continuation of Sheffield Park Drive (a limited access road), Mingo Drive, and Normandy Drive. Preliminary approval was granted in September 27, 2001 for all of Sheffield Park (233 lots/214.10 acres).

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 Sheffield Park Section 1, Phase A to the RPC.

Commission / Public Comments

Mr. Gladman made a motion for Final approval of Sheffield Park, Section 1, Phase B. Mr. Brenner seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

04-03 The Lakes at Silverleaf – Liberty - 31 lots / 30.42 acres

Applicant: Vincent J. Margello

Engineer: Bischoff Miller & Associates

Staff Comments

The applicant has requested a 30-day tabling.

Staff Recommendation

Staff recommends *approval of the 30-day tabling* of **The Lakes at Silverleaf** to the RPC.

Commission / Public Comments

Mr. Gladman made a motion to approve the 30-day table request for The Lakes at Silverleaf. Mr. Brenner seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried

05-01 Willow Springs North, Section 2 – Orange Twp. - 60 lots / 40.91 acres

Applicant: M/I Schottenstein Homes

Subdivision Type: Single-Family Residential

Location: East side of Old State Rd., north of Lewis Center Rd., Orange Twp.

Current Land Use: Agriculture, Wooded

Zoned: Planned Residential District (PRD)

Utilities: Del-Co water and public sewer

School District: Olentangy

Engineer: EMH&T

Staff Comments

Willow Springs North, Section 2 consists of 60 lots on 40.9 acres on the east side of Old State Road. This subdivision received preliminary approval in May 2003 for 61 lots but 1 lot has been eliminated. Section 2 will extend Polar Drive from Section 1 (to the north) to connect with Old State Road. The gross density for the subdivision is 1.5 units per acre. No-build zones and a tree conservation area are located on the rear of various lots. A large detention pond will be constructed within a shallow ravine in the no-build zone to the east. The Army Corp of Engineers has approved the detention within the ravine.

There is no open space provided, but the conservation area and no-build zones were allowed during the zoning process to count for the required 10% open space (circa 1994). These areas will not be accessible by all lot owners.

Surrounding land use includes the Berlin Presbyterian Church and Cemetery to the northwest. Willow Springs (recorded December 19th, 1991) is located south of this section and Willow Springs North Section 1 (recorded July 18, 1994) is located immediately to the north. Bryn Mawr at Delaware Subdivision is located directly across South Old State Road to the west with Alum Creek State Park/Reservoir bordering the section to the east.

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 Willow Springs North, Section 2 to the RPC.

Commission / Public Comments

Mr. Gladman made a motion for Final approval of Willow Springs North, Section 2. Mr. Brenner seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

27-98.4.A Abbey Knoll, Sec. 4, Ph. A – Orange Twp. - 21 lots / 08.95 acres

Applicant: Rockford Homes
Consultant: EMH & T

Staff Comments

The applicant has requested a 90-day tabling of Abbey Knoll, Sec. 4, Ph. A in order to obtain the required signatures for final approval.

Staff Recommendation

Staff recommends *approval of the 90-day tabling for Abbey Knoll, Sec. 4, Ph. A* to the RPC.

Commission / Public Comments

Mr. Gladman made a motion to approve the 90-day table request for Abbey Knoll, Section 4, Phase A. Mr. Brenner seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried

09-02.2.B Glen Oak, Sec. 2, Ph. B – Orange - 36 lots / 10.15 acres

Applicant: Dominion Homes
Subdivision Type: Single-family residential
Location: North side of Orange Road, West of South Old State Road
Current Land Use: Vacant, former agriculture
Zoned: Single Family Planned Residential (SFPRD)
Utilities: Del-Co water and county sewer system
School District: Olentangy School District
Project Engineer: R.D. Zande and Associates, Inc.

Staff Comments

Glen Oak Section 2, Phase B, is the northern continuation of the Glen Oak development. This section includes 36 lot on 10.15 acres. Geranium Drive extends to the east from Blue Holly Drive and terminates at Primrose Avenue. Primrose stubs to the south but will eventually connect to Holderman Street in Section 1. It will also extend to the north in future phases. A future school site to the west will be platted in a future phase as well. There is no open space proposed in this section but a large reserve exists to the south in Section 1, which also contains an electric transmission line. Section 2 (Phase A & B) received preliminary approval on July 25, 2002.

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 **Glen Oak, Section 2, Phase B** to the RPC.

Commission / Public Comments

Mr. Gladman made a motion for Final approval of Glen Oak, Section 2, Phase B. Mr. Brenner seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

15-02.2 The Estates of Glen Oak, Sec. 2 – Orange Twp. -29 lots / 26.14 acres

Applicant: Dominion Homes
Subdivision Type: Single Family Residential
Location: West of South Old State Road and North of Orange Road
Current Land Use: vacant/former agricultural
Zoned: SFPRD (Single Family Planned Residential District)
Utilities: Del-Co Water, public sewer system
School District: Olentangy
Engineer: EMH&T

Staff Comments

Estates of Glen Oak Section 2 will be accessed through Section 1 to the east. It is a continuation of Blue Holly Drive, the main road that will continue through sections of Glen Oak to the south, eventually connecting with Orange Road. This section also contains the intersections of new streets Tulip Way, Summersweet Circle, and Scarlet Avenue. A 13.544-acre open space reserve is provided on the north side of Blue Holly Drive and will be used as a future Township park. Section 2 received preliminary approval November 21, 2002.

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 Estates of Glen Oak, Sec. 2** to the RPC.

Commission / Public Comments

Mr. Gladman made a motion for Final approval of The Estates of Glen Oak, Section 2. Mr. Brenner seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

47-00.1.2.A North Orange, Sec. 1, Ph. 2, Pt. A – Orange Twp. – 02 lots / 18.13 acres

This application has been withdrawn.

V. EXTENSIONS (none)

VI. OTHER BUSINESS

- **Consideration for approval: computer hardware \$2,383.55**
This would be a replacement of Scott Sanders’ 1999 Pentium III, which has had 3 operating systems installed and sound card removed with memory upgrades but still runs too slow and needs to be replaced.

Mr. Bell made a motion to approve the computer purchase, seconded by Mr. Miller. VOTE: Unanimously For, 0 Opposed. Motion carried.

Mr. Brenner made a motion to approve the transfer of appropriations from Services and Charges to Materials & Supplies. Mr. Bell seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

VII. POLICY / EDUCATION DISCUSSION (none)

Having no further business, *Mr. Miller made a motion to adjourn. Mr. Gladman seconded the motion. 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, September 25, 2003, 7:00PM at the Delaware Hayes Services Building, 140 N. Sandusky Street, Conference

Room G-35, Delaware, Ohio 43015.