



**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, September 25, 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 August 28, 2003 RPC Minutes
- Executive Committee Minutes of September 17, 2003
- Statement of Policy

II. VARIANCES (none)

III. ZONING MAP/TEXT AMENDMENTS

- 50-03 ZON Mark & Carla Cantrell – Harlem Twp. – text amendments (Art. VII, Sec. 7.04)
- 51-03 ZON Joyce Facemyer – Harlem Twp. – text amendments (Art. XXIV, Sec. 24.02, 24.03 and 24.07)
- 52-03 ZON Wolfgang Kurapkat – Harlem Twp. – text amendments (Art. XIV, Sec. 14.04)
- 53-03 ZON Berlin Twp. Zoning Commission – text amendments
- 54-03 ZON John’s Recreational Sales & Serv.–Marlboro Twp.-2 acres–amendment to dvlpmnt plan (PC)
- 55-03 ZON B & L Packrat Enterprises – Troy Twp. – 6.84 acres from FR-1 to PC
- 56-03 ZON Concord Twp. Zoning Commission – Comprehensive Plan review
- 57-03 ZON Glenna Miller – Liberty Twp. – 44.23 acres from FR-1 to PR

IV. SUBDIVISION PROJECTS

		Township	Lots/Acres
<u>Preliminary</u>			
09-02.4	Glen Oak, Section 4	Orange	30 lots / 20.14 acres
17-03	Jersey Acres	Trenton	05 lots / 62.54 acres

Preliminary/Final (none)

		Township	Lots/Acres
<u>Final</u>			
01-98.3.B T	Sage Creek, Sec. 3, Ph. B	Berkshire	11 lots / 22.65 acres
13-03	Hunter’s Pond	Berk./Ber.	03 lots / 08.58 acres
16-03 T	The Ravines at Alum Creek	Berlin	67 lots / 38.22 acres
29-98.1.7 T	Scioto Reserve, Sec. 1, Ph. 7	Concord	33 lots / 11.77 acres
29-98.1.8 T	Scioto Reserve, Sec. 1, Ph. 8	Concord	29 lots / 09.80 acres
04-03	The Lakes at Silverleaf	Liberty	31 lots / 30.42 acres

T=TABLED, W=WITHDRAWN

V. EXTENSIONS

81-93.3 Cross Creek, Section 3 Orange 34 lots / 19.03 acres

VI. OTHER BUSINESS (none)

VII. POLICY / EDUCATION DISCUSSION (none)

VIII. RPC STAFF AND MEMBER NEWS

- Robert Brenner has been appointed as the new Kingston Twp. Representative
- Joseph Clase, DCRPC, Planner I married Stephanie Voils who is employed with the Delaware Health Dept. (9/6/03)

I. ADMINISTRATIVE BUSINESS

#Call to Order

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

Roll Call

Representatives: Robert Hedrick, Fred Fowler, Kris Jordan, Steve Burke, Gary Gunderman, Cy Schmidt, Robert Brenner, Holly Foust, Charles Heimlich, Dick Gladman, Bill Thurston, Lloyd Shoaf, and Mike Dattilo. *Alternates:* Rick Sedlacek, Scott Pike, Carolyn Van Brimmer, and Doug Price. *Arrived after roll call:* Jim Ward, (R), George Mason (R), and Leslie Warthman (R). *Staff present:* Phil Laurien, Paul Deel, Scott Sanders, Joe Clase, Robert Sochor and Stephanie Matlack.

Approval of the August 28, 2003 RPC Minutes

Mr. Gladman made a motion to approve the minutes from the previous meeting. Mr. Cy Schmidt seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

September 17, 2003 Executive Committee Minutes

1. Call to order

Chairwoman Foust called the meeting to order at 8:45 a.m. Present: Holly Foust, Dick Gladman, Leslie Warthman and Jim Ward. Steve Burke was absent. Staff present: Phil Laurien and Stephanie Matlack.

2. Approval of Executive Committee Minutes

a. August 20, 2003 – Mr. Gladman made a motion to approve the

minutes of the last meeting, seconded by Mrs. Warthman. VOTE: Unanimously For, 0 Opposed. Motion carried.

3. Old Business

a. Contract Updates –

- 1.) **Sewer Master Plan** – sampling is behind due to the wet weather but October remains the target date. RPC staff work should be completed in the next few weeks. The initial consultant selections have been completed. 5 finalists have been selected for interviews.
- 2.) **Concord Twp.** – delivered the comprehensive plan 9/16/03
- 3.) **Kingston Twp.** – Township will not adopt the comprehensive plan until the North Star hearings are complete, now asking for assistance to revise their zoning text.
- 4.) **Ashley** – started comprehensive plan
- 5.) **Scioto Twp.** – started comprehensive plan
- 6.) **Genoa Twp.** – ongoing zoning update; comp. plan update to start Nov. ‘03
- 7.) **Liberty Twp.** – comp. plan update to start Nov. ‘03
- 8.) **Berlin Twp.** – ongoing zoning update
- 9.) **Berkshire Twp.** – zoning text complete and ready for adoption, will serve as model text for others
- 10.) **Harlem** – projected to begin comprehensive plan in 2004
- 11.) **Troy Twp.** – have requested a zoning overhaul
- 12.) **Brown Twp.** – have requested a zoning overhaul
- 13.) **Trenton Twp.** – sent comments and final edit on comprehensive plan, hearing to follow
- 14.) **Olentangy Schools** – requesting an update for student population
- 15.) **Powell & Liberty** – CEDA agreement, possible contract for joint master plan
- 16.) **Subdivision Regulations** – received comments from Don Brosius, reviewed most of the comments and will schedule another meeting to finish then reconvene large group committee to discuss proposed amendments

4. New Business

a. Financial / Activity Reports for September 2003

Ending balance as of 07/31/03 \$199,376.29

RECEIPTS		August	YTD
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			TOTAL
General Fees (Lot Split)	(4201)	\$1,225	\$7,000
Insp. Fees (Lot Line Transfer)	(4203)	\$100	\$2,100
Fees A (Site Review)	(4202)	\$100	\$720
Membership Fees	(4204)		\$146,731
Planning Surcharge (Twp. Plan. Assist.)	(4205)	\$3,753.99	\$23,177.63
Charges for Serv. A (Prel. Appl.)	(4230)	\$4,420	\$55,180
Charges for Serv. B (Final. Appl.)	(4231)	\$23,930	\$80,015.08
Charges for Serv. C (Ext. Fee)	(4232)	\$150	\$600
Charges for Serv. D (Table Fee)	(4233)	\$600	\$3,000
Charges for Serv. E (Appeal/Var.)	(4234)		\$600
General Sales	(4220)	\$386.25	\$5,164.35
Health Dept. Fees	(4242)	\$50	\$4,810
Soil & Water Fees	(4243)	\$175	\$3,429
Other Reimbursements	(4720)		
Other Reimbursements A	(4721)	\$0.85	\$27.70
Other Reimbursements B	(8092)		
Canceled Warrants	(8099)		
Interfund Revenues	(8701)		
TOTAL RECEIPTS		\$34,891.09	\$332,654.76

Balance after receipts

\$234,267.38

Expenditures

- \$38,849.89

End of August balance

\$195,417.49

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

- b. **September RPC Preliminary Agenda** – Mr. Laurien presented the preliminary agenda, which includes 8 rezoning applications, 2 preliminary and 6 final applications. Chairwoman Foust stated that she liked the addition of section VIII on the agenda for staff and member news. (Note: This section will not be presented as the regular agenda is. It will be for informational purposes only. If you have any suggestions for this section, please contact Stephanie Matlack at the RPC office.)
- c. **2004 RPC Meeting schedule** – The Committee was presented with the 2004 RPC meeting schedule. This schedule includes all meetings of the Regional Planning Commission, Executive Committee, Technical Review Committee, application deadlines and site review dates. All RPC meetings are on the last Thursday of the month, except for the months of November and December due to holidays. Subdivision deadline dates are on the first Monday of each month except for July, September, November and December also due to holidays. The RPC office follows the Delaware County holiday schedule with regards to office closings. The 2004 schedule will be mailed out along with the Preliminary agenda and minutes for November and December.
- d. **2004 Membership Dues** – The 2004 Membership dues schedule was presented. The per capita fee of \$0.70 remains the same as in previous years. The 2004 Membership dues will amount to \$178,342 in revenue, if the City of Delaware pays its dues.
- e. **2004 Proposed Budget** – The proposed budget was presented with discussions of the appropriate amount of merit raises, reduction in carry forward due to the platting decrease and building renovation costs, and fee structures. Mrs. Warthman stated that in order to keep employee benefits the same, she was in favor of reducing the maximum merit increase from previous years (5% to 3%). Chairwoman Foust suggested a review of all fee schedules including contracts and special projects. Mr. Ward agreed and suggested we increase our consulting rates on contract work to reflect our actual costs. Mr. Laurien will prepare a suggested rate sheet for future contract work. (The Committee would revisit the proposed budget next month. Chairwoman Foust asked to have the revised budget sent to all the Executive Committee members prior to the meeting. The By-Laws requires the full Commission to vote on the budget at

the October RPC meeting.)

5. Other Business (*none*)

6. Personnel (*none*)

7. Adjourn

Mr. Gladman made a motion to adjourn the meeting, seconded by Mrs. Warthman. VOTE: Unanimously For, 0 Opposed. Motion carried.

Meeting adjourned at 10:40 a.m.

*The next regular Executive Committee meeting will be Wednesday, October 22, 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

50-03 ZON Mark & Carla Cantrell – Harlem Twp. – text amendments (Art. VII, Sec. 7.04)

Applicant: Mark & Carla Cantrell and Allen Piper

Request: Review and comment on Harlem Township Zoning Resolution text amendments

Staff Comments

Mark & Carla Cantrell and Allen Piper request an amendment to Article VII Agricultural Residential District (AR-1) of the Harlem Township Zoning Resolution. The applicants propose the addition of item o.) “Expanded home

office or business” to Section 7.04 Conditional uses.

The current resolution already lists home occupation as a conditional use in the AR-1 district (Section 7.04a). The proposed text does not eliminate or modify the existing language in 7.04a.

Amendment:

Highlights of proposed text:

- Allows the use of an accessory building for the home occupation. **Staff comment:** 7.04a does not allow accessory structures to be used for home occupation.
- An accessory building may be used for a home office prior to the construction of the principle dwelling. **Staff comment:** 7.04a does not allow accessory structures to be used for home occupation. Staff suggests that an accessory building should not be allowed to be used as a home occupation prior to the construction of the principal dwelling.
- Home occupation may occupy not more than 20 percent of the principle dwelling and not more than 60 percent of the accessory structure. **Staff comment:** 7.04a allows 400 s. f. or 20 percent of the dwelling, basement, or attached garage to be used for home occupation. It does not allow accessory structures to be used.
- Allows up to 4 parking spaces. **Staff comment:** 7.04a allows a maximum of 2 spaces.
- There are no restrictions proposed for the number of outside employees. **Staff comment:** 7.04a states that only persons residing in the dwelling may participate in the home occupation.
- No sign restrictions. **Staff comment:** 7.04a allows only 1 sign, not to exceed 1 s. f.

The proposed text will cause confusion. It does not modify the existing conditions/restrictions for home occupations. The applicant states that Article VII is unconstitutional as currently written because it prohibits certain businesses for reasons other than safety, health and morals. Staff notes that the Township does not have to permit commercial uses in a residential district. With regard to the question of constitutionality, the Township should consult with the County Prosecutor for a legal opinion.

If the Township desires to change or modify existing language with the language proposed, then the new text should be incorporated into the existing text and should not conflict with existing standards. The RPC Staff has written a model home occupation regulation that has been adopted by several local communities. It provides for 2 types of home occupations; Limited (permitted

use) and Expanded (Conditional use).

Staff Recommendation

This is an unusual situation where a resident, rather than the Zoning Commission, is suggesting text changes to the zoning resolution. There appears to be a legitimate need to review Harlem’s zoning text and to address the issue at hand. The language proposed, however is not fully developed and seems to create internal conflicts within the Harlem Zoning Resolution. For that reason staff recommends **Denial** of the text amendments requested by Mark & Carla Cantrell and Allen Piper to the Regional Planning Commission, the Harlem Township Zoning Commission, and the Harlem Township Trustees.

Staff also recommends that the Harlem Township Zoning Commission or their representative work with the applicant and his attorney, the county prosecutor and the DCRPC staff to review this situation and to attempt to find a resolution.

That resolution may require amendment of the zoning resolution, but if it does, such amendment should not internally conflict with other language and should be a solution for the entire township, not just this applicant.

Commission / Public Comments

Ms. Mary Beth Deavers, (8908 Kilbourne Road, Sunbury, Ohio) attorney for the applicants, was present. She stated that the applicant went to the Zoning Commission, the Township Trustees and the Board of Zoning Appeals, where they were asked to present their own proposed text amendments. They propose an expanded use. This amendment will add language to allow storage of inventory in accessory buildings.

Mr. Gunderman asked if the proposal has the potential to open it up to more employees that don’t live on the site. Mr. Deel stated that as requested, it is open-ended. Mr. Laurien suggested that the applicants, Ms. Deavers, Harlem Township officials and the Prosecutor work together to come up with a solution that will work for the whole Township and not just for one applicant. The DCRPC zoning code update for Berkshire Twp. could be used as a model.

Mrs. Warthman stated that in Genoa Twp. when they have a home occupation that does not fit their home occupation restrictions, they work within the Board of Zoning Appeals to allow certain aspects of that business to exceed the code in some areas. Ms. Deavers stated that they have not received denials from the BZA and Zoning Commission. For whatever reason, the Township did not want to assume the burden of amending the code and suggested the applicant apply on their own and present some language.

Mr. Gunderman made a motion to recommend denial of the proposed text amendments by Mark and Carla Cantrell. Mr. Fowler seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Mr. Cy Schmidt). Motion carried.

51-03 ZON Joyce Facemyer – Harlem Twp. – text amendments (Art. XXIV, Sec. 24.02, 24.03 and 24.07)

Applicant: Joyce Facemyer
Request: Review and comment on Harlem Township Zoning Resolution text amendments

Staff Comments

Joyce Facemyer requests an amendment to Article XXIV Non Conforming Uses of the Harlem Township Zoning Resolution. The proposed text replaces parts of the existing language relating to restoration and enlargement of non-conforming uses.

Amendment:

Section 24.02 - Restoration. Non-conforming structures, which are damaged by calamity to the extent that the cost of restoration is more than 60 percent of its value, may be permitted if the following conditions are met:

24.02 1) The structure shall not be restored unless in conformity with the development standards applicable to the use of the structure prior to its destruction. The phrase “development standards applicable to the use of the structure prior to its destruction” replaces “provisions.”. The proposed text also eliminates “for the district in which it is located.” (This is not identified with strike-through.) **Staff comment:** A zoning regulation can not be retroactive. The current language does not say that the non-conforming **use** can not continue, only that the non-conforming **structure** must be reconstructed in accordance with the provisions of the zoning resolution for the district in which it is located. While Staff does not support the proposed change, the current language may need clarification and amendment. See

the County Prosecutor.

24.02 2) Restoration shall commence within 180 days of receipt of a permit to rebuild and shall be completed within 2 years of the date of the calamity. This replaces existing text, which requires the restoration to commence within 180 days of the calamity. **Staff comment:** Commencement includes obtaining required construction permits. It would be appropriate to establish a deadline for completion of the reconstruction, but 2 years may be too long. This is a matter of local choice.

24.03 – Enlargement. The proposed text adds “and substitution” to the title. The word “enlarged” is added to the paragraph description and “conditional use” is deleted. Additional language is also added to the requirements and conditions that the Board of Zoning Appeals has in approving the conditional use or variance. **Staff comment:** The proposed text is not consistent with ORC 519.19. Staff suggests the Township consult with the County Prosecutor. “Conditional use” should be left in since this refers to a permit issued by the BZA.

24.07. This is a new section stating that amendments to this Article XXIV shall be retroactive to the date of adoption of this Zoning Resolution. **Staff comments:** Zoning amendments can not be retroactive. Consult with the County Prosecutor.

Staff Recommendation

This is an unusual situation where a resident, rather than the Zoning Commission, is suggesting text changes to the zoning resolution. There appears to be a legitimate need to review Harlem’s zoning text and to address the issue at hand. The language proposed, however is not fully developed and seems to create internal conflicts within the Harlem Zoning Resolution. For that reason staff recommends **Denial** of the text amendments by Joyce Facemyer to the Regional Planning Commission, the Harlem Township Zoning Commission, and the Harlem Township Trustees.

Staff also recommends that the Harlem Township Zoning Commission or their representative work with the applicant and his attorney, the county prosecutor and the DCRPC staff to review this situation and to attempt to find a resolution. That resolution may require amendment of the zoning resolution, but if it does, such amendment should not internally conflict with other language and should be a solution for the entire township, not just this applicant.

Commission / Public Comments

Ms. Mary Beth Deavers, attorney for the applicants was present. She stated that the applicant did try to apply for a permit to rebuild but because more than 60% of the structure burned down it was denied.

Mr. Laurien stated that this kind of situation is fairly rare but it does happen. Almost every zoning resolution has some provision for what happens. If this was a legal non-conforming use established prior to the adoption of the zoning resolution, it is his understanding that the use isn't going to go away. They can continue to have that use there. The argument is if there should be a provision that allows the reconstruction of some type of building. He believes the Board of Zoning Appeals could handle this request as a hardship or a practical difficulty. The non-conforming structure that burned should not be denied a right to re-build because it is part of the legal, non-conforming use.

Mr. Cameron Facemyer (co-owner) stated that the business has been in the family for along time. He was not as concerned with the zoning text amendment as he is with rebuilding the building and the 25% expansion.

Mrs. Aida Facemyer (co-owner) asked what the next step was. Mr. Laurien explained that it would go back to the Harlem Twp. Zoning Commission and with the RPC's recommendation on working with the County Prosecutor and the applicants and their attorney, a resolution could be met. Mrs. Cameron stated that the 180 day requirement on rebuilding is entirely too short. They have been working since last October to resolve this. Mr. Laurien stated that in his opinion they were still protected as a non-conforming use. The state law provides that a non-conforming use that has not been discontinued for 2 years maintains the use. If they have been in business continuously, they have not lost their non-conforming use. Therefore, he doesn't think they have lost the right to re-apply for the structure that was part of the use.

Mrs. Warthman made a motion to recommend denial of the zoning text amendments requested by Joyce Facemyer. Mr. Gladman seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Mr. Cy Schmidt). VOTE: Unanimously For, 0 Opposed. Motion carried.

52-03 ZON Wolfgang Kurapkat – Harlem Twp. – text amendments (Art. XIV, Sec. 14.04)

Applicant: Wolfgang Kurapkat
Request: Review and comment on Harlem Township Zoning

Resolution text amendments

Staff Comments

Wolfgang Kurapkat requests an amendment to Article XIV Neighborhood Commercial (C-2) of the Harlem Township Zoning Resolution. The proposed text adds 2 uses to Section 14.04 Conditional Uses.

Amendment:

Section 14.04f – would allow the storage of goods, supplies and inventory associated with a permitted business provided it is housed in an appropriate facility. **Staff comment:** This is a matter of local choice. Staff notes that the proposed text indicates motor vehicles in the second part of the description, but not the first. This amendment conflicts with Section 14.06 a (development standards) which states that there shall be no more than 1 structure on any parcel.

14.04g – would allow enclosed automobile repair and service centers as a conditional use. **Staff comment:** Currently automobile repair shops are only permitted in the Industrial (I) zoned districts. This is a use that is probably appropriate in a Neighborhood Commercial district, but ought to have limitations/restrictions (conditional use). This is a matter of local choice.

The applicant states that Article XIV is unconstitutional as currently written because it prohibits certain businesses for reasons other than safety, health and morals. The Township should consult with the County Prosecutor for a legal opinion.

Staff Recommendation

The staff recommends **Conditional Approval** of the text amendments by Wolfgang Kurapkat to the Regional Planning Commission, the Harlem Township Zoning Commission, and the Harlem Township Trustees, *subject to review by the County Prosecutor and subsequent revision to eliminate conflict with other language in the Zoning Resolution.*

Commission / Public Comments

Ms. Mary Beth Deavers was present to represent the applicant. Mr. Laurien stated this would be a conditional use and would still go to the Zoning Commission.

Mr. Laurien stated that the reason for the conditional approval recommendation was because of the conflicting clause that states you can only have one structure.

Mr. Gladman made a motion to recommend conditional approval for the text amendments proposed by Mr. Wolfgang Kurapkat, subject to staff comments. Mr. Gunderman seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Mr. Cy Schmidt). Motion carried.

53-03 ZON Berlin Twp. Zoning Commission – text amendments

Applicant: Berlin Township Zoning Commission
Request: Text Amendments to Articles IV and XVIII

I. General

The Berlin Township Zoning Commission has initiated revisions to their zoning text to amend the Planned Industrial district and incorporate Adult entertainment regulations. This zoning amendment creates no new map changes.

II. Background

This submission text is a Berlin Township Planned Industrial District comprehensive overhaul by members of the Zoning Commission, and Board of Zoning Appeals assisted by DCRPC.

III. Comments on the Proposed Amendments

1. Article IV- Definitions- The text adds 12 new adult entertainment-specific definitions.
2. Article XVIII-
 - a.) The application section has been deleted.
 - b.) The previous generalized list of permitted uses has been deleted and replaced with a very specific list of 2,3,4,5 or 6 digit numbers from the North American Industrial Classification System. Each number refers to a very specific use, definition and extent in the 1997 NAICS code. If a use is listed, it is permitted. If it is not listed, it is not permitted.
 - c.) Adults Only entertainment uses, as defined in Article IV, are conditional uses in the PID provided they can meet the following criteria:
 1. Such use shall not be permitted within 1000 feet (measured from the point of the property line of the Adults Only Establishment closest

- to any of the following institutions, buildings or locations):
- a.) Church, including its surrounding lot
 - b.) School, including its surrounding lot
 - c.) Park or playground
 - d.) residence, including its surrounding lot
 - e.) residential zoning district
2. Such use shall not be permitted within 1000 feet measured from the point of the property line of the Adults Only Establishment closest to the closest property line of another adult’s only entertainment establishment.
 3. No sexual activity shall take place within the premises or on the lot.
 4. No private booths for viewing adult videos, adult movies, nude dancing or private non-therapeutic massage or modeling are permitted on the premises.
- d.) The application procedure has been changed to a 2-step process with the first part being the preliminary development plan and rezoning that is referendable, and the second step being an administrative review that is not referendable.
 - e.) Development plans are good for 3 years after which they expire if the PID site has not been changed in accordance with the development plan.

IV. Staff Recommendation

Staff recommends **Approval** of the proposed **Planned Industrial District** regulations to the DCRPC and the Berlin Township Zoning Commission and Trustees.

Commission / Public Comments

Mr. Laurien suggested that if your Township code hasn’t addressed adult entertainment, they should use this model text.

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

54-03 ZON John’s Recreational Sales & Services– Marlboro Twp. - 2 acres – amendment to development plan (PC)

I. Location

East side of U.S. 23 about a mile south of State Route 229, Marlboro Township

II. Request

The applicant is requesting an amendment to the development plan for this 2-acre Planned Commercial tract to allow for the display of yard-storage buildings along U.S. 23. The buildings are proposed to surround the existing pool display. The yard-storage buildings will not be sold at this location. They will be displayed solely for advertising a type of structure adequate for storage of the recreational vehicles sold at this site.

III. Conditions

- Present Zoning:** Planned Commercial and Office District (PC)
- Proposed Zoning:** Planned Commercial and Office District (PC)
- Present Use(s):** Recreational vehicle sales and services w/ pool display
- Proposed Use(s):** Same w/ added display of yard storage barns
- Existing Density:** N/A
- Proposed Density:** N/A
- School District:** Buckeye Valley Local School District
- Utilities Available:** Well and Private Septic System
- Soils:** BoA - Blount (0-2 % slope)
PwA - Pewamo

IV. Description

The property is located on the east side of U. S. 23 approximately 1 mile south of Norton and is surrounded by agricultural uses and farm residences. There are spots of commercial uses along U. S. 23 to the north and south.

The applicant is not applying to change the use, but rather to expand the outdoor display to include yard-storage buildings. The business currently includes the sale and service of snowmobiles, all-terrain vehicles (ATVs), snow blowers, jet skis, and small engine items such as lawn mowers and chain saws. They also sell accessories, parts, clothing, and trailers in relation to the items above. Much of the site is covered with either pavement or structures.

The site has direct access to the outside lanes of northbound U. S. 23, but not the internal lanes. ODOT has no major concern with access, because they feel this site will remain a right-in, right-out access for years to come. They also feel that the outside lanes on U.S. 23 will not be used significantly in the future for traffic flow.

V. Conformance with Development Plan Standards

The submitted plan does not conform to the following development standards:

Article XIV - Planned Commercial and Office District (Section 14.06, b - Development Plan):

- 2) The accuracy of “the minimum set back requirements, and other development features” cannot be determined because the submitted development plans are not drawn to scale. ODOT has expressed concern that the existing pool displays and proposed yard-storage building displays are encroaching on the right-of-way for U.S. 23.
- 3) The “criteria for proposed signs” cannot be accurately reviewed because the submitted development plans are not drawn to scale. ODOT has expressed concern that the proposed sign is located within the right-of-way for U.S. 23.

Article XXV - General Development Standards (Section 25.01 - Parking)

- b) “All common parking areas and adjacent aisles or driveways are recommended to be paved with asphaltic material or concrete.”

VI. Issues

- 1) The applicant must submit a scaled development plan that notes all proposed revisions and demonstrates accurately that each proposed change complies with the Delaware County Zoning Code. The following items should be included on the new plan in addition to that of the original:
 - The existing pool display,
 - The proposed storage building displays,
 - All existing & proposed signage,
 - All existing & proposed landscaping, and
 - All parking areas.
- 2) The applicant should discuss with the Delaware County Rural Zoning Commission if gravel parking is acceptable. It may be appropriate to use a stabilized gravel system, such as Gravel Pave, or to blacktop the site at a future date.

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. Staff does, however, feel that the applicant has sufficient time to make suggested changes before the Rural Zoning Commission's hearing of this case.

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

Staff Finding: Yes. Marlboro Township does not have an adopted comprehensive plan however this use complies with the recommendations of the 1993 Delaware County Regional Land Use Plan.

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

Staff Finding: Yes. The additional display area would not pose a threat to the general welfare of the township as long as the entire display and signage are outside the right-of-way for U.S. 23.

VIII. Staff Recommendations

Staff recommends **conditional approval** of this PC zoning amendment for John's Recreational Sales and Services to the DCRPC, the Delaware County Rural Zoning Commission and the Delaware County Commissioners, *subject to submittal of a revised development plan that addresses all staff issues in section VI of this report.*

Commission / Public Comments

Mr. Jack Johns was present. He met with ODOT and was given a map to show the right-of-way. The representative from American Country Barns will keep the buildings out of this area.

Mr. Ward made a motion to recommend conditional approval of the zoning request for John's Recreational Sales and Services, subject to staff comments. Mrs. Warthman seconded the motion. VOTE: Majority For, 0 Opposed, 2 Abstained (Mr. Fowler and Mr. Heimlich). Motion carried.

55-03 ZON B & L Packrat Enterprises – Troy Twp. – 6.84 acres from FR-1 to PC

Location: Southeast corner of Hills-Miller and Troy Roads.

Conditions

- Present Zoning:** Farm Residential (FR-1)
- Proposed Zoning:** Planned Commercial and Office (PCD)
- Present Use:** Agricultural
- Proposed Use:** Mini-storage warehouse buildings (3 total)
- School District:** Delaware City
- Utilities Available:** none
- Soils:** PwA Pewamo Silty Clay Loam, 0-1% slope
BoA Blount Silt Loam, 0-2% slope

Surrounding Land Use

The site is surrounded by farm land on the north, east and south. Chessie Systems Railroad is along the site to the southwest. To the east are several lot splits and flag lots. Immediately to the east is a house, circa 1856 according to the Auditor's information.

General Comments

Applicant is requesting a change from Farm Residential zoning to Planned Commercial and Office to allow construction of three 7,000 s.f. mini-storage warehouse buildings. These would be phased over three years, with one structure built per year. Units would be accessed via a 20-ft. gravel drive from Hills Miller Road. East and south property lines would include 2-ft. mounding with 4-ft. evergreens at planting, spaced 20-ft. on center. A detention basin is located near the location of a wetland, as indicated by the National Wetlands Inventory.

Conformance with Development Standards

The following are issues within the listed development standards of the Planned Commercial and Office District:

- 1) **Signs:** The plan shows the location of two signs, each approximately four square feet.

Staff Comment: The plan seems to reference the sign specifications for temporary "for sale" signs in the Development Standards section. The applicant may be entitled to a larger sign according to Article XXII (Sign and Billboard Standards). The applicant should work with the township to meet the appropriate sign standards.

- 2) **Landscaping:** The application locates a landscaped buffer (four-foot tall pine trees planted 20-ft. on center) on its eastern and southern border, shielding it from adjacent residential properties.

Staff Comment: The plan generally does not meet the intent of the zoning

regulations. Staff notes that pine trees planted 20-ft. apart will not attain the 50% winter opacity and 70% summer opacity required by the zoning text, even when mature.

Other concerns

Access: The applicant identifies the gravel drive accessing the units.

Staff Comment: Given the need to accommodate the circulation of moving trucks and a variety of vehicles, staff recommends that drives and surfaces directly adjacent to the storage units should be paved.

Wetlands: The National Wetlands Inventory indicates a wetland on the site. The plan calls for locating a retention basin at the same location.

Staff Comment: The applicant should work with the Army Corps of Engineers to locate the wetland (if any). Further, they should consult with the Corps on the proper location of the retention basin before any preliminary earthwork is begun.

Conformance with the Troy Township Comprehensive Plan

The Troy Township Comprehensive Plan of 2002 recommends a small area of proposed Planned Commercial and Office at the intersection of Hills Miller and Troy Roads. The commercial area only extends 250 feet into this parcel from Hills Miller Road. Because the remainder of the parcel is adjacent to the railroad, staff believes it is logical that the commercial zoning be applied for the entire parcel. The township must determine if mini-storage warehousing is considered a permitted use in the PCD.

The Planned Commercial use generally conforms to the Comprehensive Plan.

The Comprehensive Plan does list recommendations for commercial development within this area which include:

- Only low level, downward-cast lighting should be permitted.
- To avoid sign clutter, ground signs should be the only commercial sign type permitted at the intersection of Hills-Miller and Troy Roads.
- Extensive landscaping should be required in all parking lots to avoid the “sea of asphalt” and to reduce runoff.

DCRPC Staff Recommendation

Staff recommends the request for change from FR-1 to PC zoning to the DCRPC, the Troy Township Zoning Commission and the Troy Township Trustees be **Conditionally Approved**, subject to the following staff comments:

- 1) The township must determine if a mini-storage stand-alone warehouse, not affiliated with a wholesale operation, is a permitted use in the PCD. If it is, then:
- 2) All driveways and circulation areas adjacent to the storage units should be paved.
- 3) Consult with the Army Corps of Engineers regarding the location of the wetland.
- 4) Landscaping requirements should be reviewed with the township to achieve the desired buffer between this commercial site and surrounding residential uses.

Commission / Public Comments

Mr. Mike Williamson of Cornerstone Engineering (415 Ablemarle Circle, Delaware) was present. He stated that a wetland specialist has been contracted to assess the site for wetlands.

Mr. Laurien asked why the driveway is located next to the existing house. Mr. Williamson said that he didn’t want to cut up the property. Mr. Laurien suggested relocating it away from the existing home. Mr. Laurien asked why the buffer wrapped around the eastern property line and not from Hills Miller Road straight to the back property line. Mr. Williamson stated that the open area may be needed for a secondary detention pond and there is a drain tile that runs along there.

Mr. Gladman made a motion to recommend conditional approval of the rezoning request by B & L Packrat Enterprises, subject to staff comments and the addition of recommendation #5: to move the driveway away from the existing dwelling. Mr. Cy Schmidt seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Mr. Price). Motion carried.

56-03 ZON Concord Twp. Zoning Commission – Comprehensive Plan review

Applicant: Concord Township Zoning Commission
Request: Review and Comment on the proposed 2003 Concord Township Comprehensive Land Use Plan

I. Procedure

Ohio Revised Code 713.23 (5) states a duty of the RPC to “ review, evaluate, and make comments and recommendations on proposed and amended comprehensive land use ... plans of local units of government and make recommendations to achieve compatibility

in the region.”

II. General

The Concord Township Trustees and Zoning Commission initiated a revision to their comprehensive plan by contracting with the Delaware County Regional Planning Commission (DCRPC) as provided by ORC 713.23 (4). The plan has been the subject of 24 months work by a land use steering committee of Zoning Commission, Board of Zoning Appeals, landowners and residents. A draft text and map have been revised and sent, with the unanimous support of the Zoning Commission, to the DCRPC for our statutory review.

III. Vision Statement

“Ultimately, we would like Concord Township to be a community that retains large lots, and a low residential density (generally less than one unit per gross acre) in a pastoral setting with significant permanent open space.

The rural character of the township will be maintained by agriculture as long as it is economically viable. When agriculture is no longer viable, open space should be preserved by large lots and by conservation subdivision developments at an overall density of less than one unit per acre. Rural roads should generally remain two lane roads, and have a rough edge, with fencing that reminds of the rural past. Mature landscaping should replace fence/tree rows if they are removed.

Sensitive environmental aspects (ravines, floodplains, jurisdictional wetlands, waterways, etc.) should be preserved as the township develops. “Special places” such as forested lands, open meadows and creek-side trails can be preserved within conservation subdivisions. Historic and/or significant agricultural structures that give a sense of our heritage should be preserved as part of new developments.

There should be a variety of housing choices and price ranges, and adequate infrastructure to serve new development. We would like to see a diversity of housing types to meet different housing needs (i.e., older adults, empty nesters, individuals and families). There should be a balance of commercial, residential and recreational uses; commercial and industry should be developed for a broader tax base, but should be buffered from exclusively residential areas. The Scioto River should be a continuous park and open space corridor.”

IV. Recommendations

Intent of the Concord Township Comprehensive Land Use Plan

The 2002 Concord Township Comprehensive Plan is the sum of all the chapters and appendices. Chapter 15 is to be read in conjunction with the Comprehensive Land Use Plan map.

15.1 Sub Area I – Incorporated Dublin and the Village of Shawnee Hills

Boundaries: Territory inside of the city of Dublin and the Village of Shawnee Hills, adjacent to unincorporated Concord Township.

Land Area: 1,458 acres.

General Facts and Findings

Concord Township has no planning or zoning authority over these municipal areas, which have their own comprehensive plans, zoning and home rule powers. Nonetheless, land uses in the township should relate to the existing land uses across their border.

Shawnee Hills 2002 draft Comprehensive Plan has resolved the issue of building rights on hundreds of non-conforming lots of record by a policy and zoning amendment that distributes sewer taps to all land owners, but not every lot of record. The ability to obtain sewer and reduce zoning lot size requirements may encourage the annexation to Shawnee Hills of non-conforming lots of record in Lucy Depp and Shaw Nee Hills Additions in Concord Township.

Certain land uses that need sewer service might be better located within Shawnee Hills than Concord Township. For example, a community shopping center and satellite local stores could be serviced with infrastructure in Shawnee Hills, and would still serve the region.

15.2 Sub Area II - Shawnee Heights

Boundaries: Territory outside the city of Dublin and the Village of Shawnee Hills, west of the Scioto river, south of Merchant Road.

Land Area: 2,941 acres

General Facts and Findings

This area has access to Dublin Road, SR 745. It is the only location in the township with major arterial streets, water and potential sewer service (subject to annexation to Shawnee Hills in their sewer contract area). The highest elevations in the township are found in the southwest, sloping towards the river, with rolling land veined with seasonal creeks. A two-pronged confluence of Eversole Run and its southern sister divides the eastern portion of the sub area. There are few large blocks of undeveloped land remaining. Most soils are suitable for development, but with limitations for on-site septic systems due to slow permeability in heavy soils, or shallow depth to bedrock. Most soils do not produce high agricultural yields, and the value for housing is rapidly changing agriculture to country lots in the desirable Dublin school system. Most development is single family homes on

acreage lots with on-site septic systems in FR-1 zoning, which requires 1.5 acre lots. The exception is Tartan Fields, a 302-acre golf course and upscale housing development in the southwest corner of the township. Tartan Fields will ultimately provide centralized sewer service to 455 homes with a developer-built, OEPA approved and county-maintained tertiary sewage treatment plant and land application system.

No Delaware County public sewer service is anticipated in Sub Area II in the near future, however, Delaware County does have a contract with Columbus that would allow either party to sewer this sub-area at up to 4 persons per acre (approximately 1.25 units per acre).

Sub Area II Recommendations

- 1. Lucy Depp-** Lands in the Lucy Depp area north of Shawnee Hills have been platted since 1920's with very small (typically 35' x 70') lots and are without sewer service. This area is part of the Shawnee Hills sewer contract area, but it requires annexation to Shawnee Hills to obtain sewer service. If county sewer service were made available, the township should create a new zone that requires the same lot size as Shawnee Hills (14,700 square feet) per building lot, but also have a system to recognize certain smaller non-conforming lots of record. Annexation will reflect the personal decision of the landowners. A Traditional Neighborhood Development (see chapter 13) could be developed in Lucy Depp and Shawnee Hills based on the original subdivision plat.
- 2. Strader's, Priestino, Baker and others, - approximately 42 acres combined. South of Logan Street, west of Dublin Road, surrounded on three sides by Shawnee Hills.**

Strader's and Baker are using some large tracts in this area for commercial agriculture with farm markets and greenhouses. These lands could be redeveloped as higher-value commercial uses. The Strader's and Priestino lands annexed into Shawnee Hills in November 2002. They were zoned Select Commercial Planned Development in hopes of developing a neighborhood shopping center with large grocery store. Most of the old non-conforming residential lots-of-record on the south side of Logan Street are vacant. There is no sanitary sewer service in the township, but sewer is in Dublin Road. The remainder of these tracts is in the Shawnee Hills sewer service area if they annex. With the closing of the former TAG market in

2002, there is a strong demand for a new, larger neighborhood grocery store. There are 2,878 existing single family homes located within a 2-mile radius of this site, with vacant land and platted lots for more growth. Rapid population growth in the area (330 new homes in Concord Township in 2001) will support a neighborhood shopping center. A local shopping center should be developed as a Planned Commercial use on the 42-acre combination of the Strader, Baker, Priestino and other lands south of Logan Street.

- 3. Kroger site-** The Kroger Company purchased 9.6 acres in a triangle of residential zoned and developed land bound by Glick and Manley Roads in 2002. Kroger proclaimed the opening of a 59,000 square foot grocery store prior to filing for a zoning change. Sanitary sewer service was to be provided by the Tartan Fields treatment plant. Local opposition from neighbors was so vehement that Kroger withheld filing for commercial rezoning, and considered other sites.

The 1996 comprehensive plan recommended residential use for the 9.6 acres at one unit per acre. The land is currently residential with 3 homes on large lots

Because the 9.6 acres is flanked by residential uses, and is located on a collector street at a triangular intersection across from a school, this is not an appropriate location for such a large commercial use as a regional grocery store. The Comprehensive Plan therefore recommends the 9.6-acre site be used as a Planned Residential Development for single family residential at approximately 1.5 units per acre with centralized sewer. If, however, township officials feel some limited convenience commercial is appropriate at this site, approximately one-acre of "the Point" of the 9.6-acre triangle could be developed as convenience store, subject to strict architectural controls such as brick exterior, A-roof, ground signs, no pole signs, parking and loading facing Manly Road. Dense landscaping should buffer the residential homes. For a good example, see the UDF convenience store at 7076 Muirfield Drive, Dublin.

- 4. Saunders Enterprises FLP 66 acres, and south of Harriott Road, west of Shawnee Hills, north of Muirfield, and east of Tartan Fields.**

These two tracts have access to Harriott Road, and Brodie and Rob Roy streets in Tartan Fields. The site is rolling topography with well-defined drainage splitting the north and south via defined swales. The site abuts residential on all sides. The land is currently outside the

Shawnee Hills sewer contract area. It is unlikely to annex to Dublin because there is no access stubbed from Muirfield, and emergency services would have a long out-of-city route to get there. Tartan Fields has additional sewer capacity and could serve it. The plan recommends that the land be developed either as:

- a.) single family residential PRD at approximately 1.25 units per net developable acre with sanitary sewer service; or
- b.) 1.5 acre minimum single-family house lots with on-site septic systems as currently zoned in FR-1.

The 10-acre tract abutting Lucy Depp is in the Shawnee Hills sewer service area and could annex.

5. Marble Cliff Quarry lands, east/west side of Dublin Road, north of Cook Road, 93.4 acres.

These lands lie south of the existing limestone quarry. The quarry was recently sold to Marble Cliff. These lands represent a quandary between natural resource extraction potential and ultimate desired land use. Because Delaware County does not have naturally occurring gravel deposits, crushed stone is manufactured from limestone. Most of the quarries are located along the Scioto River, where the rock is close to the surface. Delaware County needs the crushed stone for concrete and asphalt as the county grows, but it needs to harvest them from locations that do not adversely affect established residential neighborhoods. The quarry site, consisting of the Marble Cliff and Painter tracts, is zoned industrial and can continue to mine deeper. The existing pit is largely mined out and could be reused. Martin Marietta purchased the 93 acres south of the quarry, zoned FR-1, with the hope of expanding the quarry. Concord Township refused industrial zoning due to residential development in the neighboring areas.

The comprehensive plan recommends residential re-use of the quarry after the 120 acre mining operation is done at a density of approximately 1.5 units per gross acre if served by sanitary sewer, or .67 units/ac. (current 1.5 acre minimum lot size) if served by on-site septic systems. The plan also recommends the same use and density for the lands directly opposite the existing quarry, being 63.89 acres owned by Marble Cliff, 40.2 acres owned by Kaylor Hill Painter, and 10 acres owned by Constance Patridge. This quarry site has the opportunity to line the riverbank with upscale condominiums and take advantage of water views both externally and internally if the quarry is

allowed to refill as a lake. If all the Marble Cliff tracts were eventually combined into one upscale waterfront development, there would be a total of approximately 327 (gross) acres, which could result in approximately 400 housing units based upon actual net developable acreage. Sewer service might be provided by county sewer, or potentially an onsite sewage treatment plant could be built to OEPA standards, and dedicated to the county for ownership and maintenance, with a possibility of land application of treated effluents on the Marble Cliff open fields west of Dublin Road. The township would need to adopt a new multi family PRD district to accommodate this redevelopment of the quarry.

6. The remainder of Sub Area II is recommended for residential use maintaining the current minimum lot size of 1.5 acres with septic systems, or single family residential at 1.25 units per net developable acre with centralized sewer.
7. In order to promote rural character and still retain permanent open space, it is suggested that FR-1 zoning be amended to permit density-neutral Conservation Subdivisions as conditional uses. Total number of lots in the Conservation subdivision if no centralized sewer were provided would be equivalent to a yield plan showing 1.5 acre lots (approx. .67 units/ac.). If centralized sewer is provided in Conservation Subdivisions, a 20% density incentive is recommended, or approximately .80 units per net acre.

15.3 Sub Area III - Farm Country

Boundaries: West of the Scioto river, south of U.S. Route 42, north of Merchant Road.

Land Area: 3,496 acres

General Facts and Findings

The area contains some moderately high yielding level farmland, west of Dublin Road. More than 1,000 acres are being farmed, but there have been extensive road frontage lot splits into acreage home sites with on site septic systems. Such lots are typically 2 acres and larger. This low-density area geographically relates to the Union County farms to the west.

Del-Co water is available. Although no county sewer service is anticipated in Sub Area III in the near future, Delaware County has a contract with Columbus that would allow either party to sewer this sub-area at up to 4 persons per acre, equivalent to 1.25 dwelling units per acre. The Township Trustees have requested

the county Sanitary engineer consider the feasibility of sewer service at a density of 1.25 units per acre for this area in his current sewer master planning.

The 1,000 acres of active farmland north and south of Moore Road and west of Dublin Road is a potential target for another PRD with land application system central sewer system such as Scioto Reserve, which at present densities of 1.5-3 units per gross acre could allow 1,500-3,000 new homes and 4,500-9,000 new residents. Such dense subdivisions served by skinny farm to market township roads on the west side of the Scioto River, would promote suburban sprawl, adversely impact the township's desire to maintain rural character, and result in the need to widen township roads, increase fire protection, consider township police protection, and construct new schools.

Recommendations, Farm Country Sub Area III

8. A standard minimum lot size for a residential lot should be maintained at 1.5 acres (.66 dwelling units per acre) when served by on-site sewage disposal systems. Larger lot sizes may be required by the Board of Health depending on soil conditions for septic systems. Pewamo soils shown on the Plan map are not suitable for septic systems.
9. In order to promote rural character and still retain permanent open space, it is suggested that Conservation Subdivisions be made a permitted use in FR-1 zoning. Conservation Subdivisions should be the preferred alternative (to 1.5-acre houselots) for the west bank, and should be built at a density of .75 dwelling units per net developable acre with sanitary sewer service.
10. If Planned Residential Developments are requested west of the river, they should be density capped at 1.25 dwelling units per net developable acre, have access to a major collector or arterial road, and have centralized sewer, plus pay their fair share of road improvements to mitigate their traffic impacts. In addition, they should remain a referendable legislative event, enacted pursuant to Ohio Revised code 519.021 A.).
11. U.S. Route 42 road frontage should not be developed commercially at this time. This is a federal highway with heavy truck traffic connecting from I-70 and US 33 to US 23 and I-71. This is a 2-lane 55-mile per hour road. Excessive commercial development along this corridor would slow down traffic and result in more accidents. Increase the amount of road frontage between curb cuts. However, if the commercial and industrial development in the northeast corner of the township (Area V) should annex to Delaware, then this corridor should be revisited for possible commercial development

provided there is proper access management.

15.4 Sub Area IV - Lower Scioto

Boundaries: East of O'Shaunessey Reservoir, south of Hyatts Road.

Land Area: 1,893 acres

General Facts and Findings

Until 1998 this sub area was a farming and low-density residential area, with no sewer service. In 1998 the township zoned 748 acres PRD for Scioto Reserve, a 1,255-unit planned golf course development utilizing on-site sewage treatment with land application to the golf course (density 1.67 units per acre). New home sales by production builders at Scioto Reserve pushed Concord Township into the third fastest growing township in the county, with 330 new homes built in 2001. While the golf course provides a visual green space in the center of the development, there is little common open space other than the golf course, and virtually none that is useable and free. The township has already received complaints from Scioto Reserve residents that there is no place for children to play.

Scioto Reserve now dominates the Lower Scioto sub area. It has brought a diversity of housing sizes and types to the township, and attracted city dwellers to come live in the "country" in a suburban setting. When completed, its 1,255 new homes will generate 12,000 new auto trips per day. The developer widened Home Road to 3 lanes, and has committed to placing a traffic signal at the intersection of Home and Riverside Drive. Riverside Drive traffic has increased.

Home Road is the major east-west arterial. The narrow two-lane Home Road Bridge is being replaced by a wide two lane bridge with the capability to be expanded to four-lanes, which will make it easier to cross the river, but may also open the west side for development.

The steering committee acknowledged the many improvements made by the developer of Scioto Reserve, and the apparent demand for housing types such as those provided at Scioto Reserve, but lamented the rapidity of change, and the loss of rural character. The committee felt that Concord Township would not be well served to repeat large PRDs at this density wherever developers could assemble lands, although expansion of Scioto Reserve to adjacent lands may be appropriate, if there is additional sewer capacity.

Del-Co water is available to sub area IV, but there is no county sanitary sewer service currently provided outside of Scioto Reserve.

Delaware County has undertaken a sewer master plan for the entire unincorporated county and solicited opinions from the trustees as to their desire for sewer in the township and at what density. The trustees have indicated a willingness to have county sewer service at 1.25 units per net developable acre south of U.S. 42.

The city of Powell is within 1,500 feet of the east boundary of the township after the Golf Village annexation (at Steitz Road).

Sub Area IV Recommendations

12. A standard minimum lot size for a residential lot should be maintained at 1.5 acres when served by on-site sewage disposal systems.
13. Planned Residential Developments at a density of 1.25 units per net developable acre should also be allowed in this sub area if served with centralized county sewer. If the sewer service is to be provided by expansion of the existing Scioto Reserve treatment plant that is owned and operated by the county (and not part of the sewer contract area), the density may be allowed to be as high as 1.5 units per net developable acre south of Hyatt's Road. Net developable acreage is calculated by subtracting: 15% for roads, and the area of slopes over 20%, jurisdictional wetlands, and 100-year floodplains. If Planned Residential Developments are requested, they should have access to a major collector or arterial road, and have centralized sewer, plus pay their fair share of road improvements to mitigate their traffic impacts. All that, and they should remain a referendable legislative event, enacted pursuant to Ohio Revised code 519.021 A.) as amended by HB 280 in 1997. The lands adjacent to Scioto Reserve and south of Hyatt's Road are potential extensions of Scioto Reserve if sewer capacity is available.
14. The 39- acre R-6 multi family zoning district on the west-side of Steitz Road has never developed due to lack of sewer service. With the development of Golf Village to the east, county sewer may become available. Plans on record were approved for 18, 4-unit condominium buildings. This land may also seek annexation to Powell if it can attach to other land and become contiguous.

15.5 Sub Area V - Upper Scioto

Boundaries: North: Scioto Township; West: Scioto River; East: Delaware/Delaware and Liberty Townships; South: Hyatts Road.

Land Area: 4,108 acres

General Facts and Findings

This is an area of very level, high-yield agriculture soils. Agriculture continues, but proximity to the city of Delaware puts development pressure on flat lands along US 42 if sewer ever becomes available. There is Del-Co water service, but no county sewer provided and none currently planned. Residential development tends to be large lot 2-10 acres, with many flag lots and some Common Access Drive (CAD) subdivisions. Extensive Pewamo soils are not conducive to on-site septic systems, but may be acceptable for land application systems serving low density developments such as Conservation Subdivisions.

There are two areas of active farmland that could be a potential target for another PRD with land- application sewer system. Approximately 200 acres lie north of Hyatts Road, south of Clark Shaw Road, and east of Section Line Road. Approximately 400 acres lie north of Bean Oller, south of Maynard, and east of Section Line Road. If developed under current PRD standards of 1.5-3 units per acre these 600 acres could yield 900-1800 homes and 2,700-5,400 new residents. Such large subdivisions outside the current county sewer service area, and accessed by skinny farm to market township roads would promote suburban sprawl and adversely impact the townships desire to maintain its rural character, result in the need to widen township roads, increase fire protection, consider township police protection, construct new schools, and encourage neighborhood commercial development.

Riverside Drive and Section Line Road are the major north/south arterials, and are expected to see increased traffic. Section Line Road carries heavy gravel trucks running from the quarries in Union County and Scioto Township. These trucks run down Bunty Station Road to U.S. 23 and points east.

The 2002 Delaware County Thoroughfare Plan recommends two new roads in this sub area. Alternate G is a Riverside Drive to Section Line Road connector south of Clark Shaw Road. Alternate 1 is an east-west connector from U.S. 42 to U.S. 23 whose alignment is being further studied, but could be anywhere in a swath from north of Bean Oller Road to south of Slack Road.

Sub Area V Recommendations

15. A standard minimum lot size for a residential lot should be maintained at 1.5 acres when served by on-site sewage disposal systems.
16. In order to promote rural character and still retain permanent open space, it is suggested that Conservation Subdivisions be made a permitted use in FR-1 zoning. Conservation Subdivisions should be the preferred alternative (to 1.5-acre houselots) for the west bank, and should be built at a density of

- .75 dwelling units per net developable acre with sanitary sewer service.
17. If Planned Residential Developments are requested, they should be density capped at 1.25 dwelling units per net developable acre, have access to a major collector or arterial road, and have centralized sewer, plus pay their fair share of road improvements to mitigate their traffic impacts. In addition, they should remain a referendable legislative event, enacted pursuant to Ohio Revised code 519.021 A.)
 18. U.S. Route 42 road frontage should not be developed commercially southwest of Freshwater Road at this time. This is a two-lane 55-mile per hour federal highway with heavy truck traffic connecting from I-70 and U.S. 33 to U.S. 23 and I-71. Excessive commercial development along this corridor would slow traffic and increase accidents. However, if the commercial and industrial development in the northeast corner of the township (Area V) should annex to Delaware, then this corridor should be revisited for possible commercial development provided there is proper access management.
 19. When agriculture is no longer viable, a large industrial park area should be developed north of Bunty Station Road and extending west of Section Line Road. It could potentially be developed as a Joint Economic Development District (JEDD) with Concord and Liberty Townships, and the city of Delaware. Delaware County should be encouraged to provide sanitary sewer service. There have been significant large industrial developments interested in tracts of 150 or more acres here, but the lack of loop roads around Delaware, the possibility of being divided by the Sawmill Parkway extension to US 42, and lack of sanitary sewer have delayed development. Industrial development is especially desirable in the flight paths of Delaware airport. Federal Aviation Administration height restrictions must be considered for structures in the direct flight path.
 20. In order to preserve the major super blocks of land north of Bunty Station for industrial development, the plan suggests that Bunty Station Road be considered as the northern terminus of Sawmill Parkway. Sawmill Parkway would veer west in the Bunty Station right of way and intersect with US 42 at a traffic signal north of Bunty Station Road (new road "A") and continue across US 42 to connect with Section Line Road (new road "B"). Bunty Station should also thus be considered as the alignment for east-west Alternate 1, a widely defined corridor in the Delaware County Thoroughfare Plan. Improvements would be needed at the northerly terminus of SR 315, Bunty Station and US 23 and to realign Stratford

Road. The Plan suggests further study of these proposals as part of the Delaware County Engineer's corridor studies for Alternate 1 and the Sawmill Parkway.

21. A 45-acre tract at the NW corner of the US 42 and Section Line Road intersection and extending to Freshwater Road is recommended for Planned Commercial as a future neighborhood shopping center when sewer is available. Access management practices should limit access to US 42 to right in, and right out movements. There should be extensive landscape mounding and tree buffering established to screen the single-family homes on the south side of Freshwater Road.
22. Land north of U.S 42 and west of the proposed industrial and commercial areas should remain low-density single family residential along Freshwater and Klondike Roads with minimum lot sizes of 1.5 acres. PRDs are not recommended for this area.

15.6 Sub Area VI - Mill Creek Valley

Boundaries: North: Scioto Township; South: U.S. 42 to a line south of the 42/Dublin Road intersection extending east to the river; East: east side of parcels the front on the east side of Klondike Road; West: Scioto Township and Union County.

Land Area: 1,981 acres.

General Facts and Findings

This area is divided east west by the Scioto River and north- south by Mills Creek. Mills Creek's wide floodplain impacts lands along Mills Road. The topography is rolling with flat plateaus. The unincorporated village of Bellpoint is a 19th century grid town center, commercially zoned but without commercial development. Bellpoint church is a local gathering place, as are the City of Columbus parklands at the confluence of Mills Creek and the Scioto River. With the closure of the old Bellpoint Bridge, the small east and west side settlements are divided.

Fry Road has no dedicated road right of way or easement, making improvement difficult. Many of the other township roads are also narrow. Other than Bellpoint, the area is sparsely populated with low-density 2-10 acre lots and small farms. Three large power lines cross the area.

Soils along the Scioto River and Mills Creek have underlying bedrock. Upland soils are moderately high yielding croplands. One family owns much of the agricultural acreage.

The approximately 400 acres of active farmland northwest of US 42 and south of Mills Creek is a potential target for another PRD with land application system central sewer system. At present densities of 1.5-3 units per gross acre such development could allow 600-1200 homes and 1800-3600 new residents. Such far-flung large subdivisions, outside the current county sewer planning areas, accessed by skinny farm to market township roads on the west side of the Scioto River would promote suburban sprawl and adversely impact agriculture. If permitted, such PRDs would result in the loss of rural character, the immediate and costly need to widen all township roads, increase fire protection, consider township police protection, construct new schools, and encourage neighborhood commercial development.

Soils over bedrock may be unsuitable for land application systems. Without sewer, much of this area is likely to remain in agriculture or be carved into large single-family house lots. This territory lies outside the current sewer contract area between Delaware County and the city of Columbus.

Sub Area VI Recommendations

- 23. A standard minimum lot size for a residential lot should be maintained at 1.5 acres when served by on-site septic systems.
- 24. In order to promote rural character and still retain permanent open space, it is suggested that FR-1 zoning be amended to also allow Conservation Subdivisions as permitted uses at the same density of (.66 units/acre), without sanitary sewer, or .75 units per net developable acre with centralized sewer.
- 25. U.S. Route 42 road frontage should not be developed commercially at this time. This is a two-lane 55-mile per hour federal highway with heavy truck traffic connecting from I-70 and U.S. 33 to U.S. 23 and I-71. Excessive commercial development along this corridor would slow traffic and increase accidents. However, if the commercial and industrial development in the northeast corner of the township (Area V) should annex to Delaware, then this corridor should be revisited for possible commercial development provided there is proper access management.

15.7 Future Land Use Mix

Table 15.1 shows the future land use mix of the township if the 2002 Comprehensive Plan were implemented and the township was totally built out.

Table 15.1 Future Land Use Mix- 2002 Concord Township Comprehensive Plan-Total build out

	2001 land use in acres	% Total	Comprehensive Plan (total build-out) to nearest acre	% Total
Single Family	4,371.802	27.53	10,035	63.2 %
Multi family	89.284	.562	93	.58 %
Commercial/office	63.87	.402	90	.56 %
Institutions	156.112	.9832	156	.98 %
Industrial/Hwy Dev.	212.29	1.337	688	4.33 %
Agriculture	6,307.693	39.729	0	0 %
Water	956.92	6.027	957	6.02 %
Highway/Rail/Utility	724.68	4.564	1539	9.69 %
Parks/undev. land	2373.476	14.949	2373	14.94 %
Totals		100.00	15,931	100.00

15.8 Future Population- Alternative Scenarios

The future Concord Township population at build-out depends largely on whether additional on-site centralized sewer systems are developed to service conservation subdivisions, since that would permit slightly higher densities (.80 unit/acre) than on site septic systems (.67 unit acre).

The 2002 year end projected population of Concord Township will be approximately 5,839, based on all current (August 2002) building permits that indicate there are 2128 total homes in the township (some under construction).

There are approximately 6,000 acres of unplatted, developable agricultural land (after factoring out 2,198 acres of river, floodplain, steep slopes, and jurisdictional wetlands) recommended for residential use.

The alternate scenarios for future population and open space are:

- 1.) **Existing Zoning: Build Out Scenario** – If the township were built out under current 2002 zoning, with all identified potential PRD sites developed within the 6,000 developable acres, plus another 1,000 acres of flood plain, steep slopes, roads and jurisdictional wetlands developed at 1.5 units per gross acre (no deductions for roads, steep slopes, wetlands or floodplains) the maximum population of the township could be 37,500, with approximately 1,200 acres of useable open space (20% of 6,000 acres)

beyond that which is available in parks in 2002. All farmland would be developed.

2.) **2003 Comprehensive Plan**

• **(Higher population estimate)**

If all potential Conservation Subdivisions and PRDs were developed, the maximum population of Concord Township could be 20,000, with approximately 3,000 acres (50 % of 6,000 acres) of permanent open space preserved in addition to existing parks. Some farming might continue within this 3,000 acres as permanent open space, but most likely the 3,000 acres would be fields of prairie grass, new forests, walking and biking paths, ponds and wetlands. Country style homes sitting on one-quarter to one-half acre lots would be interspersed within this open space, so there would be a rural feel and sense of tranquility. Wildlife would continue to run through these vast open areas.

• **(Lower population estimate)**

If no new conservation subdivisions are developed and all remaining land is simply developed with on lot septic systems, the maximum build out population could be approximately 15,700, with no new open space preserved other than parks existing in 2002.

Realistic Expectation of Future Population- A realistic expectation of the township’s maximum population developed pursuant to the 2003 Comprehensive Plan, would be 17,000-20,000, with 2,500 additional acres of permanent open space in addition to current park land. If the 2001 rate of building continues (320 homes per year x 2.74 person /unit = 879 new residents/year), the township could be totally built out by 2015-2020.

The character of the township will continue to reveal itself as the plan is implemented. The township should revisit the comprehensive plan in five years (2008) to consider whether changes need to be made.

V. Staff Findings and Recommendation

- Concord Township has followed an appropriate planning process to evaluate their goals and objectives for future growth.
- Concord Township has created a Comprehensive Land Use Plan map in ArcView and in paper form of at least 1”=1000’ scale that is site specific with a land use and density recommendation for each parcel in the township.

- As amended September 15, 2003 by DCRPC staff, the final draft version of the Concord Township 2001 Comprehensive Plan incorporates all comments by the public and the steering committee and zoning commission.

Staff finds that the Concord Township 2003 Comprehensive Plan, as amended, is compatible with regional planning goals, and recommends **Approval** to the DCRPC, Concord Twp. Zoning Commission and Trustees.

Commission / Public Comments

Mr. Gladman made a motion to recommend approval of the Concord Twp. Comprehensive Plan. Mr. Cy Schmidt seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

57-03 ZON Glenna Miller – Liberty Twp. – 44.23 acres from FR-1 to PR

Location: 4494 Seldom Seen Road

I. Conditions

- Present Zoning:** Farm Residential (FR)
- Proposed Zoning:** Planned Residential (PR)
- Present Use:** Agriculture
- Proposed Use:** 42 single family homes on half-acre lots
- Existing Density:** 1 unit per acre
- Proposed Density:** .95 units per gross acre
- School District:** Olentangy
- Utilities Available:** Del Co Water, Public sewer
- Soils:** BoA Blount Silt Loam, 0-2% slope
GwB Glynwood Silt Loam, 2-6% slope
Pewamo Silty Clay Loam, 0-1% slope.

II. Surrounding Land Use

To the north and west is Woods on Seldom Seen with lots all roughly 1 acre. To the south are deep, 2-acre road frontage lots, each roughly 92’ wide. To the east is Golf Village, with 12,000 s.f. lots (1/3 acre) in the City of Powell and Woods on Seldom Seen in Liberty Township.

III. General Comments

1. This project came before the RPC in April 2003, as a 66-lot subdivision with 10,400 square-foot lots that exceeded the Liberty Comprehensive Plan density (RPC#23-03zon). The new design includes 42 buildable lots, with a large centralized useable open space. Menderes Drive enters the development, connecting it to Golf Village and a new street accesses Seldom Seen Road (one of staff’s recommendations from the previous application).
2. The application states that the design is a transition between the cluster development of Golf Village to the east and the 1-acre lots to the west. Slightly larger lots are placed to the west, adjacent to the larger lots in Woods at Seldom Seen, while slightly smaller lots are adjacent to Golf Village.
3. Because the site is former agricultural land, the natural features of the site are limited to woods and the drainage swale. The woods are preserved, and this new design places the natural swale in open space.
4. The open space is centrally located and useable, with a bike-trail, tot lot and public gazebo.
5. Utility letters (Del-Co, AEP, Columbia Gas) are letters based on the prior density (66 units) and should likely apply to this lower density as well.
6. A Declaration of Neighborhood Covenants and Restrictions has been submitted including architectural standards is included.

IV. Conformance with Development Standards

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

The application requests the following divergences be granted from the zoning code:

1. One lot is smaller than the required half acre (.4-acre).
Staff Recommends approval.
2. The front yard setback is reduced from 60’ to 25’. There are no stated garage setbacks, meaning that “snout houses” with fully-projecting, front-loading garages in front of the houses are possible, depending on the house design.
Staff Recommends denial.
3. The side yard setback is 25’ combined, where the code requires 25’ per lot

(or 50’ combined).

Staff suggests 15’ side-yard setbacks.

4. That the driveway location be reduced from 100’ from the closest intersection to 60’ from the closest intersection.

Staff recommends approval.

V. Criteria for Approval

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

Staff finding: Except for the divergences requested, the submitted plan meets the general zoning standards of the township code.

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

Staff finding: The 1995 Liberty Township Comprehensive Plan map is not parcel-specific, but appears to recommend 1.25 units per acre in this area. This plan calls for a density of .95 units per acre, well below the density noted on the plan.

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

Staff finding: The preliminary development plan does advance the public health, safety and welfare of the vicinity.

VI. DCRPC Staff Recommendation

Staff recommends that the change in zoning from FR-1 to PR to the DCRPC, the Liberty Township Zoning Commission and the Liberty Township Trustees be **conditionally approved**, subject to the applicant addressing the following staff recommendations:

1. Establish a garage setback line behind the house setback preventing fully projecting front-loading garages.
2. Establish a side-yard setback of 15’.

Commission / Public Comments

Mr. David Fisher (207 North 4th Street, Columbus) attorney for the applicant was present. He stated that this project is a transitional area. Romanelli & Hughes was the major builder in the Woods on Seldom Seen. There will be curb and gutters and sidewalks throughout this project.

Mr. Ward made a motion to recommend conditional approval, of the Glenna Miller rezoning, subject to staff comments. Mr. Gunderman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

IV. SUBDIVISION PROJECTS

Preliminary

09-02.4 Glen Oak, Section 4 – Orange Twp. - 30 lots / 20.14 acres

Applicant: Dominion Homes
Subdivision Type: Single Family Residential
Location: North side of Orange Road, 700' west of South Old State Road.
Current Land Use: former agriculture
Zoned: Single Family Planned Residential Development
Utilities: Del-Co Water and Delaware County Sanitary Sewer
School District: Olentangy
Engineer: Kevin Kershner, R.D. Zande & Associates

Staff Comments

Glen Oak Section 4 is in the southwest corner of the overall Glen Oak development. It includes 30 house lots surrounded by passive open space, some of which along Orange Road will include a bike path. Other open space serves as a buffer between homes and the railroad, or falls under powerlines. The design includes an extension of Holderman Street, which loops through this section, connecting at either end with Blue Holly Drive.

A technical review was held on September 16, 2003, after which the applicant has addressed all of the required changes.

Staff Recommendation

Staff recommends *Preliminary Approval* of **Glen Oak, Section 4** to the RPC.

Commission / Public Comments

Mr. Kevin Kershner of RD Zande was present to represent Dominion Homes.

Mr. Gladman made a motion for Preliminary approval of Glen Oak, Section 4. Mr. Cy Schmidt seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

17-03 Jersey Acres Subdivision– Trenton Twp. – 5 lots / 62.538 acres

Applicant: Russell and Karen Fichtelman
Subdivision Type: Single Family Residential (CAD)
Location: South side of Meredith State Road, 2700 feet west of County Line Road
Current Land Use: vacant, agricultural and wooded
Zoned: Farm Residential (1 unit/5 acres)
Utilities: on-site septic and personal wells
School District: Big Walnut
Engineer: Karen Coffman, Scioto Land Surveying Service

Staff Comments

Jersey Acres is a five-lot subdivision utilizing two Common Access Drives extending south from Meredith State Road. A residual 22.397-acre tract will remain along the road. Building lots are very large, with the smallest at 8.603 acres and the largest at 22.154 acres. Section 1 is a CAD to the east which accesses two lots in a 60' easement. Section 2 is a CAD that accesses the other three lots from the western edge of the property. This CAD lies in a 70' easement to allow for the placement of septic outlet tile from Lot 3.

A potential wetland is located by the National Wetlands Inventory on Lot 4. The engineer has added a note that alteration to the delineated area is not permitted without permission of the Ohio EPA.

A technical review was held on September 16, 2003, after which the applicant has addressed all of the required changes.

Staff Recommendation

Staff recommends *Preliminary Approval* of **Jersey Acres** to the RPC.

Commission / Public Comments

Mrs. Karen Coffman of Scioto Land Surveying Service was present to represent the applicant.

Mr. Ward asked what was going to be done with the front lot. Mrs. Coffman stated that the family still owns a couple hundred acres and want to keep it in farming. Mr. Laurien said that the area in the front has been tilled (better farm land) the back lots have not and would be split for the children.

Mr. Cy Schmidt made a motion for Preliminary approval of Jersey Acres, seconded by Mr. Sedlacek. VOTE: Unanimously For, 0 Opposed. Motion carried.

Preliminary/Final (none)

CONSENT AGENDA

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

Mr. Gladman made a motion for Final approval of Hunter’s Pond and the Lakes at Silverleaf. Mrs. Warthman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

Final

01-98.3.B Sage Creek, Sec. 3, Ph. B – Berkshire Twp. - 11 lots / 22.65 acres

- Applicant:** Trenton Land Co.
- Subdivision Type:** Single Family Residential
- Location:** East-side of Sunbury Road north of the Berkshire/Genoa Twp. line
- Current Land Use:** Woods
- Zoned:** Farm Residential District (FR-1)
- Utilities:** Del-Co water and private septic
- School District:** Big Walnut
- Engineer:** Bischoff Miller & Associates, Inc.

Staff Comments

Sage Creek, Section 3, Phase B contains 11 lots on 22.65 acres on the east side of Sunbury Road north of the Berkshire/Genoa Township line. It includes the completion of a loop street, Sweet Clover Lane (private) from Section 1 to Section 2 to the south. The lot sizes range from 1.369 acres to 2.339 acres and will utilize Del-Co water and individual septic systems with mounds. The wooded ravine along the north side of the site will be preserved with a “No-build” easement. A 60’ reserve at the southeast corner will be incorporated into a future lot to the east. Phase A & B received preliminary approval in September 2001 (19 lots total). This Preliminary approval did not include the 60-foot strip. The County Engineer’s office has not approved the final engineering plans that include the 60-foot strip. **This must be done before**

they can approve the final plat. (Engineering plans not approved as of 9/25/03, 3:30 p.m.)

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 a large wooded tract to be developed with single family homes. To the south and southeast is Sage Creek, Section 1 and 2 and to the west is Sage Creek, Section 3, Phase A.

The applicant has not presented to the RPC Office a Final Plat (mylar) signed by the various County agencies, a requirement for Final approval.

Staff Recommendation

Staff recommends denial of the *Final plat* of **Sage Creek, Section 3, Phase B** to the RPC.

Commission / Public Comments

The applicant requested a 30-day tabling after the agenda was prepared.

Mr. Ward made a motion to approve the 30 day table request for Sage Creek, Section 3, Phase B. Mr. Gladman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

13-003 Hunter’s Pond - Berk./Berlin Twp. - 03 lots / 08.58 acres

- Applicant:** David and Virginia Holbert
- Subdivision Type:** Single-family Residential (CAD)
- Location:** East side of 3 B's & K Road, about 60 feet south of Heverlo Road
- Current Land Use:** Agriculture w/ wooded area and pond
- Zoned:** Farm Residential (FR-1)
- Utilities:** Del-Co water and private septic
- School District:** Olentangy Local Schools
- Engineer:** Karen Coffman, Scioto Land Surveying, Inc.

Staff Comments

This 8.58-acre subdivision includes 3 lots on a Common Access Driveway (CAD) on the east side of 3 B's & K Road in Berkshire Township. A portion of the right-of-way is located in Berlin Township. The first lot on the CAD contains a pond.

The lots range from 2.065 to 3.548 acres and will utilize Del-Co water and individual septic systems. Preliminary approval was granted July 31, 2003.

Surrounding land uses include mostly single-family residential lots averaging around 2 acres along 3 B's and K Road. There is an agricultural farm directly to the north with farm fields to the north and south. The 4.342-acre residual to the east has been transferred to the adjacent property.

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

Staff Recommendations

Staff recommends *Final approval* of **Hunter's Pond Subdivision** to the RPC.

Commission / Public Comments

Mr. Gladman made a motion for Final approval of Hunter's Pond. Mrs. Warthman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

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

Applicant: J. D. Partnership and T & R Properties, Inc.
Engineer: Bischoff Miller & Associates

Staff Comments

The applicant has requested a 30-day tabling of The Ravines at Alum Creek in order to obtain the required signatures for final approval. This is the second table request.

Staff Recommendation

Staff recommends *approval of the 30-day tabling* for **The Ravines at Alum Creek** to the RPC.

Commission / Public Comments

Mr. Ward made a motion to approve the 30 day table request for The Ravines at Alum Creek. Mr. Gladman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

29-98.1.7 Scioto Reserve, Sec. 1, Ph. 7 – Concord Twp. - 33 lots / 11.77 acres

Applicant: Rockford Homes
Engineer: Lenell Sniechowski; RD Zande & Associates, Inc.

Staff Comments

The applicant has requested a 90-day tabling of Scioto Reserve, Sec. 1, Ph. 8 in order to obtain the required signatures for final approval.

Staff Recommendation

Staff recommends *approval of the 90-day tabling* for **Scioto Reserve, Sec. 1, Ph. 7** to the RPC.

Commission / Public Comments

Mr. Ward made a motion to approve the 90-day table request for Scioto Reserve, Section 1, Phase 7. Mr. Gladman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried

29-98.1.8 Scioto Reserve, Sec. 1, Ph. 8 – Concord Twp. - 29 lots / 09.80 acres

Applicant: Rockford Homes
Engineer: Lenell Sniechowski; RD Zande & Associates, Inc.

Staff Comments

The applicant has requested a 90-day tabling of Scioto Reserve, Sec. 1, Ph. 8 in order to obtain the required signatures for final approval.

Staff Recommendation

Staff recommends *approval of the 90-day tabling* for **Scioto Reserve, Sec. 1, Ph. 8** to the RPC.

Commission / Public Comments

Mr. Ward made a motion to approve the 90-day table request for Scioto Reserve, Section 1, Phase 8. Mr. Gladman seconded the motion. VOTE: Unanimously

For, 0 Opposed. Motion carried

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

Applicant: Vincent J. Margello
Subdivision Type: Single-family Residential
Location: 8607 Liberty Road, Liberty Twp.
Current Land Use: Residential/Partially wooded
Zoned: Planned Residential District, (PR)
Utilities: Del-Co water and public sewer
School District: Olentangy
Engineer: Bischoff Miller & Associates

Staff Comments

The Lakes of Silverleaf is a proposed 29-lot subdivision on 30.42 acres. It is located on the east side of Liberty Road, approximately 2,500' south of Carriage Road. The subdivision is accessed from Liberty Road via a new street, Silverleaf Drive. A connection is also provided to Canterbury Estates to the north (Effington Way) and Quail Meadows to the south (Gosling Way). Effington Way and Gosling Way intersect at the east end of Silverleaf Drive. The subdivision will include 2 open space reserves at the entrance, which will function primarily as the stormwater drainage system. An existing pond to the east end of the development will be reconstructed and also be part of the drainage system, but it will be part of the rear yard of 3 lots. An easement will be placed around the pond for maintenance. The lots in the subdivision range from 0.7 to 1.1 acre in size and will be served by Del-co water and County sewer. Preliminary approval was granted July 31, 2003.

The surrounding land use is residential including the Canterbury Estates subdivision to the north and east, Quail Meadows subdivision to the south, and Powell Place in the City of Powell to the west. The Lakes of Silverleaf and the adjacent subdivisions in Liberty Township are zoned Planned Residential District.

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 Lakes of Silverleaf**, to the RPC.

Commission / Public Comments

Mr. Gladman made a motion for Final approval of the Lakes at Silverleaf. Mrs. Warthman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

V. EXTENSIONS

81-93.3 Cross Creek, Section 3 – Orange Twp. - 34 lots / 19.03 acres

Applicant: Home Road Ltd.
Consultant: RD Zande, Lenell Sniechowski

Staff Comments

The applicant has requested a six-month extension for Cross Creek, Section 3 in order to complete construction, which is anticipated over this winter.

Staff Recommendation

Staff recommends *approval* of the 6-month extension request for **Cross Creek, Section 3** to the RPC.

Commission / Public Comments

Mr. Ward made a motion to approve the 6 month extension request for Cross Creek, Section 3. Mr. Gladman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried

VI. OTHER BUSINESS (none)

VII. POLICY / EDUCATION DISCUSSION (none)

VIII. RPC STAFF AND MEMBER NEWS

- Robert Brenner has been appointed as the new Kingston Twp. Representative
- Joseph Clase, DCRPC, Planner I married Stephanie Voils who is employed with the Delaware Health Dept. (9/6/03)

Mrs. Warthman made a motion to adjourn the meeting at 9:10 p.m. Mr. Sedlacek seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

***The next meeting of the Delaware County Regional Planning
Commission will be Thursday, October 30, 2003, 7:00PM at the Delaware
Hayes Services Building, 140 N. Sandusky Street, Conference Room G-
35,
Delaware, Ohio 43015***