



# Delaware County Regional Planning Commission

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

Scott B. Sanders, AICP, Executive Director

## *\*MINUTES\**

Thursday, October 25, 2007 at 7:00 PM  
Delaware Hayes Services Building,  
140 N. Sandusky Street, Room G 35, Delaware, Ohio 43015

### I. ADMINISTRATIVE BUSINESS

- Call to order
- Roll Call
- Approval of September 27, 2007 RPC Minutes
- Executive Committee Minutes of October 17, 2007
- Statement of Policy

### II. VARIANCES *(none)*

### III. ZONING MAP/TEXT AMENDMENTS

- 23-07 ZON Carlo and Joe Silvestri – Genoa Twp. - 0.778 acres – final development plan approval
- 24-07 ZON Home Depot USA Inc. – Genoa Twp. – 0.66 acres – development plan amendment
- 25-07 ZON Mark Walker – Berkshire Twp. – 3.33 acres from A-1 to FR-1
- 26-07 ZON The Glimcher Co. – Orange Twp. – 28.116 acres from MFPRD to PCD
- 27-07 ZON Prep Polaris LLC – Orange Twp. – 1.64 acres from PC (with use variance) to PC
- 28-07 ZON Menard Inc. – Orange Twp. – 70.616 acres from FR-1 and PC to PC

### IV. SUBDIVISION PROJECTS

			Township	Lots/Acres
<b><u>Preliminary</u></b>				
13-07	T	Revised Algoma Farms	Liberty	05 lots / 55.97 acres
08-07.1-4	T	Sherwood Hills, Sections 1-4	Scioto	84 lots / 269.49 acres
<b><u>Preliminary/Final</u></b>				
12-07		Olentangy Crossings, Sec.2, Lot #7352, Div.#2	Orange	02 lots / 03.925 acres
<b><u>Final</u></b>				
15-06		River Run	Liberty	26 lots / 37.75 acres
10-06	T	Orange Centre	Orange	08 lots / 59.96 acres

**T=TABLED, W=WITHDRAWN**

### V. EXTENSIONS *(none)*

### VI. OTHER BUSINESS

- 2008 Proposed Budget
- 2008 Membership Dues
- Consideration for approval: 2008 RPC meeting schedule
- Consideration for approval: Public Records Policy

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

### VIII. RPC STAFF AND MEMBER NEWS

- Ben Henson - South Western Regional Planning Agency in Stamford Connecticut
- Joe Clase – Genoa Twp. Zoning officer, DCRPC Representative

**I. ADMINISTRATIVE BUSINESS**

▪ **Call to Order**

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

▪ **Roll Call**

*Representatives:* Bill Berry, Rick Sedlacek, Dale Johnson, Fred Fowler, Sharon Hough, Joe Clase, Dave Stites, Holly Foust, Dick Gladman, Larry Crile, Bill Thurston, Marvin Miller, Lloyd Shoaf, and Tom Brown.

*Alternates:* Shawn Sellers, Doug Reidel, and Doug Price. *Staff:* Scott Sanders, Paul Deel, Ben Henson, Da-Wei Liou and Stephanie Matlack.

▪ **Approval of the September 27, 2007 RPC Minutes**

***Mr. Miller made a motion to approve the minutes from the September meeting. Mr. Gladman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.***

▪ **October 17, 2007 Executive Committee Minutes**

**1. Call to order**

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

**2. Approval of Executive Committee Minutes**

**a. September 12, 2007 – *Mr. Gladman made a motion to approve the minutes from the last meeting. Mr. Shoaf seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Mr. Ward). Motion carried.***

**3. Old Business**

**a. Contracts**

- 1.) **Berlin Twp.** – zoning code update nearing completion
- 2.) **Berkshire Twp.** – update of comprehensive plan continuing, nearing completion

**4. New Business**

**a. Financial / Activity Reports for September 2007**

REGIONAL PLANNING RECEIPTS		SEPTEMBER	YTD TOTAL
General Fees (Lot Split)	(4201)	\$410.00	\$7,380.00
Fees A (Site Review)	(4202)	\$100.00	\$1,200.00
Insp. Fees (Lot Line Transfer)	(4203)	\$80.00	\$420.00
Membership Fees	(4204)		\$235,269.00
Planning Surcharge (Twp. Plan. Assist.)	(4205)	\$1,214.24	\$10,512.48
Assoc. Membership	(4206)		\$1,500.00
General Sales	(4220)	\$18.00	\$878.50
Charges for Serv. A (Prel. Appl.)	(4230)		\$26,177.76
Charges for Serv. B (Final. Appl.)	(4231)	\$1,720.00	\$43,714.61
Charges for Serv. C (Ext. Fee)	(4232)		\$1,840.00
Charges for Serv. D (Table Fee)	(4233)	\$200.00	\$1,800.00
Charges for Serv. E (Appeal/Var.)	(4234)		\$900.00

OTHER DEPT. RECEIPTS			
Health Dept. Fees	(4242)		\$2,340.00
Soil & Water Fees	(4243)	\$200.00	\$3,175.00
MISCELLANEOUS REVENUE			
Other Reimbursements	(4720)		
Other Reimbursements A	(4721)		
Other Misc. Revenue (GIS maps)	(4730)	\$143.57	\$1,314.57
Misc. Non Revenue Receipts	(4733)		
<b>TOTAL RECEIPTS</b>		\$4,085.81	\$338,421.92

Balance after receipts		\$139,386.96
Expenditures	-	\$ 32,867.72
End of September balance		\$106,519.24

*Mr. Ward made a motion to approve the Financial Report. Mr. Shoaf seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

**b. October RPC Preliminary Agenda** – includes 6 rezoning/text amendments, 2 Preliminary, 1 Preliminary/Final, and 2 Final applications.

**c. 2008 Proposed Budget – Executive Committee’s 2<sup>nd</sup> review**

There were several wording adjustments requested to the proposed budget but no changes made to any of the totals. The Committee asked that these changes be made prior to the October RPC meeting for the Commission’s first review. Voting on the budget will take place at the November 29<sup>th</sup> RPC meeting.

*Mr. Shoaf made a motion to recommend approval of the Proposed 2008 Budget, with minor wording changes. Mr. Gladman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

**d. Consideration for recommendation of approval: 2008 Membership Dues – (Budget Page 7)**  
*Mr. Gladman made a motion to recommend approval of the 2008 Membership Dues. Mr. Shoaf seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

**e. Consideration for recommendation of approval: 2008 Proposed Meeting/Deadline Schedule**  
 The Executive Committee requested that the Executive Committee meeting for September be scheduled on September 10<sup>th</sup> due to Fair week.

Mr. Gladman made a motion to recommend approval of the 2008 Meeting / Deadline schedule. Mr. Shoaf seconded the motion. **VOTE: Unanimously For, 0 Opposed. Motion carried.**

**f. Public Records Policy** – Mr. Sanders explained that he received a copy of the County’s adopted Public Records Policy and asked that the Commission also adopt this policy. He explained that there are a few minor areas that could be worded more appropriately for the DCRPC, but that could be reviewed when the Executive Committee works on the By-Laws.

**Mr. Gladman made a motion to adopt the County’s Public Records Policy with the understanding that the Executive Committee would review it during the By-Laws review**

process. Mr. Shoaf seconded the motion. *VOTE: Unanimously For, 0 Opposed. Motion carried.*

## 5. Other Business

## 6. Personnel

- a. **Benjamin Henson** – Mr. Sanders informed the Committee that Ben Henson has been offered a Planning position at the South Western Regional Planning Agency in Stamford Connecticut. Discussion took place regarding Mr. Henson's request that he be allowed to use vacation or take time off with pay during his last week (Oct. 29-Nov. 2). He has accrued approximately 7.5 days of vacation but cannot use it until he has worked for 1 year. This would allow him the flexibility to move during that week without missing a week of pay. After discussing various pros and cons, no action was taken.

## 7. Adjourn

*Mr. Gladman made a motion to adjourn at 10:30 a.m. Mr. Shoaf seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

*The next Executive Committee meeting will be Wednesday, November 21, 2007 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

### 23-07 ZON Carlo and Joe Silvestri – Genoa Twp. - 0.778 acres – final development plan approval

Carlo & Joe Silvestri have submitted an application and development plan for 0.778 acres on the south side of Chandler Court in the existing Chandler Corporate Park in Genoa Township. The site is zoned Planned Industrial-Warehouse District (PD-3). The applicant is requesting Final Development Plan approval for the construction a corporate office building for two to three tenants.

#### I. Conditions

**Present Zoning:** Planned Industrial-Warehouse District (PD-3)

**Present Use:** Vacant lot

**Proposed Use:** Corporate office building

**School District:** Westerville City School District

**Utilities Available:** Del Co Water, Central Sewer

**Critical Resources:** none

**Soils:** BeA: Bennington Silt Loam (0 to 2% slopes)  
PwA: Pewamo Silty Clay Loam (0 to 1% slopes)

**Surrounding land uses:** include commercial with single- and multi-family residential, industrial and institutional nearby.

## **II. General**

The primary tenant of this corporate office building will be Silvestri Homes. They will utilize this office for daily business operations. The remainder of the building will be leased to tenants of like use as permitted within the regulations of the PD-3 zoning classification. The building is proposed as one story (6,200 sq ft) with a partial second floor (2,000 sq ft) and partial basement (3,100 sq ft). The total floor area is 11,300 sq ft. Access will be from Chandler Court via two entrances; one of which will be entry-only.

## **III. Conformance with Local Comprehensive Plan**

The 1999 Genoa Township Comprehensive Plan indicates an early desire to see this site developed as single family residential at 1.8-2.2 units/acre. However, this site has since been zoned Planned Industrial-Warehouse (PD-3) which permits the proposed use. This is reflected in the 2004 Plan, which has not yet been adopted by Genoa Township.

## **IV. Conformance with Development Standards**

The final development plan shall incorporate the standards stated in the Genoa Township Zoning Resolution, Article IV, Section 406 – Planned Industrial-Warehouse District (PD-3).

## **V. Final Development Plan General Requirements**

The Final Development Plan submitted shall support the following Requirements:

1. The physical character of the site shall be suitable for development in the manner proposed without hazards to persons or property, on or off the site from probability of flooding, erosion, subsidence, or slipping of the soil or other dangers, annoyances or inconveniences.

**Staff Finding:** The site does not present slope or soil concerns for development. Del-Co water and central sewer are being utilized. This is an infill project on a vacant lot.

2. Any exception from the Zoning Resolution requirements is warranted by the design and amenities incorporated in the development plan.

**Divergences:** The applicant is requesting six divergences from the zoning resolution:

- 1) 406.08 A 100 ft setback is required from the edge of the contiguous right-of-way as well as from the district boundary line. This site has a lot depth of 170 ft. The applicant seeks to build within the rear yard setback.

**Recommendation:** Considering this requirement leaves the developer with a negative buildable area; that the township has established a precedent of granting such a divergence to the adjacent uses and that this plan is compatible in character with said uses, staff supports this request.

- 2) 524.15.b Requires automobile parking lots to be screened from adjoining streets and adjoining residential properties. Applicant is requesting no screening to achieve compatibility with surrounding uses.

**Recommendation:** All but one of the uses in the Chandler Corporate Park subdivision have adequate screening at Chandler Court. To ensure compatibility with these uses and maintain compliance with the zoning resolution, staff does not support this request.

- 3) 524.15.c Prohibits parking lots from being placed closer than 25 ft from the street right of way. Applicant is requesting to allow parking lot to be constructed 2 ft from the right of way, which would set them 16 ft from the curb.

**Recommendation:** An easement extends 20 ft from the property line. If the holder of the easement agrees to allow parking to be constructed atop the easement, staff would support this request.

- 4) 524.15.d Establishes a 6 ft parking setback from the side and rear property lines. The applicant is requesting a 2 ft setback from the east and west property lines and a 5' setback from the south property line.

**Recommendation:** There are two factors, which contribute to the constraints on parking for this development. The first is the size of the lot and the second is the size of the building. It does not make sense to propose a building of this size for two or three tenants on a lot, which requires a divergence to allow a building in the first place. Rather than squeeze every square foot of land out of this site, staff recommends reducing the footprint of the building itself, allowing for a more compatible structure that will require less parking and will more closely adhere to the guidelines of the zoning resolution.

- 5) The applicant is requesting to locate landscaping within the 20 ft easement.

**Recommendation:** Considering that landscaping can be replaced if ever removed and that adjacent uses have also located landscaping in the right of way, staff supports this request.

- 6) The applicant is requesting to locate parking spaces within the 20 ft easement.

**Recommendation:** Again, staff recommends a smaller building footprint, which would require fewer parking spaces and more closely adhere to the guidelines of the zoning resolution. However, if the holder of the easement agrees to allow parking to be constructed atop the easement, staff would support this request.

3. Land surrounding the proposed development can be planned in coordination with the proposed development and that it be compatible in use.

**Staff Finding:** This is an infill project in the nearly built-out Chandler Corporate Park zoned Planned Industrial-Warehouse District (PD-3). The use is compatible with surrounding uses.

4. The proposed change to a planned development district is in conformance with the standards, objectives and policies of the Genoa Township Comprehensive Plan.

**Staff Finding:** The adopted 1999 Genoa Township Comprehensive Plan does not reflect changes in zoning which have occurred at this location. The proposed 2004 Plan does show this site within a Planned Industrial-Warehouse District.

5. The site must have direct access to a major street without creating traffic on minor residential streets outside the district.

**Staff Finding:** Chandler Court accesses SR 3 to the east and serves only the Chandler Corporate Park uses. The Highland Lakes HOA owns the land to the west where Chandler Court terminates. Extending access to the Highland Lakes subdivision is not possible. The Delaware County Engineer has issued a letter, which states that a traffic impact study will not be required for this site.

6. Existing and proposed utility services are adequate for the proposed development.

**Staff Finding:** The project will connect to existing utilities. Del-Co Water will provide water and sanitary sewer will be provided by Delaware County. Preliminary reviews are in process for both and approval letters pending. The Delaware County Engineer has issued a letter, which states this site has an adequate outlet for storm water.

7. Each phase of the proposed development, as it is proposed to be completed contains the required parking spaces, landscape and utility areas necessary for creating and sustaining a desirable and suitable environment.

**Staff Finding:** While the proposed development plan contains the required number of parking spaces, landscape and utility areas, this site is not large enough to accommodate construction of parking within the guidelines of the zoning resolution. A smaller building or a request for a divergence from the parking requirement is recommended.

8. The proposed planned development including all proposed parking spaces and landscape areas and utilities can be substantially developed and all construction for public benefit has been approved by the Delaware County Engineer, within three (3) years of the establishment of the planned development district unless a different time schedule is set forth in the approved development plan.

**Staff Finding:** This project will proceed in one phase. The developers have suggested a one-year timeframe for development from full zoning approval.

9. The developer either possesses or has access to sufficient funds for the initiation and completion of the project as described in the Final Development Plan.

**Staff Finding:** Staff has not reviewed financial documents, but the owner of the project has the ability to carry forth this plan and further states: *“The land is secured and purchased and all verbal indication by the engineers has been positive and approval letters are pending.”*

## **VI. DCRPC Staff Recommendation**

DCRPC staff recommends **Conditional Approval** of the 0.778 acre Final Development Plan for Carlo and Joe Silvestri, to the Genoa Township Zoning Commission, Township Trustees and the DCRPC, based on reducing the building size to reduce the need for setback and parking divergences.

### **Commission / Public Comments**

Mr. Dan Kiser with Kiser Design Group, the architects for the project, was present. He explained that they tried to make the layout for this project comparable to the others in the area. He asked that the Commission reconsider the 2' parking set back request. Mr. Henson agreed that the reduction from 6' to 2' set back is not out of the question to reconsider.

Mr. Brown asked if the RPC staff did a comparison of building foot prints or finished square footage to the adjacent parcels. Mr. Henson stated that it is comparable to the other existing buildings on Chandler Court.

**Mr. Miller made a motion to recommend Conditional Approval of the Final development plan for Carlo and Joe Silvestri, subject to staff comments. Mr. Berry seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Genoa Twp.). Motion carried.**

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**24-07 ZON      Home Depot USA Inc. – Genoa Twp. – .66 acres – development plan amendment**

**Location:** 6017 Maxtown Road, between Kroger and Wendy’s in the Genoa Square shopping center.

**Conditions**

- Present Zoning:** Planned Commercial-Office District (PD-2)
- Proposed Zoning:** development plan amendment
- Present Use:** Vacant land
- Proposed Use:** Commercial, Bob Sumerel Tire Store
- School District:** Westerville
- Utilities Available:** Del Co Water, Public Sewer

**Surrounding Land Use**

Directly north is the Kroger Shopping Center; to the east is Home Depot; to the south is Wendy’s at 5771 Maxtown Road; to the west are other outparcels within the Genoa Square shopping center.

**I.            General Comments**

Applicant is requesting a change in development plan to allow for a drive-through coffee shop known as D.A. Coffee. The development plan shows that the shop will be built on a 1.216-acre lot that will be split from the 15-acre Home Depot site. The lot will gain access from an easement to Maxtown Road, just west of Wendy’s.

**II.          Conformance with Development Standards**

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

- 1) **Use:** The Genoa Township code lists “other small businesses” under permitted principal uses and further describes that “all businesses shall be of a retail or service character.”

**Staff Comment:** *The use is appropriate for this zoning district.*

- 2) **Parking:** Based on the floor space of the retail building, which appears to be approximately 300 s.f., the proposed four spaces meets the standards of the code, although an additional space or two might be beneficial.

**Staff Comment:** *Consider two additional spaces to allow for employees and drive-up customers.*

- 3) **Signs:** The applicant is requesting ground or monument signs measuring 4’ 8” tall by ~5’ wide with a message size of approximately 12 square feet at one location and one similar sign on each end of the building.



**Staff Comment:** Section 706 of the Genoa Zoning Code limits identification signs to 25 s.f. per side or 50 s.f. total and wall signs to a maximum of 100 square feet. It is difficult to precisely scale off the signs, but they are unlikely to exceed the regulations. Care should be taken to avoid placing the ground sign in an area where sight distance will be blocked. Sign detail does not indicate lighting. Staff recommends utilizing a non-white background for internally lit cabinet signs or downlighting if externally lit.

- 4) **Landscaping:** Article 518.07 of the Township zoning code requires a 6' setback for parking with the PD-2 district. Section 602.09 states "All parts of open off-street parking areas which are unusable, either for parking or for traffic, shall be landscaped with plantings of grass, flowers, shrubs, and/or trees, which shall be continuously maintained." The development plan shows a 5-foot grass strip and one new tree, indicating the existing evergreens will be removed.

**Staff Recommendation:** Other parcels within this center include a 6' planting strip between parking areas. The development plan shows the driveway five feet from the Wendy's parking lot. The Wendy's pavement appears to be built to the edge of the property line. With the amount of green space planned on the north side of the building, additional area could be provided between this use and the Wendy's parcel by retaining the existing trees. This would not have a negative impact on the site. This strip should also include more than just one tree and grass.

- 5) **Platting requirement:** Because the development of this site will result in the subdivision of a parcel within a recorded, platted subdivision, it will require the filing of a new plat, not a lot split as described in the application.

### III. Other issues

1. The layout of the site places parking stalls in a manner that directs them outward toward the Kroger parking lot. The township and applicant may wish to consider flipping the circulation so that parked cars point toward Wendy's and avoid headlight glare toward the north. This would reduce visual clutter and improve visibility for the coffee shop.
2. Staff questions why the northern half of this site has not been included in the site plan. If the intention is to leave to northern half as open space, then the drive-through development should be shifted north as recommended in other portions of this report. If the intention is for the northern half to remain for future development, the only logical use would be another drive-through-type business, such as an ATM machine or similar use. The approval of the coffee shop use as presented sets up a potential situation where a separate use generating additional access points and circulation patterns is someday built on the northern half of the parcel. If the intention is to further develop the site, the circulation pattern and parking area of the coffee shop should be reconfigured to accommodate joint access points and allow parking areas to be shared and/or expanded.

### VI. DCRPC Staff Recommendation

Staff recommends **Approval** of the request for change in development plan in the PD-2 zone to the DCRPC, the Genoa Township Zoning Commission and the Genoa Township Trustees, *subject to the staff comments within this report.*

### Commission / Public Comments

Mr. Tim Decker with Tim Decker Architect along with Mr. David Palumbo the buyer of the site were present. Mr. Decker commented that the pine trees along the south edge of the property would not be removed. In addition, the north portion of the site would continue to be maintained as a lawn area. Mr. Palumbo explained they like the layout of the site due to the flexibility it gives for possible future addition of an ATM location.

**Mr. Shoaf made a motion to recommend Approval of the development plan amendment requested by Home Depot USA Inc. Mr. Miller seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Genoa Twp.). Motion carried.**

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**25-07 ZON      Mark Walker – Berkshire Twp. – 3.33 acres from A-1 to FR-1**

Mark Walker is requesting a rezoning of 3.33 acres on the west side of Domigan Rd. and approximately 1/3 mile north of Cheshire Rd., in Berkshire Township. The applicant is requesting to rezone the 3.33 acres currently zoned Agricultural District (A-1) to Farm Residential District (FR-1) for the construction of a single family home.

**I.            Conditions**

**Present Zoning:** Agricultural District (A-1)

**Proposed Zoning:** Farm Residence District (FR-1)

**Present Use:** Vacant agricultural

**Proposed Use:** Single family residence

**School District:** Big Walnut Local School District

**Utilities Available:** Del Co Water, Delaware County sanitary sewer

**Critical Resources:** Stream/Drainage Course and an instance of 20% slopes

**Soils:** SnA: Sloan Silt Loam (0 to 2% slopes)

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

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

**Surrounding land uses:** include single family residences, agricultural and vacant lands

**II.            General**

This is a straight district rezoning, thus no development plan is required. The owners' intention is to split 2.123 acres from the original 50-acre tract to construct a new single-family residence. This lot has 340 feet of frontage on Domigan Rd., more than Berkshire Township's frontage requirement of 200 feet for a lot greater than 3, but less than 4 acres.

**III.            Conformance with Local Comprehensive Plan**

The 2001 Berkshire Township Comprehensive Plan calls for the site to be developed as single family residential at a density of 1 unit/2 acres. This proposal is for a single family home on 3.33 acres. This low-density residential development is compatible with surrounding uses and supports Berkshire Township's stated goal of preserving its rural character.

**IV.            Conformance with Development Standards**

This development shall incorporate the standards stated in the Berkshire Township zoning code, Article XIII – Farm Residential District (FR-1). The proposed use, lot size and frontage requirements have been met. The lot is of a size and shape such that meeting setback requirements will not be difficult. The applicant should consult with the Delaware General Health District regarding location and construction of the proposed on-lot treatment system.

**V.            DCRPC Staff Recommendation**

DCRPC staff recommends **Approval** of the 3.33 acre rezoning from A-1 to FR-1 for Mark Walker, to the Berkshire Township Zoning Commission, Township Trustees and the DCRPC.

**Commission / Public Comments**

Mr. Mark Walker was present to answer any questions from the Commission.

***Mr. Gladman made a motion to recommend approval of the rezoning request by Mark Walker. Mr. Sedlacek seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Berkshire Twp.). Motion carried.***

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**26-07 ZON      The Glimcher Co. – Orange Twp. – 28.116 acres from MFPRD to PC**

**Request:** Rezone 28.116 acres from MFPRD to PCD to allow up to 277,834 sf of commercial and office uses within the Orange Village Centre.

**Applicant:** The Glimcher Company

**Location:** Southeast of US 23 and Orange Road, and west of Highfield Drive, Orange Township.

**I.            Conditions**

**Present Zoning:** Multi Family Planned Residential (MFPRD)

**Proposed Zoning:** Planned Commercial and Office (PC)

**Present Use:** Open Field.

**Proposed Uses:** Retail, commercial and office

**Existing Density:** (proposed) 4.8 units/acre per approved 2006 MFPRD zoning (156 units of condominiums).

**Proposed Density:** maximum 277,834 sf retail, commercial and office.

**School District:** Olentangy

**Utilities Available-** Del Co Water, Delaware County sanitary sewer.

**Soils:** GwB – Glynwood 2-6 % slope  
GwC2 – Glynwood 6-12 % slope  
BoA – Blount 0-2 % slope  
LyE2 – Lybrand 18-25 % slope  
PwA – Pewamo 0-1 % slope

**II.           Project Description**

This proposal is part of the 141 +/- acre Orange Village Centre development, which was zoned in 1992. The overall development is located south of Orange Road and extends from US 23 to the Conrail RR tracks. It was planned to contain a mix of condominiums, apartments, a central park, and future retail and office buildings. Highfield Drive bisects the development with the residential uses almost entirely to the east and the planned commercial zoning to the west. The Hidden Springs and Hidden Ravines condos and Dooley's Orchard apartments have already been developed within Orange Village Centre. Surrounding land use includes residential to the east, commercial and industrial to the south and north, and commercial to the west across US 23. Williamsville Cemetery is in the southwest corner of this development. A couple of single-family residences are to the north along Orange Road.

In 2006, The Glimcher Company rezoned 32.53 acres from PC to MFPRD to develop 156 additional units of condos (4.8 du/acre) west of Highfield Drive. This was to include a west-east public street (proposed East Hidden

Ravines Drive) connecting US 23 with Highfield Drive. A north-south road (proposed Orange Centre Drive) was proposed along the western edge of this site to Orange Road. In addition, the 571,200 sf of retail, commercial and office space that was part of the 1992 overall development plan was reduced to 261,900 sf.

The developer now requests to rezone 28.116 (out of the 32.53 acres zoned MFPRD in 2006) back to PC. According to the development plan text, the total commercial and office space will not exceed 277,834 sf. The site is divided into 3 sub-areas. Sub-area 1 is north of (proposed) East Hidden Ravine Drive and east of (proposed) Orange Village Drive. It is approximately 9.7 acres and is planned to allow 77,664 sf of commercial/office space. Sub-area 2 is east of Sub-area 1 and contains approximately 8.04 acres with 96,840 sf of proposed building space. This site includes a proposed indoor and outdoor athletic facility. Sub-area 3 is south of East Hidden Ravines Drive and includes 10.34 acres with 96,840 sf of commercial/office space.

### **III. Conformance with Local Comprehensive Plans**

The Orange Township 2001 Comprehensive Plan identifies the area between Orange Road and Powell Road, east of US 23 to the Conrail RR tracks as the “Central Commercial/Industrial Corridor” (Sub Area 5). It recommends planned commercial and office as in-fill to all existing commercial zoning. The rezoning request conforms to the plan.

### **IV. Conformance with PC Development Standards**

- 1) Provisions for utilities.
  - a) Sanitary sewer – According to the Delaware County Sanitary Engineer, there is capacity to serve the proposed commercial and office development. However, eating establishments cannot exceed 50 percent of the proposed total sf as provided within the development plan, since they use more capacity than typical office and commercial users. A letter of service availability has been provided.
  - b) Water – Del-Co water is available through 12” water lines along US 23 and Highfield Drive.
  - c) Other utilities – Service letters have been provided for gas (Columbia Gas) and electric (American Electric Power).
- 2) Storm water – A stormwater management plan must be submitted to and approved by the County Engineer.
- 3) Proposed Traffic Patterns and their relationship to existing conditions - A traffic impact analysis is included in the application. According to the study, the overall site circulation is appropriate for the volumes being generated. The County Engineer’s office has indicated to the RPC Staff that the proposed streets have been designed according to the 2006 PC/MFPRD development plan and are not adequate for the conversion of the multi-family section to commercial/office.
- 4) Architectural design criteria –Architectural design elements are included in the text along with examples of building elevations/styles.
- 5) Landscaping – A landscaping plan has been provided.
- 6) Divergences are requested for:
  - a) Article XXI, Section 21.10 for reducing the required 100’ to 50’ buffering of nonresidential uses from Residential Districts. The plan states that the FR-1 lots to the north are anticipated to be commercially

zoned in the future per the Orange Township Comprehensive Plan. **Staff comment:** Staff concurs if the same divergence was approved for the existing PC zoning of the Orange Centre development.

- b) Article XXI, Section 21.10 to not require acceptable landscaping or screening near the perimeter of a nonresidential use abutting a residential use for the existing condos east of Sub-area 3. The rationale is that the condo site already contains landscaping along the common lot line. **Staff comment:** Despite the vegetation on the condo site, the PC district should also provide a landscaping buffer/screening along the eastern boundary and along the south side of East Hidden Ravines Drive.

#### **V. Required Findings for PC**

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

**DCRPC Staff Finding:** *Yes, if the township approves the divergences, or the plan is amended to provide adequate perimeter landscaping/ buffering*

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

**DCRPC Staff Finding:** *Yes.*

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

**DCRPC Staff Finding:** *Yes.*

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

Staff recommends **Conditional Approval** of the application by the Glimcher Company for a zoning change from MFPRD to PC, to the Orange Twp. Zoning Commission, Trustees and the DCRPC, *subject to:*

- 1.) *Adequate landscaping and screening being provided along the Residential District boundaries;*
- 2.) *The County Engineer approval of the street design and construction for the change in use; and*
- 3.) *Limiting uses that utilize higher sewer capacity, such as restaurants, in accordance with the Delaware County Sanitary Engineer's recommendation.*

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

Mr. Steve Martin, attorney for the Glimcher Co. was present. With regards to the staff comments, Mr. Martin explained that they agree with limiting uses that utilize higher sewer capacity. He stated that on page 23 of their application (under building dimensions) they use the broader term of “food service preparation usage”. The applicant does disagree with the proposed buffering with the condominiums to the east. He said there is an existing mound with vegetation. They would agree to adding vegetation to the west side of the mound but do not want to put another mound in. Staff suggested landscaping buffering along the south side of East Hidden Ravines Drive. That street has been constructed and is soon to be dedicated. It goes to the property line there so it is not within the applicant's power to put in any buffering but there is proposed buffering proposed along the entire north side of the street.

**Mr. Miller made a motion to recommend Conditional Approval of the rezoning request by the Glimcher Company, subject to staff comments. Mr. Shoaf seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Orange Twp.). Motion carried.**

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**27-07 ZON      Prep Polaris LLC – Orange Twp. – 1.64 acres from PC (with use variance) to PC**

This application is a request to review a development known as Prep Polaris, which is a school. When the school was initially developed in 2006 it was granted a rare “use variance” with the agreement that a rezoning would be completed prior to February 1, 2008.

**I.            Conditions**

**Location:** 3790 and 3812 East Powell Road, 200’ north of Worthington Road, Orange Twp.

**Present Zoning:** Planned Commercial (PC)

**Present Use:** preschool, kindergarten, first grade school in two buildings

**Proposed Zoning:** Planned Commercial (PC)

**Proposed Use:** School with the addition of a third building.

**School District:** Olentangy

**Utilities Available:** Del Co Water, County sewer

**Critical Resources:** none

**Soils:** Cardington Silt Loam (CaB), 2-6% slope

**Surrounding Land Uses:** To the west is Germain Amphitheater and Westerville incorporated land to the immediate north and south. Otherwise, surrounded by scattered small undeveloped parcels and road frontage single-family lots along E. Powell Road. Alum Creek is about 700 feet to the east.

**II.           Background**

In October, 2006, Prep Polaris purchased the parcels zoned Planned Commercial and Office with a restricted permitted use of wholesale business, storage and warehouse. Prior to the purchase of the site, Orange Township BZA granted a rare use variance so that the parcels could be used as a school. The use variance was granted subject to a formal rezoning application being approved by February 1, 2008.

The school has been operating on the site since March, 2007 in two buildings at 3812 E. Powell Road. The parcel to the north is vacant parcel where a third building is planned. This application seeks to rezone the parcels for use as a school for children in the preschool, kindergarten and first grade levels.

**III.          Divergences**

Because this is an existing use, the applicant is seeking several divergences to allow existing conditions to continue under the approved zoning.

- 1.    The northeast corner of the existing Building B encroaches on the 100 foot building setback by approximately 5 feet.**

*Staff comment: This is an existing condition and a reasonable request.*

- 2.    Building A and Building B have 4 fewer parking spaces than required.**

*Staff comment: Based on the fact that the addition of Building C, the total amount of parking will meet the requirement, this is reasonable.*

- 3.    The existing parking spaces in front of Building A and Building B encroach on the 60/40 green**

space to parking in the right-of-way requirement.

*Staff comment: Without a CAD file, it is difficult to perform a calculation to check this. This appears to be sufficient. The applicant intends to take an existing condition and improve it when the building to the north is built.*

4. **The Monument Sign will be built 5 feet outside the road right-of-way, instead of the required 15 feet.**

*Staff comment: Based on the road geometry, the existing driveways and other topographic features, the applicant has proposed the sign in a location that is probably the only practical choice. This divergence is reasonable, but the zoning commission may want to consider whether it is necessary for this use, which does not depend on “drive-by” business, needs a freestanding sign when the wall signs appear to be adequate. The proposed sign will not pose a danger or distraction to drivers, however.*

*If the Zoning Commission considers granting a monument sign, staff recommends that the proposed colors be reversed, so that the background of the sign is not white, thus reducing visual clutter along the street.*

#### **IV. Other issues**

Since this is an existing school, it is assumed the Fire Chief has checked the current circulation pattern and fire access. The Zoning Commission will have the site layout also checked and approved by the Department.

The location of this site is challenging given the number of trips that pass the site, the location of the Worthington Road/East Powell Road intersection and the geometry of the road, particularly during the morning hours. The township should consider the additional traffic the expansion will generate and plan accordingly. The accesses may need to be limited someday as traffic continues to increase.

#### **V. DCRPC Staff Recommendation**

Staff recommends **Conditional Approval** of the rezoning of 1.64 acres by Prep Polaris to the RPC, Orange Township Zoning Commission, and Orange Township Trustees *based on staff comments within the report.*

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

Mr. Nicholas Anderson, attorney for Prep Polaris LLC was present to represent the applicant. He explained that the monument sign was proposed due to parent comments of the current sign. The temporary wall signs are difficult to see and if you go past, there is no safe place to turn around. They do agree with the staff suggestion of the sign colors. Mr. Anderson noted that the previous owner received the use variance to operate the school.

Mr. Clase asked if the area could be a school zone. Mr. Reidel stated that the Engineer’s office has in the past for similar schools and daycare centers. They may look at access on Powell Road and see what might be safest for entering and exiting when the engineering plans are submitted.

Mr. Johnson asked if the applicant planned an island or something for safe foot traffic between the buildings. Mr. Anderson agreed that is something that can be looked at, possibly speed bumps.

***Mr. Miller made a motion to recommend Conditional Approval of the rezoning request by Prep Polaris, subject to staff comments. Mr. Sedlacek seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Orange Twp.). Motion carried.***

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**28-07 ZON Menard Inc. – Orange Twp. – 70.616 acres from FR-1 and PC to PC**

**I. Request**

The applicants are requesting to rezone 1.477 acres currently zoned Farm Residential (FR-1) to Planned Commercial and Office District (PC) and amend the Clear Creek development plan for 69.139 acres already zoned PC to include this additional lot. The resulting 70.616 acre development plan would allow for a mixed use development including a Menards home improvement store and 16 out lots.

**II. Conditions**

**Present Zoning:** Planned Commercial and Office (PC) and Farm Residence (FR-1)

**Proposed Zoning:** Planned Commercial and Office (PC)

**Present Use:** Residence on 1.477 acre FR-1 lot, otherwise vacant

**Proposed Use:** Planned Commercial and Office District

**School District:** Olentangy Local School District

**Utilities Available:** Del Co Water, Delaware County sanitary sewer (potential)

**Critical Resources:** Stream/Drainage Course

**Surrounding land uses:** include single-family residences to the west and north, mixed-use multi-family and commercial to the south and east (Clear Creek) and vacant woodlands to the north of Home Road.

**Soils:** LyD2: Lybrand Silt Loam (12 to 18% slopes), eroded

GwC2: Glynwood Silt Loam (6 to 12% slopes), eroded

GwB: Glynwood Silt Loam (2 to 6% slopes)

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

BoA: Blount Silt Loam (0 to 2% slopes)

**III. General**

This development, Menards Commerce Park (referred to as “the Center”), is an amendment to the Clear Creek development plan approved in 2004. It is proposed as a 17 lot Planned Commercial and Office development use to be developed in compliance with the standards set forth in the Orange Township zoning code Article XIV. Menard, Inc. has a binding purchase and sale agreement for the entirety of the site except lots 1 and 2, which will be north of realigned Home Rd. Home High, LLC and 216 Home Road, LLC have designated Menard, Inc. to act as their agent in connection to the application and approval process of this development. In addition to realigning Home Rd., an additional street C is proposed as a right-in/right-out access of US 23. Gooding Boulevard will run north/south through the site. Private streets A, B & C will serve the out lots. Other than the Menards home improvement store, uses are not specified at this time. It is expected that when users for the site are determined, their precise use will be specified within the final development plan document submission.

**IV. Conformance with Orange Township Comprehensive Plan**

The 1999 Plan Map calls for this site to remain commercial/industrial.

**V. Conformance with Development Standards**

Any proposed use must be developed in accordance with the Orange Township Zoning Resolution. The applicants are requesting six divergences:

- 1) 14.06(f)(3) which states: *“In the event that any public service facilities not to be otherwise guaranteed by a public utility have not been constructed prior to recordation of the plat, the owner of the project shall post a performance bond in favor of the*



*appropriate public officers in a satisfactory amount assuring expeditious completion of said facilities within one (1) year after the recording of said plat. In no event, however, shall any zoning certificate be issued for any building or use until such time as the facilities, including but not limited to water, sanitary sewer and surface drainage improvements, and public and private streets, for the phase in which the building or use is located are completed.”*

The applicants wish to adhere to the following guidelines in lieu of Section 14.06(f)(3):

- i) No certificate of compliance for any building in Sub Area 1, 3 or 4 shall be issued until the construction of the entirety of the improvements of the realignment and widening of Home Rd. and the extension of Gooding Blvd. to Home Rd.
- ii) No certificate of compliance for any building in Sub Area 2 shall be issued until the realignment and widening of Home Rd. has been completed.
- iii) During construction, prior to the completion of the above stated roadways, all access shall be made to the property from US 23 or other route approved by Orange Township Fire Department and all required access shall be provided.

**Staff Comment:**

This request confuses the process and does not address the issue of platting sequence. It is not clear who will be responsible for construction of the improvements nor whether utility improvements are included with the construction of the streets. Staff requests a clarification on these issues.

- 2) 14.06(b)(9) which states: *“If the proposed timetable for development includes developing the property proposed to be rezoned to this Planned Commercial and Office District in phases, all phases to be developed after the first shall be fully described in textual form in a manner calculated to give township officials definitive guidelines for approval of future phases. Each phase, including the first, shall include a minimum of five (5) acres of property or the whole property, whichever is smaller.”*

The applicants anticipate that all of the roads and public infrastructure will be completed and the Menards will be open not less than (3) years after final approval by the Orange Township Trustees.

**Staff Comment:**

Offering no phasing plan at all other than saying the construction and completion of the Menards will take at least three years if it is developed at all is not sufficient. Staff empathizes that market conditions can and do change, but this does not warrant commencement of the development of a commercial district without a plan. Staff does not support this request.

- 3) 21.10 which states: *“Nonresidential buildings or uses except parking shall not be located nor conducted closer than one hundred (100) feet to any lot line of a residential district. Such one hundred (100) foot area shall include at or near its perimeter acceptable landscaping or screening approved by the Zoning Inspector. Landscaping provided shall consist of a strip of land not less than twenty (20) feet in width containing a rolling mound with an evergreen hedge or dense planting of evergreen shrubs not less than six (6) feet in height at the time of planting.”*

The applicants are requesting to reduce the required 100 ft setback to 50 ft in some locations and to 25 feet in others. They also wish to not construct a required mound and landscape buffer between the Center and the residential homes to the north.

**Staff Comment:**

This is a large commercial development, which has already had significant impact on its residential neighbors. The purpose of 21.10 is to mitigate the impact of such activities upon residents and their property. Staff does not support this request.

- 4) 21.13(d) which states: *“All outdoor light pole fixtures shall not exceed a maximum height of twenty (20) feet measured from the finished grade established not closer than fifteen (15) feet to the pole”*

The applicants are requesting to allow, only on Lot 16, light poles 30 ft in height.

**Staff Comment:**

This request emphasizes the need to mitigate this development’s impact on neighboring properties. Staff does not support this request.

- 5) 22.03(b)(1)(c) (regarding wall signs) which states: *“Such signs shall be located on or along a wall of such building which faces a street, parking lot or service drive, and shall be located no more than fifteen (15) feet above finished grade or the height of the ceiling of the first floor of the building, whichever is less.”*

**Staff Comment:**

Applicants do not indicate at what height signs will be placed on the Menards building. Monument sign “A” is shown on the sign details Exhibit G as being at 40 ft tall and 20 ft wide. The single-word product signs appear to be above the ceiling height and above 15 ft. Staff does not support this request.

- 6) 22.04(a)(3)(c) which states: *“The total display area of all surfaces does not exceed thirty-two (32) square feet when the sign is located fifteen (15) feet from the primary frontage street right-of-way line. For each additional one (1) foot setback from the street right-of-way line, an additional eight (8) square feet of total display area will be permitted up to a maximum of one hundred twenty-eight (128) square feet of total display area, as indicated below:”*

**Staff Comment:**

The proposed signage seems to ignore many of the requirements of the Orange Township Sign and Billboard Regulations. Staff does not support the applicants’ requests for divergences and strongly suggests working with the Orange Township zoning officials to attain compliance.

**VI. Criteria for Approval:**

In approving an application for a Planned Commercial and Office District the reviewing authorities shall determine:

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

**Staff Comment:**

No. The applicants are requesting a number of divergences from the Resolution, none of which are supported by the RPC staff.

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

**Staff Comment:**

No. The FR-1 parcel is not included on the comprehensive plan map as part of the Planned Office/Planned Commercial district. The rest of the proposed site is within the district, however.

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

**Staff Comment:**

No. This proposal appears to present additional annoyances to its neighbors and their property. The developers, the township and the affected residents need to work together to develop a plan that better suits this location.

#### **VII. Additional staff comments**

Although Orange Township does not have architectural standards within its zoning code, it is worth noting that the proposed building design represents 550 linear feet of building façade. Windows, which appear to be out of scale, articulate this façade north of the entrance. South of the main entrance, the building appears to present approximately 300 feet of brick facing interrupted by only a secondary entrance and some painted panels. This design and dressing may be in line with Menards' corporate identity, but it represents what many find unappealing about big-box architecture and why such design overwhelms the suburban landscape.

Much of this report focuses on the Menards home improvement building and the requested divergences, realizing that the development plan for the out-lots may change as end-users are identified. However, it should be noted that a large amount of time was spent, by the RPC staff and the Orange Township Zoning Commission, to craft a unique sense of place on this critical corner when this area was previously zoned. The new proposal for 31 acres of "2 deep" out lots suggests the potential for an inconsistent collection of single-use buildings strewn across the site. The applicant has stated that Menards intends to preserve the views to its building from US 23, supporting this assumption.

#### **VIII. Staff Recommendation**

DCRPC staff recommends **Denial** of the PC/FR-1 Development Plan Amendment request for Menard, Inc., Home High, LLC & 216 Home Road, LLC to the Orange Township Zoning Commission and Orange Township Trustees.

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

Mr. Tom O'Neill, 4777 Menard Drive, Eau Claire, Wisconsin, representative for the applicant, explained that Menard is a home improvement retailer. He explained they try to work with the Township and area residents on their plans. He appreciated the feedback from the Commission.

Ms. Nan Beeler, a resident of Home Road, was present to object to the proposed plan, including the light poles, and the building architecture itself. She feels the look of the building along with outdoor storage and stockade fencing make this type of project industrial rather than commercial. She appreciates that the applicant is trying to buffer the building from their back yards, however, it has the appearance of looking like a "large dyke" and feel it would be very unattractive. Her fourth concern is the traffic pattern. It appears the truck traffic coming from the north will come onto Home Road and down Gooding Blvd., which would greatly increase traffic. She explained the applicant stated they prefer not to adjust their layout because they have very specific arrangement that works for them.

Ms. Joan Hill, 386 Home Road, said she agreed with Ms. Beeler. She explained that she visited the Menard's in Marion and thought the appearance was very industrial, large cement box with a little green ornamentation on the entrance sign. She thought the appearance is not consistent with a residential community.

Mr. Miller asked if the Commission could recommend rezoning 1.477 acres to the planned commercial and amending the existing development plan to include the 1.477 acres and recommend denial of all the divergences.

Ms. Beeler commented that it was the residents' understanding that the Orange Twp. comprehensive plan called for large industrial on the east side of US 23. They believe Menard's is that type of store and should be on the

other side of the street.

Mr. Miller stated that they have an existing plan for an approved planned commercial zoning previously, and doesn't have any objections to having them add the 1.477 acres.

***Mr. Miller made a motion to recommend approval that the 1.477 acres be rezoned to planned commercial and that the existing development plan be amended to include the 1.477 acres and recommend denial of all divergences. Mr. Berry seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Orange Twp.). Motion carried.***

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#### IV. SUBDIVISION PROJECTS

##### Preliminary

13-07 T Revised Algoma Farms – Liberty Twp. - 05 lots / 55.97 acres

**Applicant:** Algoma Group  
**Engineer:** Floyd Browne Associates

##### I. Staff Comments

The applicant has requested a 30-day tabling to resolve TRC comments.

##### II. Staff Recommendation

Staff recommends *Approval of the 30-day tabling* for the **Revised Algoma Farms** to the RPC

##### Commission / Public Comments

***Mr. Price made a motion to approve the 30-day table request for Revised Algoma Farms. Mr. Berry seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.***

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08-07.1-4 T Sherwood Hills, Sections 1-4 – Scioto Twp. - 84 lots / 269.49 acres

**Applicant:** Amity Carter, Ltd.  
**Engineer:** Ryan Badger, ADR and Associates, Ltd.

##### I. Staff Comments

The applicant has requested a second 90-day tabling to resolve sanitary sewer issues.

##### II. Staff Recommendation

Staff recommends *Approval of the 90-day tabling* for the **Sherwood Hills, Sections 1-4** to the RPC

##### Commission / Public Comments

***Mr. Price made a motion to approve the 90-day table request for Sherwood Hills, Sections 1-4. Mr. Berry seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.***

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**Preliminary/Final**

**12-07                    Olentangy Crossings, Section 2, Lot #7352, Division #2 – Orange Twp. - 02 lots /  
03.925 acres**

**Applicant:** Jack Brickner c/o Lewis Center Investments, LLC

**Subdivision Type:** Commercial

**Location:** East side of Miller Paul Rd., north of Center Village Rd., Harlem Township.

**Current Land Use:** Vacant

**Zoned:** Planned Commercial & Office District (PC)

**Utilities:** Del-Co water and Delaware County sanitary sewer

**School District:** Olentangy Local School District

**Engineer:** Mark Smith, Floyd Brown Group

**I.                    Staff Comments**

This is a two-lot subdivision from existing Lot 7352 in the Olentangy Crossings, Section 2 subdivision. The original plat was recorded in October 2006 and contains 3 large lots on 59.26 acres. This is a division of one of those lots. The proposed lots will access Pullman Drive which connects to US 23 via Olentangy Crossings East. Del-Co Water and County sewer are available for the proposed lot. Surrounding land uses include vacant lot zoned PC for future commercial and multi-family residential in other sections of Olentangy Crossings East.

*A technical review was held on October 16, 2007, after which the applicant has addressed all of the required changes. Applicant has submitted a Final Plat (mylar) signed by the required County agencies to RPC staff.*

**II.                    Staff Recommendation**

Staff recommends *Preliminary* and *Final Plat Approval* of **Olentangy Crossings, Sec. 1, Lot 7352, Div. 2** to the RPC.

**Commission / Public Comments**

Mr. Mark Smith, Floyd Browne Group, was present to represent the applicant.

**Mr. Miller made a motion for Preliminary and Final approval of Olentangy Crossings, Section 1, Lot 7352, Division 2. Mr. Sedlacek seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.**

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## CONSENT AGENDA

### Final

#### 15-06 River Run – Liberty Twp. - 26 lots / 37.75 acres

**Applicant:** River Run of Powell, LLC.

**Subdivision Type:** Single Family Residential

**Location:** 1612 Jewett Rd. and 9678 Olentangy River Rd., Orange Township.

**Current Land Use:** Single family residential

**Zoned:** Farm Residential (FR-1)

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

**School District:** Olentangy

**Engineer:** Bauer, Davidson and Merchant, Inc.

#### I. Staff Comments

River Run is a proposed 25 lot subdivision on 37.75 acres (0.66 du/acre). It is located on the north side of Jewett Road and the west side of SR 315. A 1.4-acre portion of the original property that lies between SR 315 and the Olentangy River has been transferred to the Board of Parks Commission of Columbus for permanent preservation. A deep ravine (Bartholomew Run) crosses the southern portion of the development feeding into the Olentangy River to the east across SR 315. Most of the southern portion of the site is wooded while the north side is open, but surrounded by perimeter tree rows. Bartholomew Run is a FEMA mapped stream and includes a defined floodway and 100 year floodplain.

The subdivision includes a long street (Riverway Run) extending north of Jewett Road to the north boundary. This street crosses Bartholomew Run with a proposed bridge. Riverwood Lane is a short cul-de-sac extending to the east from Riverway Run. An emergency access is provided from SR 315 to Riverwood Lane. Both of the streets will be private. A gate will be installed at the entrance. An easement is provided over Riverway Run to allow access to the property to the north. A restriction/condition of the easement is that the property to the north, when developed, will be required to be part of the maintenance of the street.

The plat includes several easements over Bartholomew Run, over slopes greater than 20 percent, and around perimeter tree lines in order to protect and preserve some of the sites' critical resources. A 1.4-acre reserve/No-Build lot is provided south and east of the Riverway Run/Riverwood Lane intersection for stormwater management. The preliminary plan for River Run was approved in September 2006,

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

#### II. Staff Recommendation

Staff recommends *Final Approval* of **River Run** to the DCRPC.

#### Commission / Public Comments

*Mr. Miller made a motion for Final approval of River Run subdivision. Mr. Sedlacek seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

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10-06      T      Orange Centre – Orange Twp. - 08 lots / 59.96 acres

**Applicant:** The Glimcher Co.  
**Consultant:** CEC Inc.

**I. Staff Comments**

The applicant has requested a 30-day tabling to resolve Technical Review Committee items.

**II. Staff Recommendation**

Staff recommends *Approval of the 30-day tabling* for **Orange Centre**, to the RPC.

**Commission / Public Comments**

*Mrs. Hough made a motion to approve the 30-day table request of Orange Centre. Mr. Miller seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

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**VI. EXTENSIONS**      (*none*)

**VII. OTHER BUSINESS**

- 2008 Proposed Budget

Chairwoman Foust explained the Executive Committee has recommended approval of the proposed 2008 Budget. She asked that the Commission review the proposed budget for voting at the November RPC meeting.

- 2008 Membership Dues

Chairwoman Foust asked the Commission to share this information with their respective Fiscal Officers. Mrs. Matlack will mail dues invoices in mid December.

- Consideration for approval: 2008 RPC meeting schedule

*Mr. Miller made a motion to approve the 2008 RPC Meeting schedule. Mr. Price seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

- Consideration for approval: Public Records Policy

Chairwoman Foust explained that all public entities were supposed to adopt a Public Records policy by October 1<sup>st</sup>. The proposed policy presented tonight is a model that was recommended by Delaware County Prosecutor's office. The Executive Committee has reviewed this and recommended adopting this policy as written, however there has been notice taken that the RPC office has its own fee schedule which they would like to have put in place of page 4 (and page 16). There was some discussion that

there was pricing for items the RPC office does not currently have. Mr. Clase asked if GIS information was included in this pricing. Mr. Sanders said yes.

***Mr. Miller made a motion to adopt the Public Records Policy as presented and if there is a conflict with the fee schedule, the RPC fee schedule shall prevail. Mr. Price seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.***

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

**IX. RPC STAFF AND MEMBER NEWS**

- Ben Henson – Mr. Henson has accepted a position with the South Western Regional Planning Agency in Stamford Connecticut. Chairwoman Foust thanked him for all he efforts with the RPC and wished him the best in his new position. She expressed regret in the financial status of the Commission that led to this. Mr. Henson thanked the Commission for the opportunity.
- Joe Clase – Mr. Sanders introduced Mr. Clase as the new Genoa Township Zoning Officer and Representative to the RPC.

***Mr. Miller made a motion to adjourn the meeting at 8:30 p.m. Mr. Shoaf seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.***

***The next meeting of the Delaware County Regional Planning Commission will be Thursday, November 29, 2007, 7:00 PM at the Delaware Hayes Services Building, 140 N. Sandusky Street, Conference Room G-35, Delaware, Ohio 43015.***

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Holly Foust, Chairperson

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Stephanie Matlack, Executive Administrative Assistant