



Delaware County Regional Planning Commission

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Scott B. Sanders, AICP, Executive Director

MINUTES

Thursday, November 29, 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
- October 25, 2007 RPC Minutes
- Executive Committee Minutes of November 21, 2007
- Statement of Policy

II. VARIANCES *(none)*

III. ZONING MAP/TEXT AMENDMENTS

- 20-07 ZON Lloyd Hagerty – Scioto Twp. – 17.54 acres from FR-1 to PC
- 29-07 ZON The Cromwell Corp. – Liberty Twp. – 8.046 acres from PC & PR to PERRC
- 30-07 ZON Roger Brown – Berkshire Twp. – 12 acres from PCD to A-1
- 31-07 ZON Carl Gioffre Concrete Const. Inc. – Orange Twp. – 6.113 acres from FR-1 to PC
- 32-07 ZON Genoa Twp. Zoning Commission – Genoa Twp. – open space definition and misc.

IV. SUBDIVISION PROJECTS

		Township	Lots/Acres
<u>Preliminary</u>			
09-07	Fiddler’s Creek	Concord	29 lots / 42.50 acres
14-07	T Maxtown Subdivision, Lot# 3460, Division #2	Genoa	01 lots / 0.653 acres
13-07	T Revised Algoma Farms	Liberty	05 lots / 55.97 acres
15-07	Green Meadows Industrial Park, Ph. 1, Lot# 709, Div.# 1	Orange	02 lots / 15.679 acres
<u>Preliminary/Final</u>			
16-07	Wedgewood Office Park	Liberty	01 lots / 06.485 acres
<u>Final</u>			
02-03.2	Walnut Grove Estates, Section 2	Genoa	36 lots / 28.656 acres
07-07	Mansard Estates, Sec. 1, Lot # 7451, Div. #1	Genoa	04 lots / 09.228 acres
10-06	Orange Centre	Orange	08 lots / 59.962 acres

T=TABLED, W=WITHDRAWN

V. EXTENSIONS

VI. OTHER BUSINESS

- Consideration for Approval: 2008 Membership Dues
- Consideration for Approval: 2008 RPC Budget

VII. POLICY / EDUCATION DISCUSSION *(none)*

VIII. RPC STAFF AND MEMBER NEWS *(none)*

I. ADMINISTRATIVE BUSINESS

▪ **Call to Order**

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

▪ **Roll Call**

Representatives: Rick Sedlacek, Dale Johnson, Fred Fowler, Steve Burke, Gary Gunderman, Joe Clase, David Andrian, Bob Talbott, Holly Foust, Charles Heimlich, Dick Gladman, Larry Crile, Bill Thurston, Marvin Miller, Lloyd Shoaf, Tom Brown, Tom Zalewski, Bonnie Newland, Mike Datillo, and Doug Price. Alternates: David Leitch, Jack Smelker, Doug Riedel, and Yvonne Klippinger. Staff: Scott Sanders, Paul Deel, Da-Wei Liou and Stephanie Matlack.

▪ **Approval of the October 25, 2007 RPC Minutes**

Mr. Miller made a motion to approve the RPC minutes of October 25, 2007. Mr. Sedlacek seconded the motion. VOTE: Majority For, 0 Opposed. Motion carried.

▪ **November 21, 2007 Executive Committee Minutes**

1. Call to order

Vice Chairperson Burke called the meeting to order at 8:30 a.m. Present: Steve Burke, Dick Gladman, Lloyd Shoaf. Mr. Ward arrived later. Mrs. Foust was absent. Staff: Scott Sanders and Stephanie Matlack.

2. Approval of Executive Committee Minutes

a. October 17, 2007 – Mr. Gladman made a motion to approve the minutes from the October Executive Committee meeting. Mr. Shoaf seconded the motion. VOTE: Majority For, 0 Opposed. Motion carried.

3. Old Business

a. Contracts

- 1.) **Berlin Twp.** – finished updates on zoning code
- 2.) **Harlem Twp.** – finished, possible adoption in January

4. New Business

a. Financial / Activity Reports for October 2007

REGIONAL PLANNING RECEIPTS		OCTOBER	YTD TOTAL
General Fees (Lot Split)	(4201)	\$410.00	\$7,790.00
Fees A (Site Review)	(4202)	\$350.00	\$1,550.00
Insp. Fees (Lot Line Transfer)	(4203)	\$180.00	\$600.00
Membership Fees	(4204)		\$235,269.00
Planning Surcharge (Twp. Plan. Assist.)	(4205)	\$2,170.84	\$12,683.32
Assoc. Membership	(4206)		\$1,500.00
General Sales	(4220)	\$28.90	\$939.40
Charges for Serv. A (Prel. Appl.)	(4230)	\$2,611.90	\$28,789.66
Charges for Serv. B (Final. Appl.)	(4231)	\$4,786.90	\$48,501.51
Charges for Serv. C (Ext. Fee)	(4232)		\$1,840.00
Charges for Serv. D (Table Fee)	(4233)	\$400.00	\$2,200.00
Charges for Serv. E (Appeal/Var.)	(4234)		\$900.00
OTHER DEPT. RECEIPTS			

Health Dept. Fees	(4242)		\$2,340.00
Soil & Water Fees	(4243)	\$625.00	\$3,800.00
MISCELLANEOUS REVENUE			
Other Reimbursements	(4720)		
Other Reimbursements A	(4721)		
Other Misc. Revenue (GIS maps)	(4730)	\$85.00	\$1,399.57
Misc. Non Revenue Receipts	(4733)		
TOTAL RECEIPTS		\$ 11,648.54	\$350,102.46

Balance after receipts \$118,167.78
 Expenditures - \$ 31,438.33
 End of October balance \$ 86,729.45

Mr. Gladman made a motion to approve the financial reports as presented. Mr. Shoaf seconded the motion. VOTE: Majority For, 0 Opposed. Motion carried.

- b. **November RPC Preliminary Agenda** – includes 5 rezoning/text amendments, 4 preliminary, 1 combined preliminary / final, and 3 final applications.
- c. **2008 Proposed Budget** – Mrs. Matlack explained that the budget presented today is the same as the one reviewed at the last Executive Committee meeting and the October RPC meeting except that it was reduced by \$3,941 due to the reduction in health insurance premium. County offices were advised to budget a 12% increase for 2008 hospitalization. On 11/9/07, we received a memo stating the actual increase would be 3.8%. This would bring the cash carry forward into 2009 to \$51,550.00.

Mr. Shoaf made a motion to recommend approval of the revised 2008 DCRPC budget to the Regional Planning Commission. Mr. Burke seconded the motion. VOTE: Majority For, 0 Opposed. Motion carried.

5. Other Business

- a. **Health Dept. fee change** - Mr. Burke informed the Committee that the Health board adopted a new fee schedule to be effective 11/19/07. Mrs. Matlack stated that the new fee schedule would be posted in the office and the DCRPC website.

6. Personnel (none)

- 7. **Adjourn** – *Mr. Gladman made a motion to adjourn the meeting at 9:15 a.m. Mr. Shoaf seconded the motion. VOTE: Majority For, 0 Opposed. Motion carried.*

The next Executive Committee meeting will be Wednesday, December 12, 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

20-07 ZON Lloyd Hagerty – Scioto Twp. – 17.54 acres from FR-1 to PC

I. Request

The applicants are requesting to rezone 17.54 acre portion of a 37.347 acre tract currently zoned Farm Residence District (FR-1) to Planned Commercial and Office District (PC) to allow for the construction and operation of a “country inn”.

The Scioto Township PCD is a “One Step” rezoning. The rezoning application must include a detailed “final” development plan and show engineering feasibility.

II. Conditions

Location: South side of Fontanelle Rd. (CR 164), west of Ostrander Rd. (CR 163), Scioto Township

Present Zoning: Farm Residence District (FR-1)

Proposed Zoning: Planned Commercial and Office District (PC)

Present Use(s): Vacant/Agricultural/Woodland

Proposed Use(s): A campus-styled bed & breakfast with upscale hotel amenities and a restaurant.

Existing Density: 1 du / 1.95 acres in FR-1

Proposed Density: N/A

School District: Buckeye Valley Local School District

Utilities Available: Well water (w/potential for future Del-Co water), private on-lot septic treatment system

Critical Resources: Converging streams within a floodway and the 100-year floodplain, a jurisdictional wetland and instance of 20% slopes.

Surrounding land uses: Single family residential to the north and east, vacant residential to the east and agricultural to the west, south and east.

Soils: GwB: Bennington Silt Loam (0 to 2% slope)

GwC2: Glynwood Silt Loam (6 to 12% slope)

RsA: Rossburg-Sloan Complex (0 to 2% slope, occasionally flooded)

ScA: Scioto Silt Loam (0 to 2% slope)

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

III. General

“Agape Manor” is designed as an eight structure campus to be utilized as an upscale full-service bed & breakfast facility. The development plan shows a “manor house” with a lobby, offices, exercise facilities, an indoor lap pool, a 1 bedroom residential suite for the owner/manager and a public restaurant; an attached structure with a reception/dining hall; 5 “guest suite pavilions” with 6 units each; and landscaped grounds with a tennis court, croquet lawn and walking paths. Catering service will also be provided.

IV. Conformance with Scioto Township Comprehensive Plan

The 2005 Plan Map calls for this site to be developed as single family residential at 1 dwelling unit/1.95 acres without centralized sewer or as a conservation subdivision at .7 units/net developable acre (NDA) if central sewer is available. This site is not currently served by sewer.

V. Conformance with Development Standards

Any proposed use must be developed in accordance with the Scioto Township Zoning Resolution and must specifically adhere to the guidelines within Article XIV – Planned Commercial and Office District (PC). The following are instances where the development plan fails to comply:

Utilities –

- Sewer - The proposed on site treatment system will need OEPA approval.
- Water - A letter has not been provided from Del-co indicating the timing of new water service.
- Other utility providers such as electric and gas have also not acknowledged service.

Drainage – The plan proposes a retention pond for stormwater management. A drainage plan needs to be submitted to the County Engineers office.

Landscaping – A landscaping plan has not been provided.

Signs – The text indicates that the proposed sign will comply with the Zoning Resolution. A rendering should be submitted with the development plan.

The applicant is requesting a divergence from Article XXI, Section 21.01.e which would require a minimum of 150 parking spaces. A reduction to 100 spaces, including a reduction from 6 to 4 handicapped spaces, is being requested. Considering the overlap in use of the structures (i.e., guests in suites will be same using restaurant) this request seems reasonable. Staff notes, however, that the data provided on the development plan is not consistent with the parking proposed in the development plan text.

Relation to surrounding area – The site is surrounded by large lot single family residences, as well as agriculture. A public restaurant in this location does not seem appropriate as part of this proposal. Staff may support a private dining/catering facility. Additional mounding and buffering than what is suggested on the plan would help to lessen the level of disturbance of the neighbors to the east.

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:

It would if the items noted in Section V of this report are resolved.

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

Staff Comment:

No. The requested rezoning from Farm Residence District (FR-1) to Planned Commercial and Office District (PC) and the proposed use do not adhere to the planned designation of low density single family.

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

Staff Comment:

If the combined treatment/land application sewer system receives approval from the OEPA and if water service is available, and storm water management are designed properly, this proposal will not have an adverse affect on health and safety; however, there are concerns that the proposed use's level of activity will disturb the adjacent single family property owners.

VII. Staff Recommendation

Staff recommends **Conditional Approval** of the request to rezone from FR-1 to PC for Lloyd Hagerty, Jr. to the DCRPC, Scioto Township Zoning Commission and Scioto Township Trustees, *subject to the resolution of the items noted in Section V and VI of this report.*

Commission / Public Comments

Mr. David Dye, attorney with Bailey Cavaleri was present to answer questions from the Commission. Mr. Dye explained that he understands that additional information would be required prior to the Township meeting. He stated that the OEPA has reviewed and conceptually approved the plan. He said the plan reflects the concept of the current development but allows for future development. He further noted that this project is a low intensity use developed to enhance and encourage recognition of a rural getaway area. He also stated that the parking divergence currently being requested may be withdrawn due to the scaling down of the outbuildings.

Mr. Andrian asked what the maximum number of occupants in the restaurant would be. Mr. Tony Colosimo of 3D/Group Inc. stated that the restaurant is planned as a high end, upscale restaurant. The dining room would seat 90-100 people, with reservations only. Dinner is proposed at \$50-\$75 per plate.

Mr. Gunderman asked if the commercial use the applicant mentioned a ¼ mile away was in the planning stages. Mr. Sanders explained that at Ostrander Road and US 36 there is some potential for a commercial area but nothing in the works.

Mr. Miller made a motion to recommend Conditional Approval of the rezoning request by Lloyd Hagerty, Jr., subject to staff comments. Mr. Andrian seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

29-07 ZON The Cromwell Corp. – Liberty Twp. – 8.046 acres from PC & PR to PERRC

The Cromwell Corp is requesting a rezoning on the southwest corner of SR 315 and Manning Parkway, in Liberty Township. The applicant is requesting to rezone 8.05 acres [2.8 acres currently zoned Planned Commercial (PC) and 5.2 acres currently zoned Planned Residential (PR)] to PERRC for the construction of a 33,124 square feet (floor plate) nursing home facility. The application includes both a Preliminary Development Plan and a Final Development Plan. This is a revision of a case reviewed in 2005.

I. Conditions

Present Zoning: Planned Commercial (PC) and Planned Residential (PR)

Proposed Zoning: Planned Elderly or Retirement Residential Community (PERRC)

Present Use: Single-family residential farm with 2 existing cell towers

Proposed Use: Planned elderly nursing home facility

School District: Olentangy Local School District

Utilities Available: Del Co Water, Delaware County Sanitary Sewer

Critical Resources: Steep slopes (>20%) along 2 ravines, possible heritage site

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

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

LyE2: Lybrand Silt Loam (18 to 25% slopes), eroded

ScA: Scioto Silt Loam (0 to 2% slopes)

II. General

This development, Loch Lomond Residence Village, is proposed to contain 50 bedroom units for nursing home care. The applicant's proposal is to develop the 8.05-acre site with a two-story building. Each unit will have from 283 to 307 square feet of living space containing a bedroom and 49 square feet bathroom.

In accordance with Section 11.02, the applicant has pledged to limiting occupancy to persons 55 years of age or older (code requires at least 80% of the occupants to be 55).

The proposed uses are permitted in Section 11.03 with a "state approved license for nursing home care." Assisted living facilities are allowed in the code, but this facility will be strictly nursing care. Any applicable license should be obtained and presented to the township prior to issuance of any compliance certificates for the proposed land uses. Proposed support services are permitted in Section 11.04 as accessory uses. The plan shows offices for medical, non-profit or administrative use contained within the one proposed building. This is a requested divergence from the code.

Surrounding land uses include a Delaware County Olen tangy Environmental Control (OEC) sewage treatment facility to the east, single-family residential (Mount Air Subdivision) to the south, vacant lands owned by the applicant to the west and commercial offices (Fitch of Columbus) a Planned Residential-zoned subdivision (Loch Lomond Estates) and an undeveloped PC-zoned lot on the north side of Manning Parkway.

III. Conformance with Local Comprehensive Plan

The 2006 Liberty Township Comprehensive Plan acknowledges the Planned Commercial (PC) zoning of 2.8 acres and 5.3 acres of Planned Residential (PR) zoning. Elderly housing would be an appropriate use relative to those existing zonings, and the facility will generate traffic limited to employees and guests.

IV. Conformance with Development Standards

The development plan shall incorporate the standards stated in Section 11.08. The following standards are not fully met. Some divergences were requested.

1. **Access** – "Requires frontage on and direct access to, one or more dedicated improved public roads. Ideally, three means of ingress/egress should be provided for more than 50 units of housing."

***Staff Finding:** The development plan indicates an ingress/egress access at an existing crossover point on Manning Parkway. This crossover may need to be upgraded as a result of this development, based on trip generation. The township and applicant should work with the County Engineer to determine whether the crossover is appropriately constructed. A right-in/right-out access point on State Route 315 has been approved and included in the plan.*

2. **Minimum tract size** – "40 acres, or as approved per plan."

***Staff Finding:** This 8.05-acre site is a significant divergence from the 40-acre standard, but with only a single building and 74% open space, this can be approved "per plan".*

3. **Density** – "Permitted (net) density – Maximum of 5 units per acre of next developable acre."

***Staff Finding:** DCRPC calculated the Net Developable Acreage for the site to be 5.732 acres. Per Section 11.08(3), this results in a permitted density of 28 dwelling units on the site. The proposed density (50 units) will require a divergence. However, the impacts per unit vary widely from the impacts per single-family unit. Therefore, granting the divergence is appropriate.*

4. **Preservation Areas** – “Wetlands, steep (over 20%) slopes, forests, 100-year floodplains, ravines and noted wildlife habitat shall be preserved to the greatest extent possible.”

Staff Finding: *The site does exhibit areas with slopes greater than 20%. However, the building footprint is oriented in such a way as to require only moderate cut-and-fill. Two “versa-lok” retaining walls are shown on the Development Plan. These appear to scale off at a maximum height of about 6 feet.*

5. **Perimeter Area** – The applicant is requesting divergences for driveways within 60 feet to the north and 46 feet to the west, with parking 70 feet from the west. The requirement is for a 100-foot perimeter setback.

Staff Finding: *The site is in a generally commercial area and impacted with existing telecommunication towers and proximity to the OECC. The slope to the west provides buffering for future uses. Therefore, this divergence is appropriate, and allowed “per plan.”*

V. Required Findings for PERRC

The Zoning Commission and Trustees may approve an application requesting that property be included in the PERRC zoning district, provided they find that the proposed use complies with all of the following requirements:

1. That the proposed development is consistent in all aspects with the purpose, criteria, intent, and standards of this Zoning Resolution.

Staff Finding: Perhaps. If the density and tract size are acceptable to the Township.

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

Staff Finding: Yes, the proposed use appears appropriate.

3. That the proposed development advances the health, safety, and morals of the township and the immediate vicinity.

Staff Finding: Yes.

4. That the proposed plan meets all of the design features required in this Resolution.

Staff Finding: Generally, except for the requested divergences.

5. That the proposed development is in keeping with the existing land use character and physical development potential of the area.

Staff Finding: The proposed building will certainly be unique in the area, but the site is impacted by SR 315 and the treatment plant. The site may not be appropriate for residential or retail/commercial. The proposed nursing home facility could be a suitable transitional use.

6. That the proposed development will be compatible in appearance with surrounding land uses.

Staff Finding: The building has been redesigned from the initial proposal to have a less significant visual impact. This building would be compatible with the nearby offices and treatment plant.

VI. DCRPC Staff Recommendation

DCRPC staff recommends **Conditional Approval** of the 8.05 acre rezoning from PR and PC to PERRC for Loch Lomond Farm Co. for the Loch Lomond Residence Village, to the Liberty Township Zoning Commission, Township Trustees and the DCRPC, *subject to the township approving all requested divergences.*

Commission / Public Comments

Mr. Ted Hardesty with the Edge Group was present to represent the applicant. He explained that the original footprint was too large for this site so they reduced the size to work better with the contours of the site. The number of units was reduced which allowed for all the parking to be behind the building.

Mr. Miller made a motion to recommend Conditional Approval of the rezoning request by the Cromwell Corp., subject to staff comments. Mr. Sedlacek seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

30-07 ZON Roger Brown – Berkshire Twp. – 12 acres from PCD to A-1

I. Request

The applicant, Roger Brown c/o Northstar Land, is requesting a rezoning from PCD to A-1 for 12 acres currently part of the proposed Northstar development.

II. Conditions

- Location:** West side of N Galena Rd, 4000' north of US 36/37, Berkshire Township
- Present Zoning:** Planned Commercial District (PCD)
- Proposed Zoning:** Agricultural District (A-1)
- Present Use(s):** Vacant/Agricultural
- Proposed Use(s):** Agricultural
- Existing Density:** N/A
- Proposed Density:** 1 du / 5 acres in A-1
- School District:** Big Walnut Local School District
- Utilities Available:** Del-co water and Central sewer with land application (Northstar treatment plant)
- Critical Resources:** Creek along east side of site
- Soils:** BeA: Bennington Silt Loam (0 to 2% slope)
 - BeB: Bennington Silt Loam (2 to 4% slope)
 - CaB: Cardington Silt Loam (2 to 6% slope)
 - CaC2: Cardington Silt Loam (6 to 12% slope)
 - AmD2: Amanda Silt Loam (12 to 18% slope, eroded)

III. Staff Comments

The purpose of the rezoning is to convey a 12 acre strip of land along the north side of the proposed Northstar commercial development to the adjacent land to the north owned by Roger Brown. The applicant would continue to use the ground for agricultural purposes. The original Northstar development plan generally proposed this strip to be a buffer from the adjacent land to the north. When the Northstar final development plan is submitted for the balance of the PCD, it will be required to provide buffering along the new north boundary line.

Surrounding land use is mostly agriculture and large lot residential, with the proposed Northstar infrastructure being constructed to the south and east. Interstate 71 is along the west side of the tract.

IV. Staff Recommendations

Staff recommends **Approval** to rezone 12 acres from PCD to A-1 for Roger Brown to the DCRPC, the Berkshire Township Zoning Commission and the Berkshire Township Trustees.

Commission / Public Comments

Mr. Roger Brown was present.

Mr. Gladman made a motion to recommend approval of the rezoning request by Mr. Brown. Mr. Gunderman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

31-07 ZON Carl Gioffre Concrete Const. Inc. – Orange Twp. – 6.113 acres from FR-1 to PC

Location: North side of Lewis Center Road, east of the N&W Railroad/Conrail tracks, Orange Twp.

I. Request: Carl Gioffre Concrete Construction Inc. is proposing a four-building business park to be developed along the railroad. Initially, two buildings will be built to the front and rear of the site. The sizes of the buildings are as follows:

- Building A: 8,400 square feet (first phase)
- Building B: 7,500 square feet (future)
- Building C: 9,000 square feet (future)
- Building D: 6,000 square feet (first phase)
- Total: 30,900 square feet

Staff notes that the square footage of Building B is inconsistent on the Development Plan.

Building A is designed to allow for up to seven individual tenants, each with a bathroom and storage/mechanical area. It is assumed that larger users could combine these spaces as needed. The other two future building follow the same format, with the building to the north including six vehicle bays with overhead doors.

The site has had industrial uses over the years, notably the Lewis Center Mill. It is heavily compacted, additional agricultural acreage is being added to the east to provide appropriate soils for on-site sanitary. The acreage also provides additional setback from undeveloped land to the east.

II. Conditions

Present Zoning: FR-1, Farm Residential

Proposed Zoning: PC, Planned Commercial and Office

Present Use: Vacant

Proposed Use: Commercial park

School District: Olentangy

Utilities Available- Del Co Water, on-site sanitary system

Soils: BoA Blount Silt Loam, 0-2% slope

 GwB Glynwood Silt Loam, 2-6% slope

 PwA Pewamo 0-2 % slope

III. Issues

1. Uses – There is no commitment to specific uses for this application.
Staff comment: *Staff assumes that the applicant would be interested in all permitted uses in the Planned Commercial and Office district be allowed at this location. However, uses should be limited to those appropriate for this type of development, where all business takes place within the building. These should be defined by NAICS numbers.*
2. While the application states this land is zoned Farm Residential, the RPC zoning map indicates the 3.419 acres owned by Gioffre is currently Planned Commercial and the additional 2.694 acres from Evans Capital Investments is zoned FR-1.
Staff comment: *This should be corrected in the application.* (Mr. Gladman noted that the zoning map was incorrect and the land was currently designated FR-1.)
3. Proposed traffic patterns and their relationship to existing conditions – There is one designed access drive from Lewis Center to this site. It is appropriately located across from 3rd Street (Public) to the south. The application states that there is no relationship to existing and probable uses of the surrounding areas during the development timetable.
Staff comment: *This may be true, but there will clearly be development of surrounding areas in the long term. The plan should allow for possible joint future access to uses to the east. The Comprehensive Plan indicates a 200-foot wide swath of the Evans tract as appropriate for Planned Commercial. As development occurs to the east, this access might best be platted as a private street (ideally, public), with access provided to future development on the Evans tract. For the same reason, parking stalls directly on the access road should be directed toward the west, keeping the drive closer to the eastern edge of the property.*

The zoning application did not indicate a traffic study. The impact of small office uses may be minor, but the County Engineer staff indicates a traffic study will be required.
4. Driveway and access – The application states that the initial driveway entrance and first parking lot will be paved but that as the drive extends to the north it will be gravel and other parking lots will be gravel.
Staff comment: *The width of the street appears to be about 22 feet, which is appropriate. All driveways and parking areas should be paved with an asphalt material, as required in the zoning code. Additionally, the Fire Chief requires all drives to withstand 70,000 pounds under all weather conditions.*
5. Signage – a pedestal (monument) sign is indicated.
Staff comment: *Additional detail should be provided showing how individual tenants will be identified. In a “village” setting, signs hanging above each door (either parallel with or perpendicular to) the front wall would be appropriate.*
6. No sidewalks are shown on the development plan.
Staff comment: *If this were to someday become a small downtown as part of a redeveloped Lewis Center, sidewalks along the drive/street would be desirable with other street amenities such as street lamps, street trees, etc. If these amenities are not added, this has the potential to look like a stand-alone strip center, possibly mirrored with a second stand-alone strip center to the east.*
7. A detention pond is indicated on the development plan.
Staff comment: *An appropriate outlet is not indicated. This should be resolved during the development/platting phase.*
8. Architectural renderings are submitted. The proposed building has an A roof with lap siding and a stucco stone base level. Window and door detail is appropriate on the south and east sides of the building.
Staff comment: *The renderings appear to fit a traditional style called for in the Comprehensive Plan. The applicant states that different materials will be used on the northern and western sides of the buildings. Ideally, all sides should have a consistent look and create a cohesive neighborhood center.*

9. Utility letters are provided, including an application to the Health Department with an approval stamp for an on-site system. The application does not give detail as to what this approval would allow on the site or the size of buildings or approved uses. A previous review by the OEPA indicated that a mound system could work for a limited number of employees and limited water use (no showers, food preparation facilities, restaurants or chemicals). Staff assumes the approval is for the initial phase of construction only. Sewer service is available nearby (Village at Alum Creek to the southeast and proposed Meadows at Lewis Center to the east). Any on-site system should be considered temporary until sewer can be brought to the site.

IV. Conformance with the Comprehensive Plan

1. The 2001 Orange Township Comprehensive Plan map recommends Planned Commercial, with a proposed Park and Ride lot for possible rail commuter service. In Chapter 13, goal 6,d.) and Sub Area 14 recommend:
 - Goal 6, d.): “Encourage a historic looking storefront commercial as part of the redevelopment of Lewis Center between the railroad and the northerly extension of 4th street on the north side of Lewis Center Road.”
 - Sub Area 14: “Develop a traditional downtown with zero-foot setbacks, shops and stores on the sidewalks, and angle parking in front on the north side of Lewis Center Road, east of the railroad tracks. Develop a new text for this mixed use district with decorative street lighting, restrictive sign code, architectural standards for materials, scale and mass.”

The zoning request generally conforms to the Orange Township Comprehensive Plan, if the development plan were amended to address issues that are not covered by the application (lighting, sidewalks, individual signage, etc.).

2. Regarding the Park and Ride lot, the Home/Lewis Center bypass (as shown on the Orange Township Comprehensive Plan and the adopted county thoroughfare plan) will leave several odd-shaped parcels of land on the Del-Co land south of Lewis Center Road. If not provided for as part of this application, a transit-related lot could be located south of Lewis Center Road as part of the future acquisition of the Home Road extension or could be incorporated into development to the east or north of this site.

V. Required Findings for Planned Districts

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

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

Staff Finding: *The overall development plan is generally consistent with the general standards of the resolution; though more detail needs to be provided.*

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

Staff Finding: *Yes, but some details with regard to signage, sidewalks, lighting, etc. need to be resolved.*

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

Staff Finding: *The development plan generally does advance the general welfare of the township and the immediate vicinity.*

VI. DCRPC Staff Recommendation

Staff recommends **Conditional Approval** of the 6.113-acre rezoning by Carl Gioffre Concrete Construction Inc. to the DCRPC, Orange Twp. Zoning Commission, and the Orange Twp. Trustees, *subject to the resolution of issues raised in items III and IV above.*

Commission / Public Comments

Mr. Carl Gioffre was present. He stated that all the lighting would be down lighting in soffits with no pole lights. He explained that the building to the rear of the project would be used for his concrete business. He suggested the front building could be used for offices, dry cleaners, or possibly a flower shop.

Mr. Gladman explained that Orange Township has a 1 step zoning process. The applicant would be required to submit a list of permitted and non permitted uses for the buildings. Later if those uses would change, the applicant would need to go through the rezoning process for a change in use.

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

32-07 ZON Genoa Twp. Zoning Commission – Genoa Twp. – open space definition and misc.

I. Introduction: The Zoning Commission has initiated several changes to the township’s zoning text, including:

- Specifies an internal reference for “Uses not Specifically Mentioned”.
- Removes third party ownership of open space in the “Open Space” definition.
Staff comment: This is a logical request, given recent attempts to put high-intensity recreational uses in Open Space areas. The open space ownership in the PRRCDC district should definitely be limited to prevent such ownership that could have an inverse impact on the residential uses. However, there may be situations in other districts where it is appropriate to have a third party ownership in some of the open space, such as a golf course or public institution such as a school.
- Clarifies the definition of Prohibited Uses in seven similar locations.
- Improves the wording of the minimum acreage required for a PD-1 (Planned Residential) zoning.
- Improves the wording of the minimum acreage required for a PD-2 (Planned Commercial) zoning.
- Adds a maximum square footage of 65,000 square feet within the PD-2 district.
Staff comment: This is fairly typical language and the 65,000 size is used to limit big box uses. However, other townships that have adopted this limitation have used it in specific locations, allowing larger uses where there is access to major arterial roads. The township should check with the Prosecutor’s office before placing a limitation throughout the entire township.
- Removes from PD-2 Permitted Uses the phrase that allows other business uses not specifically prohibited and establishes a process for the BZA determines which uses are substantially similar to those listed as permitted.
- Improves the wording of the minimum acreage required for a PD-3 (Planned Industrial-Warehouse) zoning.
- Adds a maximum square footage of 65,000 square feet within the PD-3 district.
Staff comment: This is fairly typical language and the 65,000 size is used to limit big box uses. However, other townships that have adopted this limitation have used it in specific locations, allowing larger uses where there is access to

major arterial roads. The township should check with the Prosecutor's office before placing a limitation throughout the entire township.

- Removes from PD-3 Permitted Uses the phrase that allows other business uses not specifically prohibited and establishes a process for the BZA determines which uses are substantially similar to those listed as permitted.
- Improves the wording of the minimum acreage required for a PD-4 (Planned Office) zoning.
- Adds a new section to define the process whereby the BZA may determine that a proposed use which is not specifically allowed as a permitted use is “substantially similar” enough to be allowed.

Staff comment: *The Township has consulted with legal counsel regarding all proposed changes. As this relates to process, this should also be reviewed by the Prosecutor.*

II. DCRPC Staff Recommendation

Staff recommends **Conditional Approval** for the proposed text changes in the township's zoning code to the DCRPC, the Genoa Township Zoning Commission and the Genoa Township Trustees, *subject to the comments in this report.*

Commission / Public Comments

Mr. Andrian made a motion to recommend Conditional Approval of the text amendments for Genoa Twp., seconded by Mr. Gunderman. VOTE: Majority For, 0 Opposed, 1 Abstained (Mr. Clase). Motion carried.

IV. SUBDIVISION PROJECTS

Preliminary

09-07 Fiddler's Creek – Concord Twp. - 29 lots / 42.50 acres

I. Conditions

Applicant: William Adams

Location: South side of Home Rd 2000' east of Concord Road, Concord Twp.

Current Land Use: Vacant

Zoned: Farm Residential District (FR-1)

Utilities: Del Co. water and individual septic tanks with communal leach field.

School District: Buckeye Valley

Engineer: Chenevey and Piccin

II. Staff Comments

Fiddler's Creek is a proposed conservation subdivision. It includes 29 lots on 42.558 acres (0.68 du/acre) with 23.7 acres being set aside for permanent open space (55.7%). This site includes a creek and ravine that meanders from the northwest corner to the south and east. The main road serving this development is Fiddler's Creek Drive which extends south from Home Road then west to Concord Road. Meadow Bend is a short loop street on the west side of Fiddler's Creek Drive and Morningwood Court is a cul-de-sac on the east side. Lots generally range from 0.3 to 0.5 acres in size and all are contiguous to open space. Drainage is to be controlled by a retention pond in Reserve A and a couple of water quality basins adjacent to the stream in Reserve B.

Public sewer is not available to the site, so in an effort to preserve open space the subdivision will utilize a

communal leaching system (constructed wetland). Each lot will have an individual septic tank and a collector sewer line to send the effluent to the treatment area in the open space (Reserve B). The system, which requires OPEA approval, would be maintained by the Homeowners Association through a third party (either Delaware County or an approved Public Utilities Agency). The ownership / maintenance needs to be determined and a PTI obtained prior to final platting.

A technical review was held on May 22, 2007, after which the applicant has addressed all of the required changes.

III. Staff Recommendation

Staff recommends *Approval* of **Fiddler's Creek** to the RPC.

Commission / Public Comments

No one was present to represent the applicant.

Mr. Smelker stated that there are no systems of this type in Delaware County. He suggested that the applicant put the collection area in a space where it would be easily connected to central sewer when it becomes available. He also asked if the applicants were required to obtain a permit to discharge. He explained that a PTID is a renewable permit and that the OEPA could deny the discharge permit if central sewer was available.

Mr. Leitch stated that Mr. Adams had committed to correctly sizing the pipes for future central sewer hook up. He also stated that the HOA would contract with someone under PUCO to maintain the plant.

Mr. Miller made a motion for Preliminary Approval of Fiddler's Creek. Mr. Sedlacek seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Mr. Leitch). Motion carried.

14-07 T Maxtown Subdivision, Lot# 3460, Division #2 – Genoa Twp. - 01 lots / 0.653 acres

Applicant: Home Depot USA Inc.
Engineer: RD Zande

I. Staff Comments

The applicant has requested a 90-day tabling to resolve TRC comments.

II. Staff Recommendation

Staff recommends *Approval of the 90-day tabling* for the **Maxtown Subdivision, Lot# 3460, Division #2** to the RPC.

Commission / Public Comments

Mr. Shoaf made a motion to approve the 90-day table request for Maxtown Subdivision, Lot# 3460, Division #2. Mr. Gunderman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

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

I. Staff Comments

Algoma Farms requested and was granted a 30-day tabling in October. The applicants wish to extend that request to the full 90 days allowed. This required no extra fees.

II. Staff Recommendation

Staff recommends approval of this request to the RPC.

Commission / Public Comments

Mr. Gladman made a motion to approve the remaining 60 days tabling for Revised Algoma Farms. Mr. Sedlacek seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

15-07 Green Meadows Industrial Park, Phase 1, Lot # 709, Division # 1 – Orange Twp. –
02 lots / 15.679 acres

Applicant: 401 East Powell Road, LLC

Subdivision Type: Commercial

Location: north side of East Powell Road, both sides of Green Meadows Dr., Orange Twp.

Current Land Use: Vacant, former industrial site

Zoned: Planned Commercial and Office

Utilities: Del-Co water and County Sewer

School District: Olentangy

Engineer: EMH&T Inc., Jeffrey Strung

I. Staff Comments

Green Meadows Industrial Park, Phase 1 was originally platted in June, 1983. The parcel was the former site of a distribution center. The land was rezoned by the township in 2006 for potentially five outparcels and a large parcel which could house a strip retail use. In 2007, the County acquired part of the site and realigned Green Meadows Drive so that it meets Green Meadows Drive South at a full intersection. The signal was moved to the intersection, improving the traffic flow and stacking distance at Powell Road and U.S. 23.

The two lots currently under review will likely be subdivided further, after a Final Development Plan is approved by the township. At that time, the development of the site will potentially require turn lanes and widening along Green Meadows Drive. The site is surrounded by other commercial development.

A technical review was held on November 20, 2007, after which the applicant has addressed all of the required changes.

II. Staff Recommendation

Staff recommends *Preliminary Approval* of **Green Meadows Industrial Park, Phase 1, Lot #709, Division #1** to the RPC.

Commission / Public Comments

Mr. Jeff Strung with EMH & T was present to represent the applicant.

Mr. Miller made a motion for Preliminary approval of Green Meadows Industrial Park, Phase 1, Lot #709, Division #1. Mr. Gunderman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

Preliminary/Final

16-07 **Wedgewood Commerce Center, Section 3, Lot# 2960, Division #1 – Liberty Twp. -
01 lot / 06.485 acres**

Applicant: The Benchmark Group

Subdivision Type: Commercial

Location: west side of Sawmill Road, south of Attucks Drive, Liberty Twp.

Current Land Use: Vacant

Zoned: Planned Commercial

Utilities: Del-Co water and County Sewer

School District: Olentangy

Engineer: Geo-Graphics, Inc., B. James Forth

I. Staff Comments

Wedgewood Commerce Center, Section 3, Lot #2960 was originally platted in February, 1997. Zoning requires a plat and additional land is being added from Lot 4616 to the north. The site will include 5 multi-tenant office/commercial buildings. No further subdivision is expected at this time. Two driveways access the development, one from Sawmill Road and the other from Attucks Drive.

The site is surrounded by commercial/retail to the west, future commercial to the north, single-family lots which are seeking rezoning to higher densities to the east and apartments to the south.

A technical review was held on November 20, 2007, after which the applicant has addressed all of the required changes.

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

II. Staff Recommendation

Staff recommends *Preliminary and Final Approval* of **Wedgewood Commerce Center, Section 3, Lot #2960, Division # 1** to the RPC.

Commission / Public Comments

Mr. George Switzer of Geo-Graphics was present to represent the applicant.

Mr. Miller made a motion for Preliminary and Final approval of Wedgewood Commerce Center,

Section 3, Lot #2960, Division #1. Mr. Sedlacek seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

CONSENT AGENDA

Final

02-03.2 Walnut Grove Estates, Section 2 – Genoa Twp. - 36 lots / 28.656 acres

Applicant: Walnut Grove Estates, Inc.

Subdivision Type: Single-family Residential

Location: East side of Worthington Rd, north side of Big Walnut Rd, Genoa Twp.

Current Land Use: Single-family residential

Zoned: Planned Residential District, (PD-1), with conservation standards

Utilities: Del-Co water and public sewer

School District: Olentangy

Engineer: RD Zande

I. Staff Comments

Walnut Grove Estates, Section 2 contains 36 lots on 28.656 acres. The entrance from Worthington Road (Braymoore Drive) aligns with the access to Mansard Estates to the west. Mahogany Drive is extended from Section 1 (located to the east) into this section and continues north then east where it stubs to the east boundary for potential adjacent development. An existing house at the northwest corner will remain but will take access from Braymoore Drive rather than directly from Worthington Road. This section includes 6.1 acres of open space in 3 reserve lots. The 3.2 acre open space lot to the south will be utilized as a park and tot lot. A detention pond will be provided in the 2.2 acre open space lot to the east. Minimum lot size will be 10,400 s. f. and all lots will be served by Del-co water and County sewer.

The site is surrounded by residential land use, including Walnut Grove Estates Section 1 to the east, Mansard Estates to the west and Jardin Estates to the north. There are also large road frontage lots of 1+ acre along Worthington Road (to the west) and Big Walnut Road (to the south). The preliminary plan for Section 2 was approved in March 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 the **Walnut Grove Estates, Section 2** to the RPC.

Commission / Public Comments

Mr. Andrian made a motion for Final approval of Walnut Grove Estates, Section 2. Mr. Gunderman

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

07-07 Mansard Estates, Section 1, Lot # 7451, Division #1 – Genoa Twp. - 04 lots / 09.228 acres

Applicant: Jay Scott Gillis
Subdivision Type: Single-family Residential (CAD)
Location: West of Worthington Rd. off Braymoore Dr., Genoa Township.
Current Land Use: Single-family residence
Zoned: Planned Residential District (PD-1)
Utilities: Del-Co water and sanitary sewer
School District: Olentangy Local School District
Engineer: EMH&T

I. Staff Comments

Mansard Estates, Section 1, Lot #7451, Division #1 is a proposed 4-lot subdivision of 9.228 acres. Access to this site was originally from Worthington Rd., just north of where Braymoore Dr. now intersects. The drive has been removed and access is now from Braymoore Dr. This new drive will be utilized as a Common Access Driveway (CAD). Lot 7451 will be divided into 4 lots, ranging from 1.04 to 2.67 acres.

The site is surrounded by single family residential, zoned PD-1 and RR. The preliminary plan was approved in July 2007.

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 **Mansard Estates, Section 1, Lot #7451, Division #1** to the RPC

Commission / Public Comments

Mr. Andrian made a motion for Final approval of Mansard Estates, Section 1, Lot #7451, Division #1. Mr. Gunderman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

10-06 Orange Centre – Orange Twp. - 08 lots / 59.962 acres

Applicant: The Glimcher Company
Subdivision Type: Future condominiums and commercial/office
Location: Southeast of US 23 and Orange Rd., and west of Highfield Dr., Orange Township.
Current Land Use: Open Field

Zoned: Multi Family Planned Residential (MFPRD); Planned Commercial and Office (PCD)
Utilities: Del-Co water and public sewer
School District: Olentangy
Engineer: Civil and Environmental Consultants

I. Staff Comments

The Orange Centre subdivision is part of the 141 +/- acre Orange Village Centre development. Orange Centre contains 6 large lots and 2 reserves on 59.962 acres. It includes an east-west access road (Hidden Ravines Drive) extending from US 23 to Highfield Drive and a north-south access road (Orange Center Drive) extending from Orange Road to Hidden Ravines Drive. Four of the proposed lots (2 along US 23 and 2 along Orange Road) are zoned Planned Commercial and will be developed for commercial and office use. The remaining two lots are zoned Multi Family Planned Residential and have been approved for condominium development. These MFPRD lots are currently being considered for rezoning back to PCD by the township. Reserve A located north of the Williamsburg Cemetery will provide parking for the cemetery. Reserve B is just east of the cemetery and will be a future extension of Orange Center Drive to the south boundary when the adjacent land to the south is developed.

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. The preliminary plan was approved in June 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 the **Orange Centre**, to the RPC.

Commission / Public Comments

Mr. Andrian made a motion for Final approval of Orange Centre. Mr. Gunderman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

VI. EXTENSIONS (none)

VII. OTHER BUSINESS

- **Consideration for Approval: 2008 Membership Dues**
Mr. Gladman made a motion to approve the 2008 Membership Dues as presented. Mr. Miller seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.
- **Consideration for Approval: 2008 RPC Budget**
Mr. Miller made a motion to approve the 2008 RPC budget as presented. Mr. Sedlacek seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

VIII. POLICY / EDUCATION DISCUSSION *(none)*

IX. RPC STAFF AND MEMBER NEWS *(none)*

The next meeting of the Delaware County Regional Planning Commission will be Thursday, December 20, 2007, 7:00 PM at the Delaware Hayes Services Building, 140 N. Sandusky Street, Conference Room G-35, Delaware, Ohio 43015.

At 8:15 p.m., Mr. Miller made a motion to adjourn the meeting. Mr. Gladman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

Holly Foust, Chairperson

Stephanie Matlack, Executive Administrative Assistant