



**DELAWARE COUNTY
REGIONAL PLANNING COMMISSION**

50 Channing Street, Delaware, Ohio, 43015 Phone 740 -833-2260 Fax 740-833-2259

Philip C. Laurien, AICP, Executive Director

* *MINUTES* *

**Thursday, November 30, 2000 at 7:00 PM
Delaware Joint Vocational School Auditorium
1610 St. Rt. 521, Delaware, Ohio 43015**

I. ADMINISTRATIVE BUSINESS

- Call to order
- Roll Call
- Approval of October 26, 2000 RPC Minutes
- Executive Committee Minutes of November 22, 2000
- Statement of Policy
- **MS Consultants presentation: Status of the Draft Thoroughfare Plan**

II. VARIANCES

III. ZONING MAP/TEXT AMENDMENTS

- 58-00 ZON Brenda Cohn – Trenton Twp. - .893 acres from CB to FR
- 59-00 ZON Ann Edwards – Trenton Twp. – 76.9 acres from CB to FR
- 60-00 ZON Steve & Kelly Baden – Trenton Twp. – 3.1685 acres from FR to RR
- 61-00 ZON Charles Day, Bradley Walker – Berlin Twp. – 8.221 acres from C to PID
- 62-00 ZON **W/D** Clyde Rammelsberg, Elsic Antrim–Genoa Twp.–214.10 acres from RR to PD-1
- 63-00 ZON Ohio Dept. of Natural Resources – Ind’l Minerals Permit application
- 64-00 ZON Richard Mott – Troy Twp. – 1.69 acres from FR-1 to HSD

IV. SUBDIVISION PROJECTS

Preliminary

		Twp.	Lots/Acres
11-00	The Oaks at Highland Lakes, Ph.’s 1-6	Genoa	214 lots / 192.05 acres
46-00	Rusk Subd. #2	Orange	03 lots / 06.68 acres
45-00	AIDA	Troy	03 lots / 10.28 acres

Preliminary/Final (none)

Final

42-00	Roesland No. 7	Berlin	03 lots / 08.76 acres
15-00 T	Highland Lakes North, Section 7	Genoa	19 lots / 09.70 acres
05-00.2 T	Highland Hills at the Lakes, Section 2	Gen/Ora	50 lots / 22.06 acres
26-00.2	Orange Point Commerce Park, Section 2	Orange	01 lots / 08.80 acres
19-99.1	Olde State Farms, Section 1	Orange	56 lots / 35.34 acres

T=TABLED

V. EXTENSIONS (none)

VI. OTHER BUSINESS

- **Consideration for approval of Bose Acoustic Wave Portable Sound System: \$1438.85**

VII. POLICY / EDUCATION DISCUSSION

I. ADMINISTRATIVE BUSINESS

■ Call to Order

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

■ Roll Call

Representatives present: Don Poland, John Schmidt, Robert Hedrick, Jim Ward, Debbie Martin, Loretta Firis, Chad Antle, Chris Bauserman, Leslie Warthman, Cy Schmidt, Bill Shively, Holly Foust, Dick Gladman, Bill Thurston, Marvin Miller, Hansel Waugh, Robert Wood, and Kevin Moran. Arrived after roll call: Gary Spanner (R). *Staff present:* Phil Laurien, Paul Deel, Mike Bissett, Jiyeong Lee, Da-Wei Liou and Stephanie Matlack.

■ Approval of the October 26, 2000 RPC Minutes

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

■ November 22, 2000 Executive Committee Minutes

1. Call to order

Chairwoman Foust called the meeting to order at 8:30 a.m. Present: Holly Foust, Dick Gladman, Loretta Firis and Larry Starling. Jim Ward was absent. Staff present: Phil Laurien, Jiyeong Lee and Stephanie Matlack.

2. Approval of Executive Committee Minutes

- a. **October 18, 2000 – Mr. Gladman made a motion to approve the minutes of the last meeting, seconded by Mr. Starling. VOTE: Unanimously For, 0 Opposed. Motion carried.**

3. Old Business

- a. **Office Space** – Mr. Laurien stated that Mr. Fowler of the County Building Department expressed his need for the space the DCRPC currently uses for storage and a small conference room. Mr. Laurien explained that if there was adequate space elsewhere to store the files, it wouldn’t be a problem to move. One option was the basement of the County Engineer, which after inspection was not a viable solution due to the possibility of water damage to the files. Further discussion will be conducted on this matter.

b. Term Life Insurance- At the request of the Exec. Comm. at the October meeting, Mr. Laurien presented the Committee with several quotes with restrictions on potential insured's with past cancer patients. The Committee agreed to fund term life insurance coverage with Fortis Ins., even though Mr. Laurien will not be covered due to recent cancer treatment.

c. Subdivision Regulations - Chairwoman Foust asked if we received any comments from Attorney Brosius yet. Mr. Laurien stated that we have not received comments from Attorney Brosius or from the Prosecutors office. He stated that there were additional amendments since sending the copies for review to both offices. Chairwoman Foust suggested bringing them to the next Exec. Comm. meeting.

When discussing invoices from Attorney Brosius' office, Mr. Laurien stated that he would like to receive itemized bills. *Miss Firis made a motion to require itemized invoices from Attorney Brosius before payment will be authorized. Mr. Gladman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

4. New Business

a. Financial / Activity Reports for October 2000

The Financial report for October was presented:

Ending balance as of 9/30/00		\$527,491.26
<u>Receipts</u>	<u>October</u>	<u>YTD</u>
General Fees (NPA)	\$ 6,700.00	\$
25,345.00		
Inspec. Fees (Transfer)	\$ 200.00	\$ 1,400.00
Fees A (Site Review)	\$	\$ 2,800.00
Membership Fees	\$	\$122,277.00
Planning Surcharge (Twp. Assist.)	\$ 4,307.24	\$ 26,987.45
Charges for Services A (Prel. Appl.)	\$ 1,000.00	\$ 79,649.95
Charges for Services B (Final Appl.)	\$ 9,770.00	\$107,551.60
Charges for Services C (Ext. Fees)	\$	\$ 1,050.00
Charges for Services D (Table Fees)	\$ 800.00	\$ 2,400.00
Charges for Services E (Appeal/Var)	\$ 300.00	\$ 2,400.00
General Sales	\$ 721.34	\$ 5,833.86
Health Dept. Fees	\$ 440.00	\$ 16,380.00
Soil & Water Fees	\$ 200.00	\$ 3,875.00

Other Reimbursements	\$	\$ 156.00
Other Reimbursements A	\$	\$ 150.00
Other Reimbursements B	\$	\$ 50.00
Inter-fund Revenues	\$	\$ 0
TOTAL	\$24,438.58	\$398,306.52

Balance after receipts \$567,161.56

Expenditures \$27,710.38

End of October balance \$539,451.18

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

b. Projections to year-end – Mr. Laurien presented an approximate revenue / expenditure report for the year end 2000. Approximate revenue \$451,279, approximate expenditure \$441,552, leaving a positive balance of approximately \$9,727 (not including the cash carry forward).

c. November RPC Preliminary Agenda – 6 rezonings, 3 preliminary, and 5 finals (2 of which have requested a 30 day tabling). The three Trenton Twp. applications are being requested to eliminate spot zonings. The request from The Ohio Dept. of Natural Resources is due to the request from National Lime and Stone who wish to add 685 acres to their quarry mine. Their request must be in conformance with the Comprehensive Plan (Frank Elmer plan). Mr. Laurien stated that he is waiting for a copy of the quarry plan.

d. Contracts –

- 1.) **Concord, Trenton and Kingston Twp.'s** - Mr. Laurien has met with all three and all would like to contract with the RPC to do their comprehensive plans. Mr. Laurien has signed a contract with Kingston Twp., which won't begin until 2001 (when the Berkshire plan is completed).
- 2.) **Berkshire Twp.** - plan has been reviewed by their sub committee and Mr. Laurien is in the process of making those revisions. 2 copies of the plan will be given to the Zoning Commission. Once, the Zoning Commission reviews the plan, DCRPC will print copies for library use and make CD's available to those on the sub committee.

3.) **Village of Shawnee Hills** – met last week with 200-300 residents to discuss development issues regarding the sewer system

e. **Sound System (portable)** – At the request of Chairwoman Foust, Mr. Laurien presented information on a portable sound system for RPC meetings. After review of the portable lecterns and speaker systems, the BOSE system was the best quality. The BOSE Acoustic Wave system for \$1438.00 would include the sound system (radio/cd), travel case and two microphones.

Mr. Gladman made a motion to recommend purchase approval of the Bose Acoustic Wave system to the Regional Planning Commission, seconded by Miss Firis. VOTE: Unanimously For, 0 Opposed. Motion carried.

f. **Server and GIS computer** – Mr. Lee presented the Committee with quotes from Dell for a server and a computer for the GIS Technician (Da-Wei Liou). Mr. Lee explained that he met with Clint Matlack (Co. Engineer System Administrator) and Steve Lewis (Director of Data Center) and Jerry Walraven (Data Center Network Administrator), all agreed that the Dell Poweredge 4400 would serve the needs of the DCRPC's web site. They agreed to allow the DCRPC to use the County's T-1 line and house the server in our office instead of at Mid Ohio Net. The DCRPC would pay the Data Center \$250/month (same cost if we were to house the server at Mid Ohio Net) so that they can upgrade the bandwidth.

Mr. Lee also presented the Committee with a Dell quote on a new system for Mr. Liou. This new system would include more memory and processing speed. The quote includes a new monitor, which will replace the Admin. Assistant's. That monitor is approximately 8 years old and on several occasions has blacked out.

Mr. Gladman made a motion to approve the purchase of the server and the GIS computer. Mr. Starling seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

(The above purchases have been previously approved by the DCRPC. They haven't been purchase yet due to the office space situation.)

g. Subscriptions

(1.) **Planning Commissioners Journal** – Mr. Laurien suggested that the DCRPC pay for additional subscription of the Planning Commissioners Journal for the dues paying members. The cost of the annual subscription is \$18.00 and \$9.00 each additional subscription. Chairwoman Foust suggested bringing copies of the most recent Journal to the RPC meeting next week and having the Commission see if they would be interested in receiving it.

h. **Bonuses** – Mr. Laurien stated that in the past year, bonuses were discussed at the November meeting, but would like to postpone discussion until the Dec. 20th meeting. At that meeting the Committee will be presented with an accounting of overtime hours worked.

5. **Other Business** (none)

6. **Personnel** (none)

7. **Adjourn**

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

Meeting adjourned at 10:00 a.m.

The next Executive Committee meeting will be Wednesday, December 20, 2000 at 8:30 a.m. in the 2nd Floor conference room at 50 Channing Street, Delaware, Ohio, 43015

■ **MS Consultants presentation: Status of the Draft Thoroughfare Plan**
Mr. Jim Bixby and Ms. Valerie Croasmun of MS Consultants were present to discuss the proposed draft Thoroughfare Plan (See attachments on pages 22 and 23.)

■ **Statement of Policy**

As is the adopted policy of the Regional Planning Commission, all applicants will be granted 10 minutes to make their formal presentation. The audience will then be granted up to 10 minutes to speak, at which time the chair will allow questions from the members of the Commission. This policy was adopted by the Regional Planning Commission to provide for the orderly discussion of business scheduled for consideration.

II. VARIANCES (none)

III. ZONING MAP/TEXT AMENDMENTS

58-00 ZON Brenda Cohn – Trenton Twp. – 0.893 acres from CB to FR

The applicant is requesting to rezone 0.893 acres of a 60-acre lot from Community Business (CB) to Farm Residential (FR)

Conditions

- Location:** North side of Perfect Road, east of Centerburg Road
- Present Zoning:** Community Business (CB)
- Proposed Zoning:** Farm Residential (FR)
- Present Use:** Open Space
- Proposed Use:** Residential
- Existing Density:** N/A
- Proposed Density:** 1 unit / 5 acres
- School District:** Big Walnut
- Utilities Available:** Private well and private septic
- Soils:** Sloan Silt Loam (0-2 percent slopes) - SnA
Centerburg Silt Loam (6-12 percent slopes) – CeC2
Bennington Silt Loam (0-2 percent slopes) - BeA

Staff Comments

The site was spot zoned for community business in the past and has had no development over the years since. This 0.893 acre portion of the larger 60-acre tract consists of a ravine running along the north side of Perfect Road and no structures. The applicant would like the acreage to revert back to its original designation of farm residential with a 5-acre minimum lot size.

Staff Recommendation

Staff recommends *approval* of the 0.893 acre rezoning from Community Business (CB) to Farm Residential (FR) to the RPC, Trenton Twp. Zoning Commission, and the Trenton Twp. Trustees.

Commission / Public Comments

No one was present to represent the applicant.

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

59-00 ZON Ann Edwards – Trenton Twp. – 76.9 acres from CB to FR

The applicant is requesting to rezone a 76.9-acre tract from Community Business (CB) to Farm Residential (FR)

Conditions

- Location:** East and west side of Creek Road, north of N. Old 3C Highway
- Present Zoning:** Community Business (CB)
- Proposed Zoning:** Farm Residential (FR)
- Present Use:** Agricultural/Residential
- Proposed Use:** Agricultural/Residential
- Existing Density:** N/A
- Proposed Density:** 1 unit / 5 acres
- School District:** Big Walnut
- Utilities Available:** Private well and private septic
- Soils:** Sloan Silt Loam (0-2 percent slopes) - SnA
Cardington Silt Loam, (2-6 percent slopes) - CaB
Bennington Silt Loam, (0-2 percent slopes) – BeA
Pewamo Silt Loam, (0-1 percent slopes) – PwA
Gallman Silt Loam, (2-6 percent slopes) – GbB
Amanda Silt Loam, (12-18 percent slopes) – AmD2
Jimtown Silt Loam, (0-2 percent slopes) - JmA

Staff Comments

The site was zoned for community business approximately 30 years ago to permit horse shows with a food stand on the east side of Creek Road. The site has had no additional development and there are no longer horse shows, only stables. The 76.9-acre tract consists of a home, barn and woods on the west side of the site with out-buildings and Big Walnut Creek running through the east side. The applicant would like the acreage to revert back to its original designation of farm residential with a 5-acre minimum lot size.

Staff Recommendation

Staff recommends *approval* of the 76.9 acre rezoning from Community Business (CB) to Farm Residential (FR) to the RPC, Trenton Twp. Zoning Commission, and the Trenton Twp. Trustees.

Commission / Public Comments

Mr. Miller made a motion to recommend approval of the rezoning request by

Ann Edwards. Mr. Spanner seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

60-00 ZON Steve and Kelly Baden – Trenton Twp. – 3.1685 acres from FR to RR

The applicant is requesting to rezone a 3.1685-acre portion of an 8.27-acre tract from Farm Residential (FR) to Rural Residential (RR)

Conditions

- Location:** South side of Ross Road at the intersection of Boston Road
- Present Zoning:** Farm Residential (FR)
- Proposed Zoning:** Rural Residential (RR)
- Present Use:** Vacant
- Proposed Use:** Residential
- Existing Density:** 1 unit / 5 acres
- Proposed Density:** 1 unit / 3 acres
- School District:** Big Walnut
- Utilities Available:** Private well and private septic
- Soils:** Bennington Silt Loam, (0-2 percent slopes) – BeA
Bennington Silt Loam, (2-4 percent slopes) – BeB
Pewamo Silt Loam, (0-1 percent slopes) – PwA
Centerburg Silt Loam, (2-6 percent slopes) - CeB
Centerburg Silt Loam, (6-12 percent slopes) – CeC2

Staff Comments

The site is currently two jointly owned parcels (5.85 and 2.4 acres) with the same address. The applicant wishes to divide the tract leaving one 5-acre parcel with a house and another pie shaped 3 plus acre lot at the corner of Boston and Ross Roads. The three-acre parcel requires a rezoning to RR. There is some Pewamo soil on the 3-acre site. The development plan shows the leach fields within this soil. In order to rezone the property the applicant must show the township that this is in fact a buildable lot. Since Trenton Twp. has no comprehensive plan, there is no policy to deny spot rezonings from FR to RR.

Staff Recommendation

Staff recommends *conditional approval* of the 3.1685 acre rezoning from Farm Residential (FR) to Rural Residential (RR) to the RPC, Trenton Twp. Zoning Commission, and the Trenton Twp. Trustees, subject to the applicant showing that

there are sufficient soils on the property that are acceptable for leaching.

Commission / Public Comments

Mr. and Mrs. Steve and Kelly Baden were present. Mr. Baden stated they are proposing to purchase the 3.168-acre parcel from their friends to build their home.

Mr. Spanner asked why they weren't rezoning the whole parcel. Mr. Baden stated that they were only buying the 3.168 acres parcel and didn't feel the need to rezone the remaining acreage.

Mr. Gladman made a motion to recommend conditional approval of the 3.1685-acre rezoning requested by Mr. and Mrs. Baden, subject to staff comments. Mr. Thurston seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

61-00 ZON Charles Day & Bradley Walker – Berlin Twp. - 8.221 acres from FR-1 to Planned Industrial (PID)

Location: West side of Columbus Pike (US Route 23), north of Hyatts Road in Berlin Township, Charles Day, optionee.

I. Conditions

- Present Zoning:** Farm Residence (reverted from Planned Commercial)
- Proposed Zoning:** Planned Industrial for the portion of the Hetrick land in Berlin Township (8.221 acres).
- Present Use:** Vacant wooded lot
- Proposed Uses:** 468 mini storage buildings, office
- Existing Density:** 1 unit/acre in FR-1
- School District:** Olentangy
- Utilities Available-** Del Co Water
- Soils:** CaB Cardington 2-6% slope
CaC Cardington 6-12% slope
- Surrounding Land Uses:** East- US 23; South, Mini storage lockers, Oak Furniture Store; West, vacant wooded lot (Hetrick) and Grief Brothers Office Park; North, Thermo-Core commercial builders, Columbus and Southern Electric power lines.

II. General Background

John Hetrick owns 12.872 acres of land (D.B. 490, page 486) which is divided by the Liberty/Berlin Township line. The 8.221 acres seeking zoning is the Berlin Township portion of the 12.872-acre tract. This proposal for Planned Industrial zoning was requested to allow the construction of 468 mini storage buildings on the Berlin Township portion of the Hetrick tract, leaving 4.651 landlocked acres in Liberty Township zoned Farm Residential.

The 8.221 acres was previously zoned in 1988, again in 1991, and again in 1996 (DCRPC Case 50-96 ZON).

The 1996 zoning to Planned Commercial in Berlin township was based upon a site plan that showed a six lot commercial development with a central access road linking US 23, Hyatts Road, and the backland in Liberty Township.

Since the land did not develop, the development plan expired. The Berlin Township zoning officer has declared that the 8.221-acre zoning has reverted to Farm Residential.

III. Issues

There are numerous problems with this requested rezoning.

1. The zoning development plan would create a landlocked parcel on the Hetrick 4.6-acre remainder in Liberty Township.
2. The request should be for Planned Commercial and Office, not Planned Industrial. PID permits manufacturing uses that are inappropriate at this location.
3. The mini warehouse use may be inappropriate at this site. There already are mini warehouses to the south of this site. Does the township want 750 continuous feet of mini warehouse along US 23? This is an attractive site for higher value commercial use, such as offices, which would enjoy its wooded nature. Even if the township does approve of the mini warehouse use, there needs to be access to the west, north and south through this site.
4. By carving out 8.221 acres of the overall 18.837 acres held by Hetrick and Berlin Holdings Inc. this piecemeal zoning does not accomplish the

access management goals of the comprehensive plan. There is no provision on the development plan for the 60' wide easement for a future commercial "Backage" road as recommended on the Berlin Township Comprehensive Plan and the ODOT US 23 Access Management Plan.

The letter from Thomas Lyden (ODOT) requests an easement on the Liberty Township 4.6 acres for the future US 23 backage road, but the road has already begun its layout straddling the township line with dedicated easements on Greif Brothers and NFS QAL to the north. The Hetrick tract was expected to extend the backage road to the south by dedicating a 60-foot easement straddling the township line. The US 23 Access Management plan seeks an extension of this backage road to Hyatts Road, as shown on the development plan for 50-96 ZON.

5. Orange Township has received a request for office zoning for the Judith Pettit house and land on the south side of Hyatts Road west of US 23. This zoning, if approved, could extend the backage road across to the former Speed Way Gas/Halfway House properties. The only unfortunate outcome of such US 23 backage road construction is the creation of a residential island comprised of the Hoover, Cossin and Bean residences on the north side of Hyatt's Road between the backage road and US 23. It may be appropriate to think of these three homes as temporary, and transitioning to office/commercial in the future if ODOT builds the backage road.
6. The development plan is incomplete.
 - a.) The application states that this is a "preliminary" development plan and that all items lacking will be submitted on the final development plan. Berlin Township does not have a preliminary development plan in its planned industrial district. All items must be shown on the development plan submitted for zoning.
 - b.) There will be no crossover traffic permitted by ODOT on US 23. The plan should show a right-in, right-out only.
 - c.) No landscape plan is included.
 - d.) No architectural standards are submitted.
 - e.) No sign detail is submitted.
 - f.) The drainage is not shown except to show it runs to a pond off the site proposed for zoning. No easement for off site drainage is on the development plan.

IV. Required Findings for PID Zoning

The Zoning Commission and Trustees may approve a PID zoning 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.

DCRPC Staff Finding: The overall development plan is not consistent with the general standards of the resolution.

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

DCRPC Staff Finding: The proposed development plan is not in conformity with the comprehensive plan or portion thereof as it may apply. The zoning does not conform to the recommendation for Planned Commercial in the 1999 Berlin Township Comprehensive Plan. It does not provide an easement to extend the US 23 backage road as proposed in the Comprehensive plan.

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

DCRPC Staff Finding: The proposed zoning to PID for 468 units of mini storage warehouse, with the development plan submitted, does not advance the general welfare of the township and the immediate vicinity.

V. DCRPC Staff Recommendation

DCRPC staff recommends to the DCRPC, the Berlin Township Zoning Commission and the Berlin Township Trustees that the request for Planned Industrial zoning for 8.221 acres on US 23 in Berlin Township be **denied**.

Commission / Public Comments

Mr. Charles Day was present on behalf of himself and Mr. Bradley Walker, co applicant. He stated that they were actually purchasing 18.86 acres and it already has two 60' accesses on the backs of the properties onto Hyatts Road. He met with Tom Lyden of ODOT who showed him a plan that shows the road further beyond his property connecting to Hyatts Rd.

Mr. Laurien stated that the Regional Planning Commission is required to review the

plan submitted to see if it meets the standards of the zoning code and the comprehensive plan. It does not. Therefore the RPC must recommend denial. He suggested to the applicant to meet with the RPC staff prior to the zoning hearing to discuss what would need to be done to be in conformance with the zoning code and the comprehensive plan.

Mr. Rick Gemienhardt, Berlin Twp. resident, stated that he concurs with the staff report. This zoning request does not meet the new comprehensive land use plan. There are very limited commercial opportunities in Berlin Twp. and would like to see it maximized for the tax base. He questioned whether there are enough opportunities for row storage in the Township.

Mr. Spanner questioned the need for the road to be located on this property, since the lands to the north were vacant. The property to the south is planned industrial. The previous zoning on this property was also planned industrial. Mr. Bauserman stated that there was a previous development plan that was acceptable that addressed these issues on this piece of property. Now they're coming back with a plan without those elements that were acceptable previously.

Mr. Bauserman stated that by simply changing the application from planned industrial to planned commercial doesn't address some of the deficiencies in the development plan. The previous plan showed a connection from US 23 back to the proposed access road. The new plan blocks any access from US 23 back to the parallel service road, which is an important element of the access management plan on US 23.

Mr. Gladman made a motion to recommend denial of the rezoning request by Mr. Charles Day and Mr. Bradley Walker, due to staff and Commission comments. VOTE: 17 For, 0 Opposed, 2 Abstained (Berlin Twp. and Concord Twp.). Motion carried.

62-00 ZON Clyde Rammelsberg & Elsic Antrim – Genoa Twp. – 214.10 acres from RR to PD-1

***** Leslie Warthman, Genoa Twp. Zoning Officer faxed the RPC office a request to withdraw this application from the agenda. Therefore it was not discussed at the meeting. *****

63-00 ZON Request to comment on the ODNR Minerals Permit by National Lime and Stone for a 685-acre quarry expansion, S. Section Line Road, Scioto Township.

Location: West side of S. Section Line Road, from US 36 to Airport Road (approximately) Scioto Township.

I. Conditions

Present Zoning: Farm Residence (four parcels), Industrial, and Quarry districts

Proposed Zoning: None requested in this application to ODNR.

Present Use: Quarry, vacant wooded lot

Proposed Uses: Limestone Quarry

School District: Buckeye Valley

Surrounding Land Uses:

East- Farmland

South-Farmland

West-wooded lots, large-lot single family residential on Klondike Road North-Farmland, some scattered large-lot single family residential on US 36

II. General Background

Mining operations require permits from the Ohio Department of Natural Resources, Division of Mineral Resources Management. Under the Ohio Revised Code, the Director of the Division of Mineral Resources Management may not approve a permit for a mining operation that does not comply with an adopted comprehensive plan.

Scioto Township has no adopted comprehensive plan. DCRPC has an adopted regional comprehensive plan. Therefore, DCRPC has been asked by ODNR to comment on National Lime and Stone's (NLS) request to expand their mining permit.

NLS received a permit to quarry 289.4 acres in 1988. In 1989, 7.8 acres was added (3/29/89, ODNR permit # IM 207-1). In 1992, NLS received ODNR permit # IM 207-2 to add an additional 30.2 acres to the mining operation, for a total of 327.4 acres. NLS now wishes to add 685.3 acres for a total of 1012.7 acres of mining operation.

III. Issues

1. The DCRPC adopted the 1993 Delaware County Master Plan. Scioto Township lies within the south planning sub area. The South Planning Area Land Use Plan 1993 shows the 685 acre land area in question to:
 - a.) have lands that are in quarry usage
 - b.) lands which are suitable for development but outside the sewer service area
 - c.) lands that are unsuitable for development due to Pewamo soils which cannot support septic systems.

Pewamo soils are no impediment to quarry use. The 1993 DCRPC Land Use Plan for the South Planning Area does not further define the proposed land uses for this 685 acres by textual description. More definition would be desirable in a locally adopted land use plan, but there being none, it must be inferred that the 685 acre quarry expansion does not conflict with the 1993 DCRPC adopted comprehensive plan.

2. Zoning- The application states that all the territory in the requested change to the IM 207 permit is
 - a.) "To include additional areas purchased and zoned for quarrying, and areas already owned and grandfathered and never permitted.
 - b.) New areas required a zoning change."

According to the Scioto Township zoning map in the DCRPC GIS archives, there are four parcels that may require rezoning to quarry use. Unless it has been, or can be, shown that these parcels have been "grandfathered" under previous usage as quarry prior to the adoption or amendment of township zoning, the following parcels owned by NLS are still zoned Farm Residential and require a zoning change from Scioto Township.

- a.) 3.86 acres with house at 1514 S. Section Line Road. Delaware County Auditor's Parcel # 52044001057000.
- b.) 1.14 acres with house at 1482 S. Section Line Road, Delaware County Auditor's Parcel # 52044001056000.

- c.) 48.38 acres, part of which is in quarry usage, and woods, Delaware County Auditor's Parcel # 42011001030000.
- d.) 8.090 acres, vacant land, Delaware County Auditor's Parcel # 42011001020000.

IV. Findings

- 1. **DCRPC Staff Finding:** The overall development plan may require future rezoning in Scioto Township for the four parcels identified above.
- 2. **DCRPC Staff Finding:** The proposed development is in conformity with the adopted 1993 Delaware County Master Plan, specifically the South Planning Area Land Use Plan.

V. DCRPC Staff Comments to ODNR

DCRPC staff recommends that the IMA 207-3 permit for 685 acres of limestone mining in Scioto Township be approved subject to local zoning review for conformity.

VI. DCRPC Staff Comments to Scioto Township Zoning Commission and Trustees

Request that the township confirm the zoning status of the four parcels identified as still being zoned Farm Residential, and make a decision as to whether they are "grandfathered" as prior existing use or rezoning is required.

Commission / Public Comments

No one was present to represent the applicant.

Commissioner Ward asked how this would effect the Thoroughfare Plan with expanding Section Line Road as a main road. Mr. Laurien stated that there is a proposal for Sawmill Parkway to link up with Section Line Rd. right in front of the quarry. This would allow the gravel trucks to go south and move around the City of Delaware. Mr. Laurien stated that he doesn't believe it will have an adverse effect on the Thoroughfare Plan, but the Thoroughfare Plan may have a beneficial effect on the quarry.

Mr. Bauserman stated that he believes the ODNR standards for quarrying limit them from coming closer than 100 feet to the existing road right-of-way. Which would still leave adequate room for additional lanes and ROW to expand the roadway without getting into a quarrying cliff.

Mr. Bauserman stated that the Quarry opens the rear gate on Klondike Road. The Engineer's office gets many calls of complaints when this happens. Can the

RPC incorporate into the comments a preference for there not to be an access of operation onto Klondike Road? Mr. Laurien stated that the code requirement says the Director can not issue a permit that the mining operation does not conform to the adopted comprehensive plan. It is not clear if the Thoroughfare Plan would be interpreted that way under that statute, but feels it's appropriate to make the comment regarding Section Line Road as a possible north/south arterial.

Mr. Miller made a motion to adopt the staff findings in the effect the proposed development is in conformity with the 1993 Delaware County Master Plan and forward the meeting minutes including the County Engineer's comments to ODNR. Mr. Gladman seconded the motion. VOTE: Unanimously For, 1 Opposed (Concord Twp.). Motion carried.

64-00 ZON Richard Mott – Troy Twp. - 1.69 acres from FR-1 to Highway Service District

Location: West side of Columbus Pike (US Route 23), north of Irwin road and south of Radnor Road, in Troy Township

I. Conditions

Present Zoning: Farm Residence

Proposed Zoning: Highway Service District.

Present Use: Vacant former house lot with large trees

Proposed Use: "Sale of barns, fencing and related materials"

Existing Density: 1 unit/acre in FR-1

School District: Buckeye Valley

Utilities Available- No water or sewer is available

Soils: MrB Morley 2-6% slope

BiA 0-2% slope

Surrounding Land Use: East- US 23, 8 lane section with four lanes experimental pavement and four relief lanes; South, farmland; West, farmland; North, Farmland.

II. General Background

Troy Township adopted the Highway Service District as a straight district with performance standards for future commercial use along US 23. The proposed use is permitted as a NAICS category 444, Building Material and Garden Equipment and Supplies Dealer. The proposed location is remote, and the change will not adversely affect any neighbors in northern Troy Township.

III. Issues

1. The 1989 Troy Township Comprehensive Plan recommends development of commercial uses along US 23. This site is recommended for General Highway Commercial uses.
2. There is no development plan required at the time of rezoning, but no zoning permit may be issued by the township until a site plan is submitted that complies with the performance standards of the HSD (new section XVI of the Troy Township Zoning Resolution).
3. The ODOT US 23 Access Management Plan shows the commencement of a frontage road along US 23 just south of this property. The existing “relief lanes” (extra four lanes) should be able to function as the frontage road for access to this site without disrupting traffic on the pavement test section four land divided highway.

IV. DCRPC Staff Recommendation

DCRPC staff recommends to the DCRPC, the Troy Township Zoning Commission and the Troy Township Trustees that the request for Highway Service District for 1.69 acres on US 23 in Troy Township be approved, subject to submission of a site plan to the township zoning officer as part of the zoning permit. The site plan should show conformity with all the performance standards in the Highway Service District.

Commission / Public Comments

Mr. Richard Mott was present.

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

IV. SUBDIVISION PROJECTS

Preliminary

**11-00 The Oaks at Highland Lakes, Ph.’s 1-6 – Genoa Twp. -
214 lots, 192.05 acres**

Conditions

Applicant: M/I Schottenstein Homes

Subdivision Type: Single-family Residential

Location: South side of Big Walnut Road and east side of Worthington Road

Current Land Use: Vacant farmland and woods

Zoned: Planned Residential District (PD-1)

Utilities: Del Co Water, Delaware County sanitary sewer.

School District: Olentangy

Soils: Alexandria (AdC2 & AdD), Bennington (BeA & BeB), Cardington (CaB & CaB2), Condit (CnA), Eel (Ee), Marsh (Mc), Pewamo (Pw), and Shoals (Sh)

Engineer: RD Zande & Associates

Background

The Oaks at Highland Lakes is a 192.05 acre development consisting of 214 single-family homes (154.53 acres) arranged around a series of interconnecting loop streets off Worthington Road and a through street to Big Walnut Road. Reserve H (37.52 acres) will be a future condominium site. The overall density is 1.70 du/acre including the condos, with the single family residential section containing 1.38 du/acre. Average lot size is 10,000 sq. ft. The existing tree lines will be preserved, which help to create a series of neighborhoods. There are 2 access points proposed for Worthington Road, one of which lines up with the entrance to the Highland Lakes North Subdivision to the west. Approximately 64.04 acres or 41.44 percent of the development is open space. A bike path will be provided throughout the eastern portion of the subdivision within open space reserves. Reserve F (4.28 acres) contains a retention pond and a future tot lot. DCRPC staff would request additional active recreation for the residents of this development.

DEL-Co can provide water to the site with a 10” line along Worthington Road and a 16” line along Big Walnut Road. Sanitary sewer is available through a connection with an existing line to the south. The Sanitary Engineer has indicated that there is capacity to serve this project. Columbia Gas can provide additional utility service.

The existing land use is agricultural fields separated by several tree and fence lines and a large wooded area in the southeast corner. The woods and some wetland areas will be preserved within 2 large open space reserves to be owned and maintained by the Genoa Township Land Conservation Association. There is a north-south flowing creek that divides the property. Adjacent lands include

residential to the north, west (Highland Lakes North), southeast (Blackhawk Forest Subdivision), and south. A farmstead with several outbuildings adjoins the northwest corner of the property. The land to the east is primarily wooded and natural vegetation. Surrounding zoning is mostly residential, including Planned Residential to the west and the remaining areas Rural Residential and Suburban Residential. There is a small area east of the site zoned Planned Commercial.

The application received a technical review on November 21, 2000 after which the applicant has addressed most of the required changes, except the following:

- A number of engineering issues need to be resolved with the County Engineer's Office

DCRPC Staff Recommendation

Staff recommends *conditional Preliminary approval* of The Oaks at Highland Lakes, Ph.'s 1-6 to the RPC, *subject to staff comments.*

Commission / Public Comments

Mr. Jason Coffee of RD Zande was present to represent the applicant. He will be working with the County Engineer's office to work out minor engineering issues and with the Township Zoning Officer for zoning issues.

Mr. Gladman made a motion for conditional Preliminary approval of The Oaks at Highland Lakes, Phases 1-6. Mr. Miller seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

46-00 Rusk Subdivision #2 – Orange Twp. – 3 lots (CAD), 6.683 acres

Applicant: Gary and Ruth Ann Rusk
Subdivision Type: Single Family Residential (CAD)
Location: South side of Lewis Center Road about 1200' east of Fourth Street
Current Land Use: Agricultural/Vacant/pond
Zoned: Farm Residential (FR-1)
Utilities: Del-Co water and private septic
School District: Olentangy
Engineer: Scioto Land Surveying Service

Staff Comments

The surrounding area is agricultural or large lot residential along the south side of Lewis Center Road. The plat includes a CAD accessing two lots (2.6 and 2.7 acres) as well as 3.16 acre that consists of a combination of lot 1293 of Rusk # 1 subdivision and the remainder of the original flag lot to the south. There is an existing pond on the southern portion of lot 3, which has frontage along the CAD. The site has a large amount of Pewamo soil, but adequate good soils for leach fields. Fire Chief Stewart requests a turnaround large enough for the largest truck in the fleet (65' outside radius and 35' inside radius). The turnaround proposed does not meet this requested size. Chief Stewart also requests that the CAD be constructed to support 80,000 lb. Vehicle. The fire chief is also requesting a fire hydrant on a minimum 6" waterline approximately 150' from the terminus of the common access drive. These issues will have to be resolved prior to final plat approval.

A technical review was held on November 21st, 2000, after which the applicant has addressed all of the required changes, except for the CAD construction and turnaround requests from the Fire Chief.

CAD's are approved at the discretion of the RPC. If Orange Township wishes to establish life safety and rescue standards for CAD's, the RPC may also make such requirements or deny the CAD. This is a new policy issue for the RPC.

Staff Recommendation

Staff recommends *conditional Preliminary approval* of Rusk Subdivision #2 to the RPC, *subject to the resolution of the turnaround, CAD strength and fire hydrant locations.*

Commission / Public Comments

Mr. Frank Celio of Scioto Land Surveying Service was present to represent the applicant. He stated that he recently received the comments from the Fire Chief and needs to meet with him to discuss his comments.

Mr. Gladman made a motion for conditional Preliminary approval of the Rusk #2 Subdivision, subject to staff comments. Mr. Moran seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

45-00 Aida Subdivision – Troy Twp. – 3 lots (CAD), 10.282 acres

Applicant: Dirt Land Company
Subdivision Type: Single Family Residential (CAD)

Location: West side of Horseshoe Road about 2280' south of Case Road.
Current Land Use: Agricultural
Zoned: Farm Residential (FR-1)
Utilities: Del-Co water and private septic
School District: Delaware City Schools
Engineer: Scioto Land Surveying Service

Staff Comments

The site is agricultural with the surrounding land being split into similar sized lots. There is open agricultural land to the east, Horseshoe Acres Subdivision to the north and Delaware City to the south of the site. The zoning of the site and surrounding area is Farm Residential with a one-acre minimum lot size. The CAD is to serve three lots at 2.2, 2.8 and 5.3 acres in size. The site is very flat with a large amount of Pewamo soil. There is adequate room for leach fields outside of the Pewamo soils and the CAD will have ditches to carry water to Horseshoe Road.

A technical review was held on November 21, 2000, after which the applicant has addressed all of the required changes.

Staff Recommendation

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

Commission / Public Comments

Mr. Frank Celio of Scioto Land Surveying Service was present to represent the applicant.

Commissioner Ward made a motion for Preliminary approval of the Aida Subdivision, seconded by Mr. Thurston. VOTE: Unanimously For, 0 Opposed. Motion carried.

Preliminary/Final (none)

CONSENT AGENDA

Chairwoman Foust asked if there were any cases the Commission wished to have removed from the consent agenda. Hearing none asked for a motion.

Mr. Miller made a motion for Final approval of the Roesland No. 7 Subdivision, Orange Pointe Commerce Park, Section 2 and Olde State Farms, Section 1. Mr. Moran seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

**Final
42-00**

Roesland No. 7 – Berlin Twp. - 03 lots, 08.76 acres

Applicant: Patricia Canter and Kirti Jackson
Subdivision Type: Single Family Residential (CAD)
Location: Western terminus of Roesland Drive on the west side of 3 B's and K Rd. south of
Dustin Rd.
Current Land Use: Residential
Zoned: FR-1
Utilities: DEL-Co water and private septic
School District: Olentangy
Engineer: Tim Huffman, Stults & Associates

Staff Comments

The site is surrounded by residential lots within other sections of the Roesland Subdivision to the west, south and east, and large lot residential to the north. The zoning of the site and surrounding area is Farm Residential with a one-acre minimum lot size. At the terminus of Roesland Drive is a 60' strip that serves two homes, one through an access easement. Patricia Canter's existing home is on a 5-acre tract that accesses from Roesland Drive. The new lot split would have to access from the 60' strip and would not have frontage on a public street, which forces a CAD subdivision. The subdivision will consist of three lots over 2 acres, with the CAD serving two lots within this subdivision and lot 361 from Roesland No.6 to the south. Lot 1298 accesses from Roesland Dr. The lot to the south currently has legal frontage on Africa Road but access from an easement over the 60' strip and will be a part of the maintenance agreement for the CAD in Roesland No.7.

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

Staff Recommendation

Staff recommends *Final approval* of the Roesland No. 7 Subdivision to the RPC.

Commission / Public Comments

Mr. Miller made a motion for Final approval of the Roesland No. 7 Subdivision. Mr. Moran seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

15-00 Highland Lakes North, Section 7 – Genoa Twp. - 19 lots, 09.70 acres

Applicant: Planned Communities
Engineer: Adam Long, EMH & T

Staff Comments

On behalf of the applicant, the engineer has requested to table this application for 30 days. The Subdivider's Agreement with the County Engineer is a no-bond agreement and the extra time that would be gained by tabling will allow completion of this project.

Staff Recommendation

Staff recommends approval of the 30-day tabling of Highland Lakes North, Section 7 to the RPC.

Commission / Public Comments

Commissioner Ward made a motion for approval of the 30-day table request for Highland Lakes North, Section 7, seconded by Mr. Gladman. VOTE: Unanimously For, 0 Opposed. Motion carried

05-00.2 Highland Hills at the Lakes, Sec.2 - Genoa & Orange Twp.'s - 50 lots, 22.06 acres

Applicant: Planned Communities
Engineer: Adam Long, EMH & T

Staff Comments

On behalf of the applicant, the engineer has requested to table this application for 30 days. The Subdivider's Agreement with the County Engineer is a no-bond agreement and the extra time that would be gained by tabling will allow completion of this project.

Staff Recommendation

Staff recommends approval of the 30-day tabling of Highland Hills at the Lakes, Section 2 to the RPC.

Commission / Public Comments

Commissioner Ward made a motion for approval of the 30-day table request for

Highland Hills at the Lakes, Section 2, seconded by Mr. Gladman. VOTE: Unanimously For, 0 Opposed. Motion carried

26-00.2 Orange Point Commerce Park, Section 2 – Orange Twp. - 1 lot, 08.80 acres

Applicant: Duke-Weeks Realty Corporation
Subdivision Type: Industrial
Location: East of US 23 and north of Orange Rd., Orange Twp.
Current Land Use: Vacant
Zoned: Planned industrial (PID) and Farm Residential (FR-1)
Utilities: Del-Co Water, public sanitary sewer
School District: Olentangy
Engineer: EMH & T

Staff Comments

Orange Pointe Commerce Park was rezoned in November 1990, from FR-1 to PI, (Case # 33-90ZON). Surrounding land use is commercial and light industrial to the south, a vacant field to the north (including overhead transmission lines) and west, and the Norfolk and Southern railroad tracks directly east of the site.

The Orange Pointe Commerce Park received overall preliminary approval in November 1995 (RPC # 44-95) for 43 lots on 158.3 acres. Phase 2 and 3 include 7 lots on 109.9 acres and will extend Orangepoint Drive easterly to ultimately connect with Green Meadows Drive, which will be extended to the north. This final plat includes the continuation of Orangepoint Drive to the east with a large lot for commercial development on the south side of the new road.

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

Staff Recommendation

Staff recommends final approval of the Orange Point Commerce Park, Section 2 subdivision to the RPC.

Commission / Public Comments

Mr. Miller made a motion for Final approval of the Orange Pointe Commerce Park, Section 2. Mr. Moran seconded the motion. VOTE: Unanimously For, 0

Opposed. Motion carried

19-99.1 Olde State Farms, Section 1- Orange Twp. - 56 lots, 35.337 acres

Applicant: Olde State Farms, Ltd.
Subdivision Type: Single-family Residential
Location: Behind 6867 S. Old State Road, Orange Twp.
Current Land Use: Agriculture and woods
Zoned: Single-family Planned Residential District, (SFPRD)
Utilities: Del-Co water and public sewer
School District: Olentangy
Engineer: EMH&T, Inc.

Staff Comments

This site was rezoned (case #24-98) to SFPRD in May 1998. It will gain access of off S. Old State Road and will link up to the proposed Abby Knoll to the south. This section will have a 4.598-acre Open Space/ No Build lot and an overall density of 1.58 du/acre. Coltsbridge Drive in this section will access from South Old State Road and continue east to connect to the future Section 2. Twin Pines Loop is a loop street that accesses from Coltsbridge and Bromfield Place is a small cul-de-sac extending from Twin Pines Loop. The preliminary for the overall Olde State Farms was approved on June 24th, 1999.

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

Staff Recommendation

Staff recommends *approval* of the Final plat of the **Olde State Farms, Section 1** to the RPC.

Commission / Public Comments

Mr. Miller made a motion for Final approval of Olde State Farms, Section 1. Mr. Moran seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried

V. EXTENSIONS (none)

VI. OTHER BUSINESS

• **Consideration for approval of Bose Acoustic Wave Portable Sound System: \$1438.85**

Mr. Laurien stated that at the request of Chairwoman Foust, he researched the possibilities of purchasing a portable sound system. After review of the options available with the office supply catalogs and the Bose system (which is also used at the Berkshire Twp. hall), recommended the Bose system to the Executive Committee for approval. The Executive Committee recommended approval at their last meeting.

Mr. Spanner made a motion to approve the \$1438.85 purchase for a new portable sound system. Mr. Shively seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

VII. POLICY / EDUCATION DISCUSSION

Having no further business, **Mr. Miller made a motion to adjourn the meeting. Mr. Moran seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.**

Meeting adjourned at 9:00 p.m.

The next meeting of the Delaware County Regional Planning Commission will be Thursday, December 28, 2000, 7:00PM at the Delaware Joint Vocational School North Campus, 1610 St. Rte. 521, Delaware, Ohio 43015.