



**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, December 19, 2002 at 7:00 PM**  
**Delaware Hayes Services Building,**  
**140 N. Sandusky Street, Conference Room G-35, Delaware, Ohio 43015**

**I. ADMINISTRATIVE BUSINESS**

- Call to order
- Roll Call
- Approval of November 21, 2002 RPC Minutes
- Executive Committee Minutes of December 11, 2002
- Statement of Policy

**II. VARIANCES**

- 62-95.V Ford Estates, No. 2 – requesting seventh lot of recorded subdivision to access CAD
- 13-96.3.V Thorton Woods, Phase 3 – requesting reduction from the 10% slope requirement for CAD

**III. ZONING MAP/TEXT AMENDMENTS**

- 52-02a ZON Mid-State Development Corp. – Orange Twp. – 5.58 acres from FR-1 to MFPRD
- 52-02b ZON Mid-State Development Corp. – Orange Twp. – 0.46 acres from FR-1 to SFPRD
- 53-02 ZON DDP Mailing & Printing – Radnor Twp. – 4.33 acres from FR-1 to PI
- 54-02 ZON Humane Society of Delaware County – Berlin Twp. - 6.425 acres from NCD to PCD
- 55-02 ZON Bruce Davidson – Genoa Twp. – 15.98 acres – PD-1, amendment to development plan

**IV. SUBDIVISION PROJECTS**

**Preliminary**

|       |                           | <b>Township Lots/Acres</b> |                         |
|-------|---------------------------|----------------------------|-------------------------|
| 26-02 | Woodland Glen             | Liberty                    | 42 lots / 60.37 acres   |
| 27-02 | Wedgewood Park, Section 2 | Liberty                    | 136 lots / 138.21 acres |

**Preliminary/Final** (none)

**Final**

|             |                                    |         |                       |
|-------------|------------------------------------|---------|-----------------------|
| 64-93.6.2   | Harvest Wind, Sec. 2, Ph. 6        | Genoa   | 02 lots / 05.62 acres |
| 64-93.2.7.1 | Harvest Wind, Sec. 2, Ph. 7, Pt. 1 | Genoa   | 42 lots / 18.27 acres |
| 13-02.A     | <b>T</b> Wedgewood, Section 2A     | Liberty | 06 lots / 03.64 acres |

03-02.1 Northpoint Meadows, Section 1 Orange 42 lots / 22.59 acres  
**T=TABLED, W=WITHDRAWN**

**V. EXTENSIONS** (none)

**VI. OTHER BUSINESS**

- Consideration of Approval: Gardner Architects \$1,702.00 (Construction coordination)
- Consideration of Approval: Loveland & Brosius \$5,328.06 (Susannah, TF Plan)
- Consideration of Approval: Health Dept. \$9,810.00 (Site Review and Prel., fees)
- Consideration of Approval: SWCD \$6,065.00 (Site Review and Prel. fees)

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

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**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, Jim Ward, Steve Burke, Gary Gunderman, Tom Hopper, Leslie Warthman, Holly Foust, Dick Gladman, Marvin Miller, and Hansel Waugh. *Alternates present:* Barry Bryant, Doug Riedel, and Lloyd Shoaf. *Arrived after roll call:* Gary Spanner (R), Bonnie Newland (R), and Shawn Leininger (A). *Staff present:* Phil Laurien, Paul Deel, Scott Sanders, Joe Clase, Da-Wei Liou, Bob Sochor and Stephanie Matlack.

**# Approval of the November 21, 2002 RPC Minutes**

*Mr. Spanner made a motion to approve the minutes of the previous months meeting, seconded by Mr. Miller. VOTE: Unanimously For, 0 Opposed. Motion carried.*

**# December 11, 2002 Executive Committee Minutes**

**1. Call to order**

Chairwoman Foust called the meeting to order at 8:30 a.m. Present: Holly Foust, Dick Gladman, Leslie Warthman, Steve Burke and Jim Ward. Staff Present: Phil Laurien and Stephanie Matlack.

**2. Approval of Executive Committee Minutes**

- a. **November 13, 2002** – Mr. Gladman made a motion to approve the minutes from the last meeting, seconded by Mrs. Warthman. **VOTE: 4 For, 0 Opposed, 1 Abstained (Mr. Ward). Motion carried.**

**3. Old Business**

- a. **Office Space** – Mr. Laurien presented the Committee with cost estimates for 109 N. Sandusky St. renovation. Total cost: \$355,092 (RPC=\$180,609 and County Commissioners \$174,483). There will be some additional costs (replacing the water heater, etc.) but the project is on time and under budget. Replacement of windows will begin the week of Dec. 23<sup>rd</sup>. Demolition is almost complete. There have been no unforeseen problems to date.

**4. New Business**

- a. **Financial / Activity Reports for November 2002**

The November Financial report was presented:

**Ending balance as of 10/31/02 \$493,929.61**

| <u>Receipts</u>                      | <u>November</u> | <u>YTD</u>     |
|--------------------------------------|-----------------|----------------|
| General Fees (NPA)                   | \$ 1,650.00     | \$ 19,540.00   |
| Inspec. Fees (Transfer)              | \$ 140.00       | \$ 1,060.00    |
| Fees A (Site Review)                 | \$ 200.00       | \$ 2,800.00    |
| Membership Fees                      | \$              | \$139,602.80   |
| Planning Surcharge (Twp. Assist.)    | \$ 2,955.39     | \$ 30,488.86   |
| Charges for Services A (Prel. Appl.) | \$              | \$11,100.00 \$ |
| 74,135.00                            |                 |                |
| Charges for Services B (Final Appl.) | \$ 5,700.00     |                |
|                                      | \$100,160.05    |                |
| Charges for Services C (Ext. Fees)   | \$              | \$ 1,650.00    |
| Charges for Services D (Table Fees)  | \$              | \$ 5,800.00    |
| Charges for Services E (Appeal/Var)  | \$ 600.00       | \$ 2,100.00    |
| General Sales                        | \$ 273.30       | \$ 6,038.04    |
| Health Dept. Fees                    | \$ 50.00        | \$ 9,810.00    |
| Soil & Water Fees                    | \$ 436.00       | \$ 5,889.00    |
| Other Reimbursements                 | \$              | \$ 216.66      |
| Other Reimbursements A               | \$ 78.04        | \$ 499.46      |
| Other Reimbursements B               | \$              | \$             |
| Canceled Warrants                    | \$              | \$             |

|                                |                     |                      |
|--------------------------------|---------------------|----------------------|
| Inter-fund Revenues            | \$                  | \$                   |
| <b>TOTAL</b>                   | <b>\$ 23,182.73</b> | <b>\$ 399,789.87</b> |
| <b>Balance after receipts</b>  |                     | <b>\$517,112.34</b>  |
| <b>Expenditures</b>            | <b>-</b>            | <b>\$70,690.31</b>   |
| <b>End of November balance</b> |                     | <b>\$446,422.03</b>  |

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

**b. Consideration for recommendation of approval:**

- (1.) **Health Department Fees:** \$9,810.00 collected on behalf of the Delaware General Health District for Site review and Preliminary application fees.
- (2.) **Soil and Water Conservation District:** \$6,065.00 collected on behalf of the Soil and Water Conservation District for Site review and Preliminary application fees.

*Mr. Gladman made a motion to recommend approval of the expenditures. Mrs. Warthman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

- c. **December RPC Preliminary Agenda** – Mr. Laurien stated that there are 2 variance requests, 5 rezoning applications, 2 preliminary and 4 final applications.

- d. **Consideration for recommendation of approval: Traffic Growth Management Study for Northern Franklin and Southern Delaware Counties (\$1,000.00)** – Mr. Laurien recommended approval of this expenditure. He stated that this study would show who would be making road improvements at the borders of the surrounding counties, proposed new roads and who is making the traffic impacts.

*Mr. Burke made a motion to recommend approval of the \$1000.00 expenditure, seconded by Mrs. Warthman. VOTE: Unanimously For, 0 Opposed. Motion carried.*

- e. **Consideration for Approval: Gardner Architects, construction coordination (November) \$1702.00** –

*Mr. Ward recommended approval of the \$1,702.00 expenditure for architect fees. Mr. Burke seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

- f. **Consideration for Approval: Loveland & Brosius, legal fees (Susannah, TF Plan) \$5328.06 –**  
*Mr. Gladman made a motion to approve the \$5,328.06 expenditure for attorney fees for October. Mr. Ward seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

**5. Other Business**

- a. **Contract Updates** – (see attached memo)
- b. **Thoroughfare Plan** – Mr. Ward stated that the Thoroughfare Plan is scheduled to be heard at the December 18<sup>th</sup> Commissioners meeting.

**6. Personnel** (none)

**7. Adjourn**

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

*The next Executive Committee meeting will be Wednesday, January 15, 2003 at 8:30 a.m. in the 2<sup>nd</sup> Floor conference room at 50 Channing St., 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**

Chairwoman Foust asked the for the court recorder to swear in any persons wishing to speak on the Ford Estates, No. 2 variance request. Court recorder Donna Chafins

swore in the individuals.

**62-95.V Ford Estates, No. 2 – requesting seventh lot of recorded subdivision to access CAD**

**Request**

Barrett Mortgage Services, Inc. requests a variance from Section 306.01 of the Subdivision Regulations to allow a seventh lot to access an existing 6-lot CAD in the Ford Estates 2 subdivision.

**Background**

Ford Estates 2 is a 7-lot subdivision on the north side of Ford Road in Liberty Township. It includes a 6-lot CAD, with the seventh lot (Lot 3141) fronting on Ford Road adjacent to the CAD. A variance was granted for the 6 lot CAD in 1996 and the subdivision was recorded in 1997. Four of the six lots on the CAD have been developed. The seventh lot owner, who is also the developer of the subdivision now seeks to allow the seventh lot access to the CAD.

The recorded maintenance agreement confers the CAD maintenance and expense to all seven lots in the Ford Estates 2 subdivision. The plat also requires all lot mailboxes and addresses to be located at the end of the CAD. So if the variance is granted neither the plat nor the maintenance agreement would have to be amended.

A drainage swale runs east to west through the middle of lot 3141. The proposed building pad is shown north of the swale and the leach fields are proposed in the front (primary) and rear (secondary) of the lot. The lot has 150 feet of frontage along Ford Road and the front leach field as approved on the development plan does not allow much room for a drive access to the future house, which is the primary reason the applicant wishes to take access from the CAD.

Section 306.07 of the subdivision regulations states that two lots contiguous to the CAD at the point of access to the public road may, at the discretion of the Commission, be accessed by the CAD for access management purposes. The staff supports combining curb cuts where possible, especially on roadways such as Ford Road that have experienced numerous road frontage lot splits with individual driveways.

It should be noted that the existing CAD driveway meanders outside the CAD easement into the northeast corner of Lot 3141. The CAD is currently located within the seventh lot. The developer is responsible for moving it back into the

easement.

**Criteria for a variance**

The burden is on the applicant to demonstrate in writing, each of the following:

- 1) The granting of this variance request shall not be detrimental to the public health, safety and welfare and not injurious to other parties.

**Findings:** The variance will eliminate a potential curb cut from Ford Road in an area where there are already numerous driveways within close proximity. There is no injury to adjacent properties.

- 2) The conditions upon which this variance request is based are unique to the property for which this variance is sought.

**Findings:** Lot 3141 is required to participate in the maintenance of the CAD and must locate its mailbox at the CAD entrance. Staff is not aware of any other CAD subdivision that requires a lot not utilizing a CAD to be partially responsible for maintenance of the driveway. Also, access from Ford Road is restricted because of the proposed location of the primary leach field in the front yard. These are circumstances unique to this property. It must be stated, however, that the developer created his own hardship, in part, by including the 7<sup>th</sup> lot in the CAD maintenance agreement when it did not have legal CAD access.

- 3) Due to the physical surroundings, shape, or characteristics of the property, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of the Delaware County Subdivision Regulations were carried out.

**Findings:** A swale through the middle of Lot 3141 results in leach fields located to the front and rear of the lot. The primary leach field in the front yard does not provide much room for access to Ford Road.

- 4) The granting of this variance will not vary the provisions of the applicable zoning regulations, comprehensive plans, or other existing development guidelines and regulations, nor shall it otherwise impair the intent and purpose of these regulations, or the desirable development of the neighborhood and community.

**Findings:** The subdivision conforms to both the Zoning and Comprehensive plan. It meets the criteria outlined in the Subdivision Regulations Section 306.07 with regard to frontage lots adjacent to a CAD. Staff is aware of some opposition to the 7<sup>th</sup> lot joining the CAD by one or more of the 6 CAD owners. DCRPC solicited a

legal opinion regarding this matter and was advised by counsel that all CAD buyers had notice that the 7<sup>th</sup> lot was part of the maintenance agreement as part of their title closing documents. Counsel feels lot 7 is entitled to access to the CAD, and that opinion supports a variance.

**Staff Recommendation**

Staff recommends to the RPC that the variance request by Barrett Mortgage Services, Inc. to allow a seventh lot to access the Ford Estates 2 CAD, be *conditionally approved* subject to:

The developer relocating the portion of the driveway crossing Lot 3141 back to within the CAD easement as drawn (and approved) on the CAD plans.

**Commission / Public Comments**

Ms. Liz Hazelbaker, attorney with Squires, Sanders and Dempsey was present to represent Barrett Mortgage.

Mr. Don King (1768 Ford Rd.) stated that he recently purchased the back lot of Ford Estates, No. 2 with the understanding that this was a 6 lot Common access driveway with a 7<sup>th</sup> lot that accessed from Ford Rd. (not the CAD). The 7<sup>th</sup> lot has made no payments to the maintenance of driveway. All six-lot owners are opposed to the 7<sup>th</sup> lot being added to the CAD. Mr. King doesn't feel the owner has presented a hardship to receive this variance.

Mr. Bruce Reiersen (1774 Ford Rd.) stated that he owns lot#3143 and #3142. When he purchased his lots he was also under the understanding that the CAD would only have 6 lots accessing it. The advertisement stated that there were 6 lots on the CAD but 7 lots in the CAD maintenance agreement.

Mr. Wendell Jahr (1770 Ford Rd.) stated that he is also opposed to the addition of the 7<sup>th</sup> lot to the CAD. He asked how the RPC could vote to amend a recorded CAD maintenance agreement. In order for the CAD agreement to change it doesn't take a vote from the Commission but rather the members that already have access to the CAD. He also stated that the residents did not find out about the application until about 10 days prior to the meeting and did not have time to seek legal representation.

Mr. Laurien stated that the RPC involvement is because the Subdivision Regulations do not allow for a subdivision to have more than 5 lots access a CAD.

Mr. King stated that the variance was previously approved for 6 lots on the CAD, why didn't the Commission approve the 7<sup>th</sup> lot to have access also? What are the

extenuating circumstances to receive RPC approval of the 7<sup>th</sup> lot when it didn't get approval back in 1996?

Mr. Spanner asked what the hardship is? Mr. Laurien stated that the leach field blocks the access to Ford Road. The 7<sup>th</sup> lot is included in the maintenance agreement, and was created by the same subdivision. DCRPC's legal counsel said the lot has access rights to the CAD for these reasons.

Mr. Ward asked what was the reason the residents didn't want the 7<sup>th</sup> lot to access the CAD and if the driveway is partly on lot #7? Mr. Jahr stated safety a concern. Mr. King stated that the additional access would decrease the value of his property, safety (adding another lot to the drive) and lot #7 has not made any payments to the maintenance and upkeep of the driveway.

Mr. Miller asked what the minutes stated from the 1996 variance? Chairwoman Foust stated that at the time of the approval there was no director to over see the staff recommendations. The minutes state that 6 flag lots were combined to a 7-lot subdivision with a 6 lot CAD. Mr. Miller stated that if the 7<sup>th</sup> lot is part of the plat with no restrictions on accessing the CAD, then they should be able to access it. Mr. Deel stated that the plat does not restrict against accessing Ford Rd. but it does restrict mailboxes and address to be at the CAD entrance for all lots.

Ms. Hazelbaker said that her client had not received a bill for the CAD maintenance but is willing to pay their share. Also, the driveway does not encroach onto the lot area of the 7<sup>th</sup> lot as it appears on the aerial photo. She stated that her client would pay for a survey to locate the boundary of lot #7.

**Mr. Miller made a motion to deny the variance request of Barrett Mortgage. Mr. Gunderman seconded the motion. HAND VOTE: 12 to deny the variance application, 2 Opposed to denial. Motion carried.**

Mr. Miller stated that the variance was not necessary. A 7-lot subdivision plat was approved and recorded along with a CAD maintenance agreement with 7 lots.

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**13-96.3.V Daniel Torchia, Theresa Doodan and Michael Doodan request a variance from the 10 percent slope requirement for a Common Access Drive in the Thorton Woods Phase 3 subdivision on McGinnis Road in Liberty Township.**

**I. Request**

The applicant has a CAD subdivision, which received overall Preliminary Approval in July of 1996. Phase 1 and 2 have been recorded. Phase 3 was approved in September of 2000, but not recorded. A slight adjustment was made to a lot line and the amended plat received Final Approval in December of 2001. The approved drive was adjusted in the field, during the time of construction, to avoid excessive grading and preserve a number of large trees. The resulting CAD slope exceeds 10%, the maximum allowed in the Subdivision Regulations.

**II. Facts**

1. The Delaware County Subdivision Regulations specify in Section 306.05, item (b.) that there shall be a "maximum gradient: 10%".
2. Liberty Township Assistant Fire Chief Jensen states in a letter dated October 21, 2002 that the drive appears to be adequate and should be acceptable in an emergency situation.

**III. Criteria for a Variance**

The burden is on the applicant to demonstrate in writing, each of the following:

- 1) The granting of this variance request shall not be detrimental to the public health, safety and welfare and not injurious to other property.
  - **The Liberty Township Fire department has provided a letter indicating acceptance of the drive as built. Staff notes that there is a steep drop-off at the bottom of the CAD. Guardrails are needed to prevent vehicles from sliding into the ravine. Since the slope occurs crossing a ravine, a vehicle has the ability to use the downhill slopes on either side to gain momentum for the uphill grade.**
- 2) The conditions, upon which this variance request is based, are unique to the property for which this variance is sought.
  - **The topographic conditions are unique to the property with deep ravines in addition to mature trees.**
- 3) Due to the physical surroundings, shape, or characteristics of the property, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of the Delaware County Subdivision Regulations were carried out.
  - **The proposed CAD slope is close to meeting the standard. A survey of the as-built CAD shows three different areas that exceed the 10% standard: 10.87%, 11.01% and 12.63%.**
  - **The CAD has been constructed. Due to the natural qualities of the site, if the 10% slope was met, additional fill would be required and**

**additional trees would be cut. The fill added at the low point of each ravine has resulted in a large amount of fall on either side of the CAD. For safety reasons, a guardrail should be added at the lowest point (elevation 866).**

4.) The granting of this variance will not vary the provisions of the applicable zoning regulations, comprehensive plans, or other existing development guidelines and regulations, nor shall it otherwise impair the intent and purpose of these regulations, or the desirable development of the neighborhood and community.

- **The intent of the regulation is for the safety of the public. With the support of the fire chief, the CAD does not impair this intent. It is not contrary to local zoning or the comprehensive plan.**

**Staff recommendation**

DCRPC staff recommends that the variance from the requirement of a 10% slope in Thorton Woods, Section III be *conditionally approved, subject to a guardrail being added at the lowest elevation to the RPC.*

**Commission / Public Comments**

Ms. Terry Doodan was present. She stated that a guardrail has already been added to the furthest ravine south of the cul-de-sac. She wasn't sure if that is the one staff referred to as needing one. The section of slope that is 12.63% is only 5 feet long and it is immediately adjacent to two 36' Beech trees and that is the reason it is that degree of slope.

Mr. Laurien stated that this is probably one of the nicest common access drive subdivisions in the County. There is a completely complying cul-de-sac that enters and two CAD's come off of it. There is also another CAD off of SR 315. There was exposed ledge left out from and re-landscaped to make it look like it did many years ago. It is also paved, which is not required for a CAD.

**Mr. Spanner made a motion for conditional approval, subject to staff comments, seconded by Mr. Miller. VOTE: Unanimously For, 0 Opposed. Motion carried.**

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**III. ZONING MAP/TEXT AMENDMENTS**

**52-02a ZON Mid-State Development Corp. – Orange Twp. – 5.58 acres from FR-1 to MFPRD (22 units of multi family housing)**  
**52-02b ZON Mid-State Development Corp. – Orange Twp. – 0.46 acres from FR-1 to SFPRD (for one single family home on an out lot)**

**Location:** 8119 S. Old State Road. Orange Townships, by Mid States Development Corp, optionee.

**I. Conditions**

**Present Zoning:** Farm Residence (FR-1)

**Proposed Zoning:** MFPRD; PRD.

**Present Use:** Single family house, barn, and open land.

**Proposed Use:** 22 attached ranch condominiums and one single family (existing) home.

**Existing Density:** 1 unit/acre in FR-1

**Proposed Density:** 3.8 units/acre

**School District:** Olentangy

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

**Soils:** BoA Blount 0-2 % slope

GwB Glynwood 2-6 %

**II. Issues**

- 1.) **Surrounding Land Use:** This is a redevelopment proposal for a 6-acre lot with a single-family home, a pond and barn. This area's character has changed from large lot rural to suburban.
  - ❖ To the south, open land belonging to the Archdiocese of Columbus.
  - ❖ To the east and north, single family development, approximately 2 units/acre, Walker Woods subdivision.
  - ❖ To the west, single family development on one acre + lots on Old State Road.
- 2.) **Sewer:** This area is currently served by Delaware County sewer, but the proposed density is more than double the design density of the sewer system.
- 3.) **Comprehensive Plan:** The 2001 Plan recommends single-family homes at 2 units per acre with sewer service for this site, which would permit 12 single family homes in PRD. The proposed Multi-family zoning is double the recommended density.

- 4.) **Thoroughfare Plan-** the 2001 Delaware County Thoroughfare Plan recommends a five-lane road section for S. Old State within the 20 year planning period. The county engineer has requested a turn lane be constructed on S. Old State.
- 5.) **Traffic-** the 22 multi-family units proposed will generate 6 trips per unit per day, or 132 new trips per day. The existing single family home already generates 10 trips per day and that does not change. The proposed private street entrance has poor sight distance to S. Old State road and should be moved south to the apex of the curve.

### **III. Conformance with Development Standards**

- 1.) A very basic development and landscaping plan is submitted. Entrance and sign details are not included. The township may wish to see more detail.
- 2.) General development character- renderings of proposed structures and general architectural design criteria are included. The width and length of these 4-unit buildings are out of scale with the adjacent single-family homes.
- 3.) Provisions for water, sanitary sewer and surface drainage: Del Co water can serve the site with quantity and pressure, but sanitary sewer is an unresolved issue. Sewer design capacity for this area is less than 2 units per acre overall. This proposed density would take sewer service from some remaining vacant lands. Townships must consider the potential impact of zoning for increased density to create “holes” in the sewer service area. There should be drainage with on-site topography, but the use of the existing pond for detention is questionable since it is at the highest elevation.
- 4.) No sidewalks are shown. Sidewalks are required for Planned Developments.
- 5.) Open space- acres required: 1.3 acres provided -23% (20% required).

### **IV. Required Findings for MFPRD, Orange Township**

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

**DCRPC Staff Finding:** No, the development plan is a work in progress and needs amendment as stated in III.

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

**DCRPC Staff Finding:** No. The multi family proposal at 3.98 units per acre does not conform to the recommendation of single family at 2 units per acre.

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

**DCRPC Staff Finding:** No, the development plan and its massive buildings does not advance the general welfare of the township and the immediate vicinity, which are single family homes at much lower densities and smaller footprints than proposed.

### **V. DCRPC Staff Recommendation- Orange Township case 52-02a-ZON**

Staff recommends denial of zoning change from FR-1 to MFPRD, for 22 units of condominiums on 5.58 acres because the proposed use does not conform to single family use or density as proposed on the 2001 Orange Township Comprehensive Plan, and would be a spot zone of in-fill multi family at almost 4 units per acre in an established single family neighborhood of two units per acre.

### **VI. DCRPC Staff Recommendation- Orange Township case 52-02b-ZON**

DCRPC staff recommends that the application for PRD zoning on .46 acres for one unit of single family housing be *denied* and that the entire 6-acre site be rezoned to PRD for up to 12 units of housing.

### **Commission / Public Comments**

Mr. Jeff Strung of EMH & T was present along with Jim Ullman. He stated that the applicant would work with the Township to resolve any issues. He stated that the access point that is shown is appropriate and will work under those conditions. Alternatives can be looked at in future engineering.

Mr. Gunderman asked Mr. Laurien, if this type of structure were proposed at a density with 12 units on it, would he have the same objections. Mr. Laurien stated

that he would not object to the structure if it conformed to density if it had greater setbacks. The perimeter setbacks are very shallow on the plan.

**Mr. Ward made a motion to recommend denial of #52-02a ZON, seconded by Mr. Miller. VOTE: Majority For, 0 Opposed, 1 Abstained (Orange Twp.). Motion carried.**

**Mr. Miller made a motion to recommend denial of #52-02b ZON, seconded by Mr. Poland. VOTE: Majority For, 0 Opposed, 1 Abstained (Orange Twp.). Motion carried.**

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**53-02 ZON                    DDP Mailing & Printing – Radnor Twp. – 4.33 acres  
    from FR-1 to PI**

**Location:** South side of State Route 37 W., 900 feet west of South Section Line Road, Radnor Township.

**I. Conditions**

**Present Zoning:** Farm Residential (FR-1)

**Proposed Zoning:** Planned Industrial (PI)

**Present Use:** Agriculture

**Proposed Uses:** DDP Mailing & Printing

**Existing Density:** 1 unit / 85,000 square feet (1.951 acres) in FR-1

**School District:** Buckeye Valley

**Utilities Available:** Del Co Water on-site septic

**Soils:**        BoA Blount Silt Loam 0 to 2% slope

                  BoB Blount Silt Loam 2 to 4% slope

                  GwB Glywood Silt Loam, 2 to 6% slope

                  PwA Pewamo Silty Clay Loam, 0 to 1% slope

**II. Conformance with Comprehensive Plans**

Radnor Township does not currently have an adopted comprehensive plan. The 1993 Delaware County Comprehensive Plan identifies the site as being within the "North Plan" and recommends maintaining rural character within this subarea. The plan also specifies the southeastern edge of Radnor Township for development at the minimum density required by the Health Department, due to its proximity to the City of Delaware.

**III. Staff Comments**

The applicant, DDP Mailing & Printing, is requesting a rezoning from the Farm Residential District (FR-1) to the Planned Industrial District (PI) in Radnor Township. DDP Mailing and Printing is currently located at 216 London Road in Delaware City. They wish to expand their facility, but are land-locked at their current site.

This application includes 4.33 acres on the south side of State Route 37 in Radnor Township. The tract is currently a vacant agricultural field zoned Farm Residential (FR-1). The applicant is requesting to rezone into the Planned Industrial District to develop a permitted PI use: an industrial service. The development plan shows a proposed 16,347 square foot building. The eastern portion of this building will be two-story (24 feet tall) with the remainder being one-story (17 feet tall) to the west. The plan contains parking to the north and south with a 24' wide gravel driveway along the western side of the building. DDP will employ 15-18 people.

Surrounding land use includes single family residences with Comfort Express (zoned I) 1,500 feet to the west and two churches to the northeast across State Route 37 (Delaware Church of Christ and Grace Baptist Church).

**IV. Issues**

- 1.) Surrounding land uses are primarily residential. This would be a spot zone of Industrial. The height and scale of the building would dwarf adjacent residential structures.
- 2.) Del Co Water can supply domestic water only for warehouse type facilities but not fire protection, or industrial production.
- 3.) Liquid and solid wastes must be disposed of properly, within the restrictions of the Environmental Protection Agency's (EPA) regulations. The EPA and Health Department both have issues with waste treatment.
- 4.) Additional landscape buffering should be added to buffer the southern and eastern boundaries of the property according to 17.06(b)(2).
- 5.) Architectural design criteria for proposed signs need to be submitted with the development plan according to 17.06(b)(3).
- 6.) A proposed detention basin on the southeastern corner of the lot appears to be proposed for alleviating surface water runoff, however a drainage feasibility study should be completed according to 17.06(b)(4).
- 7.) Existing driveway centerline is approximately 75 feet from the closest driveway to the west, which does not meet ODOT access management standards, but an ODOT permit was issued.



**V. DCRPC Staff Recommendation**

Staff recommends *denial* of the 53-02 ZON rezoning from FR-1 to PI to the DCRPC, the Delaware County Zoning Commission and the Radnor Township Trustees, *because this creates a spot zone in a residential area, public water service is not available and EPA has not approved of a sewage disposal system. Printing waste should be sent to a centralized sewer system, which is not available.*

**Note: RPC Staff was informed by ODOT after the meeting that the driveway permit issued by their office was for a field drive, which is for agricultural purposes only.**

**Commission / Public Comments**

Mr. Michael Corbit, Civil Engineer, with Klinger & Associates was present along with Mr. Larry Garrett, co-owner.

Mr. Corbit stated that due to the type of business there isn't a great need for water. Fire suppression is not required due to the size of the building.

Mr. Garrett stated that the he is a co-owner of the printing business with his son. They also own the 45 acres that surrounds this property. They have met several times with the Township to discuss their intentions. The concerns of the EPA were based upon a 60,000 square foot building, but the proposed building is only 16,000 square feet. He stated the business is mainly a mail processor (70 million pieces this year). There is a small print shop. Everything used in the print shop is soy based and biodegradable. They have been in the city for 7 years. Everything they dispose of was approved by the City to be dumped down the drain. They dispose of approximately 4 gallons of processed water every two weeks. They have received quotes for hazardous chemical removal if the EPA deems it necessary rather than dumping it down the drains. With regards to road issues brought up by the staff, they have received permits to put in the driveway. The building is approximately the same size as the Grace Brethren Church across the street. He has presented the proposal to all the neighbors and all are (allegedly) in support. Radnor Township has sent a letter stating their ability to serve this site. There will be no stand-alone sign. The business name will be on the wall of the building. There will be landscaping along the western edge of the property to buffer the current neighbor.

Mr. Waugh asked if the Comfort Express is zoned Industrial right down the road, how can it be spot zoning? Mr. Laurien stated that the lot next door is single family residential. All the lots are residential. The churches are permitted in a

residential district as a conditional use. This is a spot zone. What comfort do the residents have that there won't be an industrial use next to or behind them if the Township continues to approve the requests? There is no planning for the future.

**Mr. Miller made a motion to recommend approval of the zoning request for DDP Mailing & Printing. Mr. Shoaf seconded the motion. HAND VOTE: 8 For, 8 Opposed, 2 Abstained (Jim Ward, Barry Bryant). Motion failed.**

**Mr. Spanner made a motion to recommend denial of the zoning request for DDP Mailing & Printing, seconded by Mr. Gunderman. HAND VOTE: 8 For denial, 8 Opposed, 2 Abstained (Jim Ward, Barry Bryant). Motion failed.**

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**54-02 ZON                      Humane Society of Delaware County – Berlin Twp. -  
6.425 acres from NCD to PCD**

**Request**

The Humane Society of Delaware County seeks to rezone 6.425 acres from NCD to PCD on the south side of US 36/SR 37, approximately 500 feet west of Big Run Road in Berlin Township.

**Conditions**

**Present Zoning:** Neighborhood Commercial District (NCD)  
**Proposed Zoning:** Planned Commercial and Office District (PCD)  
**Present Use:** Humane Society and public spay/neuter clinic (6,136 s.

f.)

**Proposed Use:** Humane Society and private veterinary clinic (6,536 s.

f.)

**Existing Density:** N/A  
**Proposed Density:** N/A  
**School District:** Olentangy  
**Utilities Available:** Del-co water and on site treatment system  
**Soils:** GwB – Glynwood 2-6% slope  
BoA - Blount 0-2% slope

**General comments**

The Humane Society plans to construct a 400-sq. ft. addition to the existing 6,136-sq. ft. animal shelter. The current public spay/neuter clinic will be replaced with a private veterinary clinic. The existing and proposed uses are permitted in the

Neighborhood Commercial District, but the building size exceeds the maximum 3,000-sq. ft. allowed. There will be 25 parking spaces in accordance with zoning requirements, including one handicap space. An additional sign (28-sq. ft.) is proposed below the existing one (36-sq. ft.) to advertise the veterinary clinic. No changes are proposed to the existing access drive.

Other uses in the area include single family residential to the southeast (Big Run Subdivision) and north along US 36/SR 37, Alum Creek State Park to the south and west, American Legion headquarters to the east, and Canine Companions for Independence to the northeast. The zoning around this property is FR-1 to the north, PCD to the east, and U. S. Land to the southwest.

**Required Findings for PCD**

The Zoning Commission and Trustees may approve a PCD 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 development plan text should address/acknowledge all of the items in Section 15.06 (B) Development Plan. These items can be handled by the township zoning commission.

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

**DCRPC Staff Finding:** The development plan conforms to the proposed commercial use of this property on the 2000 Berlin Township 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 PCD for the animal shelter and veterinary clinic does advance the general welfare of the township and the immediate vicinity.

**Staff Recommendation**

The *staff recommends* to the RPC, the Berlin Township Zoning Commission, and

the Berlin Township Trustees that the application by the Humane Society of Delaware County for rezoning 6.43 acres on U. S. 36/37 from NCD to PCD be *approved*. Staff recommends that the pole sign be changed to a monument/ground sign to incorporate the additional fascia, in accordance with the Berlin Comprehensive Plan.

**Commission / Public Comments**

No one was present.

*Mr. Gladman made a motion to recommend approval of the zoning request by the Human Society, seconded by Mr. Miller. VOTE: Unanimously For, 0 Opposed, 1 Abstained (Berlin Twp.). Motion carried.*

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**55-02 ZON                      Bruce Davidson – Genoa Twp. – 15.98 acres – PD-1, amendment to development plan**

**Location:** Center Green Drive, East of Tussic Street, West of Sunbury Road

**Conditions**

- Present Zoning:** Planned Residential (PD-1)
- Proposed Zoning:** Planned Residential (amendment to development plan)
- Present Use:** Open, former agricultural field
- Proposed Use:** Condominiums (The Condominium at Harvest Wind)
- School District:** Westerville
- Utilities Available-** Del Co Water, County Sanitary Sewer
- Soils:** BeB Bennington Silt Loam, 2-4% slope  
PwA Pewamo Silty Clay Loam 0-1% slope  
UdB Udorthents, Clayey-Urban land complex, undulating (includes large peat bog)

**Surrounding Land Use**

Sections of Harvest Wind subdivision surround the site. Single-family is located to the south (Park Bend) and west (Harvest Wind Phase 6). Phase 6 is to the northwest and to the immediate north is Phase 7 (a portion of which is on RPC’s December Final Agenda). The Village at Harvest Wind Condominiums is to the northeast. Center Green Drive has been built from Tussic to Spring Run Drive.

**General Comments**

The applicant is requesting a change in a development plan, which was originally

submitted in 1997. The original plan included 76 units on 15.98 acres at a density of 4.75 units per acre. The design consisted of 18 4-unit pinwheel buildings and a clubhouse/pool. The site is a gentle slope from west to east, with a peat bog in the lowest portion of the site. The layout included a small central green space and reserved an area of peat bog in the northeast corner of the lot.

The new plan reduces the density to 4.19 units per acre with nine fewer units overall. These 67 units are arranged in sets of four- and five-unit townhouse buildings. The open space in the peat bog area has been increased to approximately 4.35 acres, leaving 11.634 acres of net developable acreage. This represents a net density of 5.76 du/ac, meeting the township's standards for net developable acreage density but create a very dense, urban footprint. Clubhouse and pool facilities have been removed but a gravel path and gazebo is indicated through the bog area. A bikepath will also extend through the southern edge of the site, linking to other phases of Harvest Wind.

#### **Conformance with Development Standards**

The following are concerns within the listed development standards of the Planned Residential district:

- 1) **Maximum Gross Density:** 2.2 units / acre permitted, 4.19 requested. Part of Harvest Wind, whose overall density allegedly complies with the 2.2 / acre.
- 2) **Minimum setbacks:** The township has confirmed that the design meets the required minimum setbacks. However, the minimums may not have anticipated the proposed net density. Building separation is indicated at approximately 17 feet. Rear yard setbacks for the western structures are less than 15 feet, where 50' is required. Although rear yard setbacks for the southern structures are 75 feet, the planned bikepath will be 15 feet away from some units. Front yard setbacks are as little as 20 feet from the street to garage door. The township zoning code requires 25 feet from the road right-of-way. While internal streets do not include right-of-way, the township will need to interpret the zoning code with regards to private streets without rights-of-way. Front, side, and rear yards for "other" uses are 40'. What does this refer to?

**Staff Recommendation:** *That the 25' setback be applied to the internal streets as well as the right-of-way of public streets. That the perimeter setback also be increased, particularly on the western edge.*

- 3) **Emergency access:** Emergency access is a major concern in a development at this density. Provisions have been made for a third "Grasspave" access and a

large turnaround in the southeastern corner of the development. Genoa Fire Chief Clifford Mason notes that the department would prefer no on-street parking and an additional access point to the south or east from the site, but will accept at least a one-side-only parking requirement, to which the applicant has committed.

- 4) **Visitor parking.** At 67 units, the plan provides only 14 spaces for visitor parking, six of which are at the rear of the development. As previously noted, some driveways are only 20 feet from garage to street, requiring guests to park on the street or in distant guest parking spaces which are limited.

**Staff Recommendation:** *That additional visitor parking be provided throughout the site.*

- 5) **Site plan:** In an effort to conserve the open space area while maintaining the maximum density possible, the development has lost many of the amenities that could form a real neighborhood. There is no central, easily accessible open space and no community or recreational facilities. Buildings that share a back yard are approximately 50 feet apart, leaving little useable open space.

**Staff Recommendation:** *The developer should incorporate more open space throughout the site, with more rear yard setbacks between structures.*

- 6) **Stormwater Management.** The applicant indicates that the project will utilize offsite detention areas along the east border of the site but the plan does not indicate the location of any structures.

**Staff Recommendation:** *The developer should work closely with the county engineer to assure that existing detention areas are sized for the proposed density.*

#### **Staff Recommendation**

Staff recommends **denial** of the amendment to the development plan in the PD-1 district to the DCRPC, the Genoa Township Zoning Commission and the Genoa Township Trustees **based on the overly dense layout of the buildings, the close setbacks and the lack of usable open space throughout the site.**

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

Mr. Charles Driscoll with Duffy Communities was present. He stated that this is a 67-unit condominium unit project targeted to empty nesters. The average price range per unit is \$270,000. He stated that peat bog is just soft ground. On top of the soft ground there is 7 feet of clay. You could build on it under special building

conditions. This layout has 9 less units than the plan that was previously approved. A fairly similar project was built a mile north called the Woods of Medallion. The setbacks are very similar to that project. The market has accepted it so it doesn't seem to bother the buyers.

Mr. Laurien noted that there is centralized open space (staff report is incorrect). However, the code requires a 50' structural setback from any residential district boundary and there is only setback from the perimeter's west side. Mr. Driscoll stated that his engineers and attorney say they are not next to a residential boundary on the west side. That is why 15' is appropriate and not 50'. The only boundary is to the south side where there is a 75' set back. Mr. Laurien stated that the boundary is a residential district (PD-1).

Mrs. Warthman stated that the development plan expired. It has been over 3 years since the development plan was approved. The zoning plan is part of an overall Harvest Wind rezoning but the development plan was amended. Mr. Driscoll stated that the other plan was previously submitted by another developer. Chairwoman Foust stated that it still needs to meet current standards.

Mrs. Warthman stated that the district boundaries on the west and the south are the same and setbacks on the west side were flagged. The response she received was that it was part of Harvest Wind and the other is a separate subdivision but the district zoning is the same on both sides.

**Mr. Gunderman made a motion to recommend denial of the zoning request by Bruce Davidson, based on staff comments. Mr. Schmidt seconded the motion. HAND VOTE: 9 for denial, 5 opposed to denial, 1 abstained (Genoa Twp.). Motion carried.**

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#### IV. SUBDIVISION PROJECTS

#### Preliminary

26-02

**Woodland Glen – Liberty Twp. - 42 lots / 60.37 acres**

**Applicant:** Highland Management Group, Inc. (Randy Loebig)  
**Subdivision Type:** Single-family residential  
**Location:** East side of Liberty Road, 3000' south of Home Road, Liberty Township  
**Current Land Use:** Single-family residence and open field  
**Zoned:** Farm Residential (FR-1)  
**Utilities:** Del-Co water and public sewer  
**School District:** Olentangy  
**Engineer:** Terrain Evolution, Inc. (Thom Ries)

#### Staff Comments

Woodland Glen is a proposed 42-lot subdivision on 60.37 acres just south of the Liberty Township Hall. It will connect to the Woodland Hall subdivision to the east and provide an east-west connection from SR 315 to Liberty Road. A stub connection is also provided to the adjacent lands to the south and north for future development. Del-co water and public sewer will serve the development. The lots will range from 1 to 1.5 acres except for a 2.2-acre lot that will include an existing house. There will also be 2 reserve lots with one containing an existing pond on 1.5 acres. The second reserve lot (0.1 acre) will probably be deeded to the adjacent tract owned by the Township. The main road serving the development is Woodland Glen Drive, which provides access from Liberty Road and will also connect to Woodland Hall subdivision to the east. Shepherd Drive is a north-south road stubbing to the north property line and Lindell Lane stubs to the south property line. The subdivision will also include 3 cul-de-sacs. A ravine along the development's south boundary will be protected within a 50' conservation / no-build easement.

*A technical review was held on December 10, 2002, after which the applicant has addressed all of the required changes.*

#### Staff Recommendation

Staff recommends Preliminary approval of the **Woodland Glen Subdivision**, to the RPC.

#### Commission / Public Comments

Mr. Thom Ries of Terrain Evolution was present to represent the applicant.

**Mr. Miller made a motion for Preliminary approval of the Woodland Glen**

**Subdivision, seconded by Mrs. Warthman. VOTE: Unanimously For, 0 Opposed. Motion carried.**

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**27-02 Wedgewood Park, Section 2 - Liberty Twp. - 136 lots / 138.21 acres**

**Applicant:** Virginia Homes  
**Subdivision Type:** Single Family Residential  
**Location:** East Side of Riverside Drive, 3000 feet North of Powell

Road

**Current Land Use:** vacant/former agricultural  
**Zoned:** PR (Planned Residential)  
**Utilities:** Del-Co Water, public sewer system  
**School District:** Olentangy  
**Engineer:** C. F. Bird and R. J. Bull Inc.

**Staff Comments**

Wedgewood Park, Section 2 extends west from Section 1, which currently has access on Powell Road. Section 2 will connect to Riverside Drive. The area along Riverside Drive will be open space, including a large detention pond. Topography includes rolling hills rising from the O’Shaughnessy Reservoir and deep ravines with seasonal streams. There is a large treed area in the eastern portion, a waterway running through the treed area and some existing ponds. Trotter’s Gate subdivision, which is currently under construction lies to the north. To the southeast are lands owned by the Columbus Zoo. To the immediate south is Sunset Cove Estates, platted in 1962. A street connection is proposed.

The plan includes Creighton Drive crossing the site from west to east and joining with Section 1. Roads to the north include Schuette Drive, Aston Court, Aughton Court, Highbury Court, and Daryn Court. Roads on the south side include Berwanger Drive, Madison Drive and Jay Court. Phase 4 includes Holbrook Drive and Alyssa Court. Berwanger Drive will connect with Sunset Cove via an extension of Sunset Drive. Residents of Sunset Cove were concerned that the connection would create additional traffic. However, the arrangement of Berwanger will keep cut-through traffic to a minimum. A Common Access Drive in the northeastern corner of the site serves two lots.

During the technical review committee, staff was concerned that the layout of the streets in Phase 4 was not sensitive to the ravines leading to the intermittent stream.

The cul-de-sacs at the end of Holbrook Drive and Alyssa Court and their related building sites would require extensive grading and filling to be feasible. The developers have worked with the township toward achieving a design that meets the zoning criteria for lot size, but in doing so will have to deforest and severely cut and fill the site. To obtain the maximum number of lots permissible, the site has been designed in a manner that does not preserve significant ravines, but rather fills them. The current layout is not acceptable for subdivision approval at this time.

***A technical review was held on December 10, 2002, after which the applicant has addressed all of the other required changes, and proposed to resubmit Phase 4 at a later date.***

**Staff Recommendation**

To allow the developer to begin work on the project, staff recommends *conditional Preliminary Approval* of [**Wedgewood Park, Section 2, Phases 1, 2, and 3**] only to the RPC, leaving Phase 4 as a reserve. After Phase 4 is appropriately re-engineered, the applicant should resubmit Phase 4 to the RPC for preliminary review and vote of the RPC.

**Commission / Public Comments**

Mr. Jerry Turner of Bird + Bull was present. He stated that he agreed with staff comments.

***Mr. Gladman made a motion for conditional Preliminary approval of Wedgewood Park, Section 2, Phases 1, 2, and 3 only. Phase 4 should be brought back for review after redesign. Mr. Miller seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.***

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**Preliminary/Final** (none)

**CONSENT AGENDA**

Mr. Deel stated that staff recommended approval of Harvest Wind, Section 2, Phase 6, Harvest Wind, Section 2, Phase 7, Part 1, and Northpoint Meadows, Section 1. Mrs. Warthman asked that Harvest Wind Section 2, Phase 7, Part 1 be removed from the consent agenda for further discussion.

**Final**

**64-93.6.2 Harvest Wind, Section 2, Phase 6–Genoa Twp. – 02 lots, 05.62 acres**

**Applicant:** Bob Webb  
**Subdivision Type:** Single-family Residential  
**Location:** East side of Tussic Street Rd., about 480 feet South of Centergreen Rd  
**Current Land Use:** Vacant/Open space  
**Zoned:** Planned Residential Development (PD-1)  
**Utilities:** Del-Co water and public sanitary sewer  
**School District:** Westerville  
**Engineer:** Tim Huffman, Floyd Browne Associates, Inc.

**Staff Comments**

The applicant is requesting final plat approval for two single-family residential lots (0.42 and 0.48 acres) and a 4.50 open space tract. The two lots front on Park Bend Drive with the open space to their south and west. The open space crosses from Tussic Street Road to Park Bend Drive. Sidewalks are to be constructed on both sides of all streets in this phase. Harvest Wind received overall preliminary approval on October 28<sup>th</sup>, 1993. The final application for this phase has already received two 90-day tablings.

Surrounding land use includes other phases of Harvest Wind to the east, Seventh Day Adventist Church to the north, single-family houses to the south and a future Westerville City School site to the west (across Tussic Street 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 **Harvest Wind, Section 2, Phase 6**, to the RPC.

**Commission / Public Comments**

**Mr. Gladman made a motion for Final approval of Harvest Wind, Section 2, Phase 6. Mr. Spanner seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.**

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**64-93.2.7.1 Harvest Wind, Section 2, Phase 7, Part 1 – Genoa Twp. – 42 lots, 18.27 acres**

**Applicant:** Webb Ventures V, LTD  
**Subdivision Type:** Single-family Residential  
**Location:** East side of Tussic Street Road, about 3,000 feet North of Maxtown Rd.  
**Current Land Use:** Vacant/Open space  
**Zoned:** Planned Residential Development (PD-1)  
**Utilities:** Del-Co water and public sanitary sewer  
**School District:** Westerville  
**Engineer:** Stults and Associates, Inc.

**Staff Comments**

This phase of Harvest Wind consists of the northern development of Berringer Drive from Centergreen Drive to Eagle Trace Subdivision to the north. Milford Avenue connects on the north and south part of this new Road to loop into Part 2 of this phase. This future loop will be bisected east/west by Dorchester Drive. Sidewalks are to be constructed on both sides of all streets in this phase. Overall preliminary approval for Harvest Wind was granted in October 28<sup>th</sup>, 1993.

**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 **Harvest Wind, Section 2, Phase 7, Part 1**, to the RPC.

**Commission / Public Comments**

Mrs. Warthman requested that Harvest Wind, Section 2, Phase 7, Part 1 be removed from the consent agenda. Mrs. Warthman stated that this plat does not incorporate sidewalks, which were committed to by the developer and were a part of the development plan. She did not sign the Harvest Wind, Section 1, Phase 6 plat because it did not show a sidewalk. The developers believed it was a verbal agreement and not part of the development plan approval. She stated that she is working on a compromise with a developer on the Centergreen Drive portion. In lieu of installing a sidewalk along the road, this developer is agreeing to install a bike/pedestrian path at the rear of that property. It will connect with a path system that links to other nearby subdivisions being developed by others.

**Mrs. Warthman made a motion for Final approval of Harvest Wind, Section 2, Phase 7, Part 1. Mr. Miller seconded the motion. VOTE: Unanimously For, 0**

**Opposed. Motion carried.**

**13-02.A Wedgewood, Section 2A – Liberty Twp. - 06 lots / 03.64 acres**

**Applicant:** Virginia Homes, LTD  
**Engineer:** C.F. Bird & R.J. Bull, Inc.

**Staff Comments**

The applicant has requested to table this application for 60-days in order to complete the construction and testing on the sanitary sewer.

**Staff Recommendation**

Staff recommends approval of the 60-day table request of Wedgewood, Section 2A, to the RPC.

**Commission / Public Comments**

*Mr. Gladman made a motion for a 60-day table request for Wedgewood, Section 2A. Mr. Spanner seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

**03-02.1 Northpoint Meadows, Section 1 – Orange Twp. - 42 lots / 22.59 acres**

**Applicant:** Maronda Homes Inc. of Ohio  
**Subdivision Type:** Single-family Residential  
**Location:** Between Delwood Drive in Wedgewood Place and Manchester Drive in the Liberty Lakes, Section 3 subdivision, Orange Twp.  
**Current Land Use:** Wooded and former agriculture  
**Zoned:** Planned Residential District (PR)  
**Utilities:** Del.Co. Water and public sewers  
**School District:** Olentangy  
**Engineer:** Hockaden

**Staff Comments**

The applicant is requesting final plat approval of Northpoint Meadows, Section 1. The preliminary application including Section 2 was approved February 28<sup>th</sup>, 2002.

This section includes the eastern half of Orange Station Loop and Northpoint Meadows Boulevard, which connects it with Orange Road to the north. The central open space reserve including a detention pond is part of Section 1.

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 Northpoint Meadows, Section 1, to the RPC.

**Commission / Public Comments**

*Mr. Gladman made a motion for Final approval of Northpoint Meadows, Section 1. Mr. Spanner seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

**V. EXTENSIONS (none)**

**VI. OTHER BUSINESS**

- **Consideration of Approval: Gardner Architects \$1,702.00 (Construction coordination @ 109 N. Sandusky St.)**

*Mr. Miller made a motion to approve the \$1,702.00 expenditure for architect fees. Mr. Spanner seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

- **Consideration of Approval: Loveland & Brosius \$5,328.06 (Susannah,TF Plan)**

*Mr. Poland made a motion to approve the legal expenses of \$5328.06, seconded by Mr. Burke. VOTE: Unanimously For, 0 Opposed. Motion carried.*

- **Consideration of Approval: Health Dept. \$9,810.00 (Site Review and Prel., fees)**

*Mr. Miller made a motion to approve the payment to the Health Dept. for fees collected on their behalf of \$9810.00. Mrs. Warthman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

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- **Consideration of Approval: SWCD \$6,065.00 (Site Review and Prel. fees)**  
*Mr. Miller made a motion to approve the payment to the Soil & Water for fees collected on their behalf of \$6065.00. Mrs. Warthman seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

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- Mr. Laurien presented the Commission members with a pocket calendar for 2003 with all of the RPC meeting dates and times marked. He thanked the Commission for a great year and wished everyone a wonderful holiday from all the staff.

(If any Commission member was unable to attend the December meeting and would like a pocket calendar, please contact Stephanie and she will be sure to get one to you.)

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

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

Meeting adjourned at 9:30 p.m.

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