



Delaware County Regional Planning Commission

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Scott B. Sanders, AICP
Executive Director

****MINUTES****

Thursday, February 25, 2016 at 7:00 PM

**Delaware County Commissioners, 101 N. Sandusky St., Conference Room,
Delaware, Ohio 43015**

I. ADMINISTRATIVE BUSINESS

- Call to order
- Roll Call
- Approval of January 28, 2016 RPC Minutes
- Executive Committee Minutes of February 17, 2016
- Statement of Policy

II. VARIANCES

- 02-16.V Allington Estates – Liberty Twp. – variance from Section 204.02 – sidewalk requirement
 05-16.V The Glade at Highland Lakes – Genoa Twp. – variance from Section 306.02, number of
 lots on a CAD (*to be reviewed under case 05-16 below*)

III. ZONING MAP/TEXT AMENDMENTS

- 33-15 ZON Metro Development – Liberty Twp. – 178.056 acres – FR-1 to PRD
 01-16 ZON CV Real Properties – Concord Twp. - 10.25 acres – FR-1 to PRD
 02-16 ZON Two Polaris Company LLC – Orange Twp. – 3.09 acres – amended PCD
 03-16 ZON Daniel Frost – Berkshire Twp. – 6.07 acres – AR-1 to FR-1

IV. SUBDIVISION PROJECTS

Preliminary

		Township	Lots/Acres
06-16	The Woods of Dornoch, Section 5	Delaware	40 lots / 12.25 acres
05-16	The Glade at Highland Lakes	Genoa	45 lots / 50.27 acres
04-16	Harvest Curve	Liberty	38 lots / 36.7 acres

Preliminary/Final (*none*)

Final

06-04.3	Summerwood Lakes, Section 3	Berkshire	33 lots / 23.07 acres
20-13	Harvest Point	Liberty	38 lots / 35.13 acres
03-16	Orange Centre Devlpmnt easement vacation	Orange	01 lot / 0.903 acres

T=TABLED, W=WITHDRAWN

V. EXTENSIONS (*none*)

VI. OTHER BUSINESS

- Consideration for Approval: Liability Insurance, \$7,473.00

VII. POLICY / EDUCATION DISCUSSION

VIII. RPC STAFF AND MEMBER NEWS

I. ADMINISTRATIVE BUSINESS

▪ **Call to Order**

Chairman Stites called the meeting to order at 7:00 p.m.

▪ **Roll Call**

Representatives: Jeff George, Chet Heid, Fred Fowler, Gary Merrell, Barb Lewis, Tiffany Jenkins, Tammy Noble, Tom Hopper, Joe Shafer, Dave Stites, Tracey Mullenhour, Edward Reely, Joe Proemm, Bill Thurston, Ed Snodgrass, Dan Boysel, James Gauldin, Bonnie Newland, Mike Dattilo, Doug Price. Alternates: Robert Lamb, Adam Howard, Doug Riedel, and Michelle Boni. Staff: Scott Sanders, Da-Wei Liou and Stephanie Matlack.

▪ **Approval of the January 28, 2016 RPC Minutes**

Mrs. Lewis made a motion to Approve the minutes from the last meeting, seconded by Mr. Fowler. VOTE: Majority For, 0 Opposed, 1 Abstained (Genoa Twp.). Motion carried.

▪ **February 17, 2016 Executive Committee Minutes**

1. Call to order

Chairman Stites called the meeting to order at 8:53 a.m. Present: Dave Stites, Gary Merrell, Tiffany Jenkins, and Susan Kuba. Jeff George was absent. Staff: Scott Sanders and Stephanie Matlack.

2. Approval of Executive Committee Minutes from January 20, 2016

Mr. Merrell made a motion to Approve the minutes from the last meeting as presented. Mrs. Jenkins seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

3. New Business

- Financial / Activity Reports for January 2016

REGIONAL PLANNING RECEIPTS		JANUARY	YTD TOTAL
General Fees (Lot Split)	(4201)	\$1,610.00	\$1,610.00
Fees A (Site Review)	(4202)	\$300.00	\$300.00
Insp. Fees (Lot Line Transfer)	(4203)	\$400.00	\$400.00
Membership Fees	(4204)	\$146,927.00	\$146,927.00
Planning Surcharge (Twp. Plan. Assist.)	(4205)		
Assoc. Membership	(4206)		
General Sales	(4220)		
Charges for Serv. A (Prel. Appl.)	(4230)	\$4,700.00	\$4,700.00
Charges for Serv. B (Final. Appl.)	(4231)	\$2,442.00	\$2,442.00
Charges for Serv. C (Ext. Fee)	(4232)	\$150.00	\$150.00
Charges for Serv. D (Table Fee)	(4233)		
Charges for Serv. E (Appeal/Var.)	(4234)	\$300.00	\$300.00
Charges for Serv. F (Planned District Zoning)	(4235)		
OTHER DEPT. RECEIPTS			
Health Dept. Fees	(4242)	\$1,080.00	\$1,080.00
Soil & Water Fees	(4243)	\$525.00	\$525.00
MISCELLANEOUS REVENUE			

Other Reimbursements	(4720)		
Other Reimbursements A			
Other Misc. Revenue (GIS maps)	(4730)		
Misc. Non-Revenue Receipts	(4733)		
Sale of Fixed Assets	(4804)		
TOTAL RECEIPTS		\$158,434.00	\$158,434.00

Balance after receipts	\$903,515.45
Expenditures	- \$ 25,095.19
End of January balance (carry forward)	\$878,420.26

Mrs. Jenkins made a motion to Approve the financial reports as presented for audit. Mrs. Kuba seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

- Site Review:
 - 1.) Johnny Cakes Corners
 - 2.) Owen Property Split
 - 3.) 4910 Rutherford Road CAD
- February RPC Preliminary Agenda
 - 1.) Variance
 - Allington Estates – repeal sidewalk requirement
 - The Glade at Highland Lakes – 4 lot CAD allowance
 - 2.) Rezoning:
 - Woodcrest Crossing – Liberty Twp. – 176.34 acres – PRD
 - The Meadows at Home Road – 10.25 acres – PRD
 - Two Polaris Company LLC – 3.09 acres – PCD amendment
 - 3.) Preliminary:
 - The Woods of Dornoch, Section 5
 - The Glade at Highland Lakes
 - Harvest Curve
 - 4.) Preliminary/Final: none
 - 5.) Final:
 - Summerwood Lakes, Section 3
 - Harvest Point
 - Orange Centre Development easement vacation
- Director’s Report
 - 1.) Met with DGHD on grant. Funding will come directly to the RPC as a result of using the tool to review one (or more) subdivision projects (possibly zonings) by June, 2016. A significant portion of the grant amount will be transferred directly to the RPC;
 - 2.) Attended the county’s Alliance for Innovation kickoff meeting;
 - 3.) Updating Comprehensive Plan maps for Genoa Township;
 - 4.) Continuing to review traffic counts and projections for the Interchange area;
 - 5.) Continuing to update the Multi-Family layer for the whole county – tracking units as they develop – have been asked about senior housing/age-related facilities several times in the past few months;
 - 6.) Maps for Liberty Trails group looking at Safe Routes To School application;

- 7.) Development Pattern maps for Liberty Fire’s presentation to Trustees;
- 8.) Sunbury Comp Plan meeting tomorrow night (2/18);
- 9.) Working on Annual Report.

4. Old Business (none)

5. Other Business

- Consideration for Approval: Liability Insurance \$7,473.00
Mrs. Kuba made a motion to recommend Approval of the liability insurance payment of \$7,473.00, seconded by Mr. Merrell. VOTE: Unanimously For, 0 Opposed. Motion carried.

6. Personnel

- **Mr. Sanders** stated that he is considering the need of a Planner/GIS staff member in the fall to assist with research in updating Township Comprehensive Plans and various GIS data input. **Mr. Stites** said that he would not be opposed to hiring needed staff. **Mr. Merrell** requested a financial plan be presented when the request is made.

7. Adjourn

Having no further business, Mr. Merrell made a motion to adjourn the meeting at 10:18 a.m. Mrs. Jenkins seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

The next regular Executive Committee meeting will be Wednesday, March 22, 2016 at 8:45 a.m. at 109 North Sandusky Street, Delaware, Ohio, 43015.

• **Statement of Policy**

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

II. VARIANCES

02-16.V Allington Estates – Liberty Twp. – variance from Section 204.02 – sidewalk requirement

Applicant: Peter Marks
Engineer: E.P. Ferris

I. Request

The applicant is requesting a variance to Section 204.02 of the DCRPC Subdivision Regulations regarding sidewalk requirements.

The proposed subdivision is located on the east and west side of Olentangy River Road, south of Home Road. The subdivision proposes 25 lots on 102 acres.

II. Facts

1. In 2007, in an effort to increase public safety and promote public health, the Subdivision Regulations were amended to require sidewalks when traffic was projected to reach certain levels;
2. In 2013, that regulation was amended to simply require sidewalks on all new platted streets;
3. In January 2009, the RPC reviewed a rezoning for Trail's End was proposed with 216 lots on ~216 acres, encompassing the acreage north of this site as well as the acreage currently under review. The overall development plan proposed pedestrian and vehicular connectivity with two roads to the south;
4. In April 2011, Trail's End was approved by Liberty Township with 148 lots on 216 acres, similar to the layout noted above;
5. In June 2012, the subdivision for Trail's End was proposed as with 92 lots on only the northern 113 acres, indicating two vehicular stub roads to the south.
6. Trail's End has now been fully built, with a single road stub to the subject parcel. This road stub includes a 5-foot path on the east side of Rissler Lane, stubbing approximately 12 feet short of the property line.
7. In March, 2014 the RPC reviewed a Development Plan Amendment for the Allington site. The staff report and recommendations included significant discussion and conditions related to pedestrian connections, timing, and maintenance.
8. On November 16, 2014, the Liberty Township Trustees voted unanimously to adopt a Complete Streets policy, seeking transportation facilities that encourage use by multiple modes of transportation, based on location and need.
9. In June 2014, the zoning for Allington Place was reviewed by Liberty Zoning Commission, with discussion of bikeways. The applicant stated that he did not want to scar the land with asphalt and verbally agreed to build divergences [sic] around the entrance and gates as well as to paint a bike access lane on the pavement. The Zoning Commission stated that they would discuss the bike path situation with the Trustees.
10. In October 2014, the zoning for Allington Place was approved by the Zoning Commission and forwarded to the Trustees with an 8-foot paved path, serving as an emergency access along the right-of-way from Pillion Way to the street extension but no other vehicular connections or pedestrian facilities.
11. In January 2015, Liberty Township Trustees approved the zoning and development plan on January 20, 2015 with a 2-1 vote after discussing the bike path and other issues. "The applicant believes the bike path connections can be the street, as this is a low density subdivision and this will eliminate the need for additional asphaltting."
12. In January 2016, the applicant submitted the subdivision plan for Allington Place to the Regional Planning Commission for Preliminary Plan approval. The plan indicates the public extension of Rissler Lane to a point north of Pillion Way. A gated private road would continue west and an emergency connection with 8-foot pavement in a 60-foot right-of-way would extend to Pillion Way. No connection is planned for Red Emerald Way. During the Technical Review Committee meeting, it was noted that sidewalks were required on platted subdivision streets and that the plan needed to be amended to show a sidewalk at least along the public portion of the new road.

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.

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

Applicant's Response:

"I am writing to request that "Allington", the community I propose to develop on my ca. 103 acre farm at 7560 Olentangy River Road in Delaware, be granted a variance that would eliminate the requirement of a sidewalk along the public portion of the proposed Allington Lane.

Allington will have a maximum of 25 lots. I would have much preferred a less intrusive right-of-way, but have agreed to construct Allington's access road to County standards. We expect vehicular traffic to be very light, so light in fact that the road can safely be used both by cars and by pedestrians. Liberty Township's Zoning Commissioners and two of its three Trustees evidently agree. The five Zoning Commissioners voted unanimously to approve a site plan that had no sidewalks and no bicycle paths, instead routing pedestrians and cyclists along the ample width of Allington Lane. Two of the three Liberty Township trustees voted to uphold the decision of the Zoning Commissioners. My consultants and I think they made the right decision. We do not believe that the elimination of a sidewalk will be detrimental to the public health, safety, and welfare. Nor do we think that it will be injurious to other parties.

My consultants and I believe that the conditions upon which this variance request is based are unique to the property for which this variance is sought. We know of no other similar development in Delaware County. Our density is well below that of most subdivisions. Allington's essential character is the anti-subdivision, meaning that cement and/or asphalt access ways cannot be the dominant characteristic of our community. Allington's site plan is intended not to maximize revenue but rather to preserve, in recognizable form, the existing features of a property that is exceptional in its natural beauty. It succeeds only to the extent that the community we seek to create reads like a nature preserve.

I consider that the imposition of a sidewalk would create a particular hardship, one so severe that it would impair my ability to complete my proposed development. Allington's minimal density is possible only if prospective residents view the community as so exceptional that they are willing to pay lot prices significantly in excess of those charged by more typical subdivisions. Our lot prices are high in part because our lot sizes are unusually large, in part because the majority of our proposed community will consist of protected reserve lands, and in part because I would like our landscaping to be extraordinary in its scope and quality. The imposition of a sidewalk would increase the scarring of our land, cause our community to read more like a standard subdivision, and thereby greatly impair our ability both to achieve the quality that I seek and to obtain the lot prices I need to justify my very significant development expense. It is perhaps worth noting that my prospective development expense includes a \$100,000 donation to Liberty Township that I volunteered after receiving zoning approval with the expectation that the majority of the money would be applied to the construction of a public bicycle path along Home Road west of SR 315.

My consultants and I believe that the granting of the variance I seek will not vary the provisions of the application 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."

IV. Staff recommendations

DCRPC staff recommends that based on the Findings of Fact stated within this report, the variance request from Sec. 204.02 for **Allington Estates** be **Denied** by the RPC. However, if the applicant can satisfy the health and safety goals within the road design through such criteria as restricted parking, staff could support Approval of the Variance.

Commission / Public Comments

The applicant, Peter Marks, attorneys Joseph R. Miller and Ted Smith, along with engineer Sean Gillilan with E.P. Ferris were present to address the Commission. All four were sworn in by Mr. Stites.

Mr. Stites stated although he recognizes that the applicant wants to create a unique development, sidewalks are a safety issue and a concern.

Mr. Sanders stated that in reading past minutes from Trustees hearings and conversations with multiple people from the County Engineer's office, the proposed Allington Lane is only 20 feet wide which is narrower than Rissler Lane and is safety concern.

Mr. Miller stated that if a deed restriction for on-street parking is a compromise, he thinks his client would be agreeable. Mr. Marks agreed that a restriction of on-street parking could be done. He believes with the size of lots and driveways, on-street parking would not be needed. Mr. Marks stated his objective is to create a private park. The first layout presented to the Commission had 44 lots but he has continued to reduce the lots (to the current number of 25 lots). The plan he is trying to sell is 15 lots. There is discussion of combining lots. He is proposing a walkway (preferably stone) at the intersection of the public and private road over the ravine. He noted that Trail's End has sidewalks but Woodland Hall, to the south, does not. He said that if it is a safety issue he is happy to prohibit on-street parking.

Mr. Miller explained that this is a beautiful project and Mr. Marks has worked hard to make this a special place for Delaware County. He stated that they applied for the variance as a precaution. He passed out exhibits that show he believes the variance is not a mandatory requirement. He disagrees with staff on sidewalks being mandatory. (Exhibits available for viewing at the RPC office.) He explained that at the March 2014 RPC meeting, there was extensive discussion but sidewalks were not mandated at that time. They then went to the Zoning Commission and Township Trustees for approval which they received without the sidewalk mandate. He noted that the Trustees vote left open the option for construction of the paths but does not impose it. Mr. Miller explained this development has been through a lot of change. The first review by the RPC from March, 2014 with no sidewalks was based up a design with 44 lots, now it is 25 lots. The road was previously private, now is public with only the western portion private. There was more of a village concept whereas now it is a country estate. He estimated 97 lots in Trail's End as compared to 25 in this development and the public road only accessing a small portion of the lots, and Woodland Hall having no sidewalks, it would be imposing upon this development to build a path to nowhere.

Mr. Stites asked what the actual road width is proposed and how will it be designed? Mr. Gillilan stated that the road would be 20 foot from edge of pavement to edge of pavement with the County standard shoulders of 2 feet with ditch on each side to carry run off.

Mr. Price asked why the entire project was not designed as private roads. Mr. Marks explained that was the original idea. Since this is his first project in Delaware County, he learned that you have to provide a mailbox kiosk at the beginning of the private street. He felt this to be a nuisance so they compromised and have the majority of the lots on the public street where people can have the mail delivered the customary way.

Mr. Snodgrass expressed his concern for the safety issue of not having sidewalks on such narrow streets. Mr. Miller restated the agreement to prohibit parking on the public road and the fact that the HOA could provide sidewalks if they felt the need. Mr. Snodgrass also was concerned with the area of the stream crossing and was happy with the solution Mr. Marks presented.

Mr. Shafer asked Mr. Sanders if the County Engineers office was in support of sidewalks for this project. Mr. Riedel stated that the County Engineer's office is in support of sidewalks in the public portion. He stated that 20 feet of pavement is not adequate for two vehicles and pedestrian traffic at the same time.

Mr. Shafer said the applicant has spoken to the unique design of the plan but the variance criteria is more unique to the property. He asked what is unique about the property that the Commission would need to grant this variance. Is it purely a design driven request or are there unique circumstances on this property; slopes or wetlands to qualify for a variance. Mr. Miller said there is quite a bit of topo change on this site but what they believe is so unique is the low density and putting in a sidewalk requirement for so few residents. Mr. Shafer stated that in his opinion density is unique to the design not the property.

Mr. Price asked if the applicant might make changes to the plan, should the case be tabled until that layout is final. Mr. Marks stated that the road layout would remain the same, there is a possibility of combining lots to reduce the number of available buildable lots. Mr. Price questioned that since the Commission is an advisory board for zonings can the Commission override the Township at the platting phase? Mr. Sanders said that is the conflict. Mr. Miller stated that the applicant received extensive input from the Commission, the County Engineer and the Township during the zoning process that led to this design that is before you. Mr. Sanders clarified that the Commission reviewed the layout prior to at least two zoning commission meetings and the Trustees. The RPC reviews the submitted plan and it is up to the applicant or the Township to let the RPC know their vision. As for timing, he understands all the work the applicant has put into it but without a Sketch Plan, January was the first official subdivision submission the Commission had seen.

Mr. Riedel clarified that when the plan came to the County Engineer's office, their focus is on the actual roads themselves, such as radius and connectivity. They aren't looking at the exact details of sidewalks and if they are provided or not. He did not recall in any meetings where the County Engineer was asked if they were ok with not providing sidewalks. They were looking at the bigger picture of the road network of the development.

Mr. Marks said to summarize his position, he doesn't want this to read like a subdivision. He doesn't want a road system to be the defining character of this property. He said it is unfair to impose a sidewalk requirement on a property that empties into a subdivision with a traffic problem but that doesn't have sidewalks or a plan to build them.

Ms. Mullenhour stated that the project has been a controversial issue between the sidewalks and bike path connections however both the Zoning Commission and Trustees approved the plan without the sidewalks. She said that is not to say the township would have preferred the sidewalks. This project is in what is known as the Olentangy Heritage Corridor. It's a very unique area in that it is not only designated as the Olentangy Scenic River but also as a scenic byway. The Liberty Comp plan is very specific in wanting to protect the ravines in this area along with the woodlands and wetlands. The applicant is providing over 45% open space and only 20% is required. She is hopeful for a compromise.

Mr. Stites stated that there has been ample discussion on the regulations relating to the sidewalk. The applicant and his representative have acknowledged that safety is a concern and they are willing to compromise by prohibiting street parking. Mr. Fowler mentioned an alternative to hard surface paths, Mr. Stites asked the applicant if they had considered the alternatives. Mr. Marks stated that he could consider either a gravel, grass

or mulch path for residents to have access to the woods.

Based on the Findings of Fact, Mr. George made a motion to Conditional Approval of the Variance request for Allington Estates with regards to sidewalks, subject to the applicant prohibiting on-street parking. Mrs. Jenkins seconded the motion. VOTE: Majority For Approval, Few Opposed. Motion carried.

III. ZONING MAP/TEXT AMENDMENTS

33-15 ZON Metro Development – Liberty Twp. – 178.056 acres – FR-1 to PRD

I. Request

Metro Development, on behalf of the owner, is requesting a 178 acre rezoning from FR-1 to PRD to create a 283 lot single family subdivision, Woodcrest Crossing. The site is made up of three parcels owned by Roy Jackson Trustee (two parcels) and Mary Jo Lane Trustee (one parcel).

II. Conditions

Location: north side of Hyatts Rd., south of Clark Shaw Rd., west of future Sawmill Parkway

Present Zoning: Farm Residential (FR-1)

Proposed Zoning: Planned Residential (PR)

Present Use(s): one house, vacant, agricultural

Proposed Use(s): 283 lot single family residential, open space

Existing Density: 1 du / acre

Proposed Density: 1.6 du / gross acre, 2.0 du/ n.d.a.

School District: Olentangy Local School District

Utilities Available: Del-Co Water and central sanitary sewer

Critical Resources: wetlands

Soils: BoA Blount Silt Loam 0-2% slope

BoB Blount Silt Loam 2-4% slope

GwB Glynwood Silt Loam 2-6% slope

PwA Pewamo Silty Clay Loam 0-1% slope

III. Proposal

This proposal, to be named Woodcrest Crossing, includes 283 single-family lots all roughly similar in size between Hyatts Road and Clark-Shaw Road. It was first reviewed in October of 2015 with the same number of proposed units in a different configuration.

The site is currently in agriculture with a home fronting on Hyatts. It includes two significant wooded areas, one at roughly 6.25 acres and the other at roughly 7.4 acres. High-tension overhead power lines also cross the southern portion of the site.

The project is an extension of the Clark Shaw Moors project to the west, as well as the Heather Ridge development in Concord Township. The design includes the extension of Steitz Road from its current terminus with Hyatts Road. This will be designed as an arterial road with limited access and no driveway connections. Approximately 2,500 feet of Steitz will be built, extending it north and then east into undeveloped property. Two roads will access the Steitz Road extension, with an additional access from Clark Shaw Road.

The project will also connect to three road stubs that are part of the design for the Moors project, as well as a third connection to the Heather Ridge proposal in Concord Township.

The prior design showed a minimum width and frontage of 80 feet with a depth of 150 feet. Minimum lot size was .275 acres, slightly larger than those to the west. The new design includes three lot sizes: 80' frontage lots at .275 acres (12,000 s.f.), 65' frontage lots at .2 acres (8,775 s.f.), and 50' lots at .13 acres (5,950 s.f.). The intent is to provide a product of "Low Maintenance Age Targeted Lots." The mix of lot sizes includes 165 at the largest size noted, 36 that are 65' x 135' and 82 that are 50' x 119'. These smallest lots are generally located in the northeastern part of the layout, forming a more private community with public streets.

Open space has been increased from 60.1 acres (32%) to 77.35 acres (43.4%) and is distributed through the site. Most of this increase is reflected in the southwest corner of the site, which is now a 17.09-acre area of open space and drainage area. The design shows dimensions for potential future baseball and soccer facilities. The formal areas of open space forming an east/west chain of parks has been increased as well. As reflected in the previous plan, almost 12 acres of woods will be maintained on the western half of the project. Another wooded area measuring approximately 11 acres is located on the southeast side of the Steitz extension. Within the site, two formal areas of 1.6 acres and 2.2 acres are landscaped with active recreation features and two larger open space areas sit along Clark-Shaw Road.

Roads include approximately 34,500 feet of sidewalks, with 12,900 linear feet of additional asphalt paths through the open space connecting with proposed developments west of the site, as well as along Clark-Shaw Road, Hyatts Road, and Steitz Road.

IV. Comprehensive Plan

The 2006 Liberty Township Comprehensive Plan recommends this area be developed with residential uses at a density of 1.25 units per acre with sewer. At 283 lots, this proposal requests a density of 1.6 units per gross acre. This is further discussed in the divergences section. While the proposal conforms as to use (single-family), it does not conform to the density recommendations. It also extends Steitz Road as a no-load arterial road, a goal that appears on the Comprehensive Plan as a recommendation from the 2001 Thoroughfare Plan.

The Zoning Commission may also want to consider reviewing its Comprehensive Plan with regard to other land uses. The current plan does not recommend non-residential uses north of Hyatts Road. A small, neighborhood-scale service area would be beneficial in the area. Even when the commercial area at Golf Village North develops, it will be 2-3 miles from the residents in this cluster of subdivisions. With a combined 590 lots in these two proposals plus the Moors project, with an additional 80 undeveloped acres west of the Moors and additional acreage to the east, a local retail area would reduce trips on existing streets, including Sawmill Parkway.

V. Divergences

The applicant is requesting six divergences which are detailed in the application but summarized here:

1. Size of phases. The applicant requests that the minimum phase size of 10 acres be reduced to 6 acres for Phase 1B only. Phase 1A is extremely large and adding a small 1B still maintains a viable road network.
Staff comment: After review of the phasing, this appears to be logical. Applicant should ensure that the Subdivision Plan/Plat phasing is consistent in size and order with the Development Plan phasing.
2. Divergence requested from the intensity of use of one unit per net developable acre to be increased to 1.6 dwelling units per gross acre. The applicant states that this variation is needed in response to the requirement to extend Steitz Road as a limited access arterial road as designated on the 2001 Thoroughfare Plan. The density reflects development patterns in the area that are two dwelling units per acre.

Staff comment: Liberty Township's Comprehensive Plan is almost ten years old. While it did anticipate the extension of Sawmill Parkway, it did not anticipate the growth associated with the Moore Road wastewater treatment plant as it relates to the east side of the reservoir. The current plan calls for 1 dwelling unit per net developable acre. The Liberty Township Zoning Resolution does not include NDA in its Planned Residential language but does recommend using it in the Comprehensive Plan and defines it in the resolution. The current resolution uses 15% for streets, jurisdictional wetlands, floodplains, slopes greater than 20%, existing above-ground utilities, and existing bodies of water.

Using existing GIS information, staff calculates the following for this group of parcels:

- 15% for roads: 26.51 acres
- AEP easement: 10.24 acres
- NWI Wetlands: 4.43 acres
- Remaining land (N.D.A.): 135.53 acres

Given that rough calculation, the 135.53 acres would yield 135 lots using the strict definition within the Comprehensive Plan. The requested 283 lots is 1.6 units per net acre and 2 units per gross acre.

It should be noted that the applicant is providing a substantial amount of open space. The applicant is also committing to investments within these open spaces including walking paths, a tot-lot playground, and landscape/hardscape features. Finally, the extension of Steitz Road is a significant expense as proposed. To the west, the Moors project is approved at roughly 2 units per gross acre. For reference, lots in Scioto Reserve are typically 70 feet wide and are valued, on average, at ~\$350,000.

3. Divergences are requested from the side yard setback requirement, based on size of lot:
 - a. 80' lots reduced from 25' to 8' with a minimum building separation of 16 feet. Eaves, window bump-outs and chimneys can encroach into this area.
 - b. 65' lots reduced from 25' to 6.5' with a minimum 13' building separation. Eaves, window bump-outs and chimneys can encroach into this area.
 - c. 50' lots reduced from 25' to 5' with a minimum 10' building separation. Eaves, window bump-outs and chimneys can encroach into this area.

Staff comment: The PR language does not dictate a minimum lot width, so 25 feet has always seemed excessive when the goal is the most efficient use of land. This request has been made on other developments and a 25-foot separation is typically desired. The township should consult with the Fire Chief regarding this request. This request appears to be reasonable based on what has been approved in other developments.

4. Divergence requested to allow the rear yard setback be reduced from 25 feet to 20 feet for the 50' low maintenance product. For other lots, it is requested that the rear yards be reduced from 25 feet to 10 feet.

Staff comment: This was a change recommended in the new Zoning Resolution and is appropriate. These lots are similar in depth to Scioto Reserve lots and 10 feet is a reasonable rear setback for accessory structures.
5. Divergence requested to allow driveways to be located no closer than 30 feet from an intersection where the current code requires spacing of 100 feet. In situations where the intersection is designed as a three-way intersection, the request is for no limitation on driveway placement.

Staff comment: Distance from an intersection is not a County Engineer standard. Based on the connectivity of this proposal, traffic will be more dispersed as it travels throughout the site, with fewer roads serving as collectors. However, as traffic enters the site, there will be points where traffic is greater. Staff does not support this divergence for lots that are located near the first few intersections after entering the site, especially the intersection in front of Lots 36 and 53. Proposals typically do not include locations

where traffic will be required to stop, so these issues are often difficult to judge. Staff recommends continuing to work as the traffic study is finalized and patterns are better understood. Driveways should avoid conflicts at intersections in areas with higher traffic.

6. Divergence requested to allow the structure separation required be reduced from 25 feet to 10 feet. Applicant states that divergence of 6-foot separation has been granted by the township previously.

Staff comment: This is a similar standard as the one noted under Item #3 above. Again, this is reasonable, if the local fire department is comfortable with this request.

7. Divergence requested to allow entrance signs at each entry to be on both sides of the street. The total sign area will not exceed the total allowed if the signs were two-sided.

Staff comment: This request seems reasonable.

8. Divergence requested to allow subdivision sales sign display area be allowed to be 32 s.f. instead of the required 30 s.f. Sign will comply with the 20' distance from the ROW.

Staff comment: This request seems reasonable.

9. Divergence requested to allow temporary free-standing marketing signs to be placed upon the property and maintained until 100% of the units are sold where the code says 90%, and that four signs be allowed – one along Hyatts at Steitz, two along Steitz at the entry points, and one at Clark-Shaw.

Staff comment: The requirement to remove the sign when 90% of the units are sold seems to be sufficient, but the code also has a limitation on the amount of time such signs can be in place. Perhaps a combination of time and units sold could be defined. Also, the language under 22.07(C) which regulates real estate signs allows additional signs when a parcel has frontage on an additional street, so a sign on each access road is reasonable.

10. Divergence requested to allow a permanent subdivision sign on each side of the roadway at all three entries – one at Clark-Shaw and two at Steitz Road. Signage shall conform to setbacks and height requirements.

Staff comment: This Section appears to be related to Conditionally Permitted Signs presented to the BZA but this request is reasonable if the Zoning Commission agrees.

11. Divergence requested to allow a temporary marketing sign allowed without platting where the code requires that a permit be granted when “all provisions of this Zoning Resolution” have been complied with.

Staff comment: The reference to 25.02 may be incorrect, or may summarize other requirements. Please review and clarify that this divergence is correctly referenced and needed. This may refer to the PR section 10.06(F) which requires a plat before any permit can be granted. This is reasonable.

VI. Roads and Circulation

The road network appears to be feasible for the site. The block-and-street pattern is a welcome departure from the typical curvilinear pattern that is sometimes difficult for drivers to find their way through. High connectivity decreases isolation and increases accessibility. These issues will continue to be discussed as this development proceeds through the subdivision phase.

Sidewalks are proposed on both sides of streets, which is required by the Subdivision Regulations. Also, as noted above, wider multi-use paths will be located throughout the site as well as along existing streets and Steitz Road. Staff concurs with these features as they relate to the accessibility noted above, as they provide recreational benefits for the residents and adjacent properties and as a health benefit to the people who use the facilities.

VII. Utilities

The application includes service letters from major utility providers. The letter from the Regional Sewer District states that sanitary sewer is available to the site. Development is permitted to connect to the County sewer system

provided that there is sufficient capacity available for the development and all requirements of the Sanitary Engineer's office can be met. Sanitary sewer is not currently located on the subject parcel and a sewer extension from the future O'Shaughnessy pump station is required to serve this area. This is one of several proposals, in addition to the existing Scioto Reserve development that will be served by the pump station at Butts Road and by the new plant on Moore Road in Concord Township.

There is no letter from the County Engineer's office. The Steitz Road extension has been discussed and the proposed alignment fairly reflects those discussions. While Steitz was recommended in the Thoroughfare Plan to extend north and then east toward Sawmill Parkway, the parkway extension has been designed as a limited access road with no consideration given to a new intersection with Steitz. Further, if the further extension of Steitz forms an intersection with Clark-Shaw, it is unknown at this point where that intersection should be. The road as proposed allows for some flexibility when adjacent property is developed.

A Traffic Impact Study will be required which will determine which streets may serve as collectors.

VIII. Criteria for Approval

The Zoning Resolution requires that the reviewing authorities determine whether a proposal is consistent with the Zoning Resolution, whether it conforms to the Comprehensive Plan, and if it advances the general welfare of the Township and immediate vicinity.

***Staff response:** Based on the comments made within this report, and the considerations for the divergences as listed in the Conditions below, this plan is generally in conformance with the Comprehensive Plan, except as to density, and will potentially advance the general welfare of the immediate vicinity. Lowering the density will also reduce the need for dimensional and setback divergences.*

IX. Staff Recommendations

Staff recommends **Conditional Approval** of the rezoning by Metro Development for 176 acres from FR-1 to PR for Woodcrest Crossing, to the DCRPC, Liberty Twp. Zoning Commission and Liberty Twp. Trustees, *subject to:*

1. *Submission of a Net Developable Acreage calculation and reducing the lot count to a number closer to that recommended in the Comprehensive Plan;*
2. *Applicant should ensure that the Subdivision Plan/Plat phasing is consistent in size and order with the Development Plan phasing.*
3. *Approval of setback divergences;*
4. *Review of the traffic patterns and stop locations before approving the divergence to allow driveways 30 feet from intersections;*
5. *Approval of the entrance sign divergence;*
6. *Further review of the divergence request for temporary marketing signs and consideration of establishing a time limit, or keeping the regulation at 90% of units sold;*
7. *Clarifying whether the divergences related to Conditionally-Permitted Signs and temporary marketing signs are applicable.*

Further, staff recommends that the Zoning Commission review the Comprehensive Plan and consider a location or locations for future neighborhood service-oriented retail uses that would service this general area while adding to the tax base of the township.

Commission / Public Comments

Mr. Todd Faris of Faris Planning and Design was present to represent the applicant.

Mr. Price made a motion to recommend Conditional Approval of the rezoning by Metro Development, subject to staff recommendations. Mrs. Lewis seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

01-16 ZON CV Real Properties – Concord Twp. - 10.25 acres – FR-1 to PRD

I. Request

The applicant CV Real Properties, is requesting a 10.25-acre rezoning from FR-1 to PRD for The Meadows at Home Road, 25 single family condominium homes.

II. Conditions

Location: south side of Home Road, east of Glenmore Dr.

Present Zoning: Farm Residential (FR-1)

Proposed Zoning: Planned Residential District

Present Use(s): One single-family house, barn

Proposed Use(s): single family condo site

Existing Density: 1 du / 1.5 acres

Proposed Density: 2.5 du / acre

School District: Buckeye Valley Local School District

Utilities Available: Del-Co Water and central sanitary sewer

Critical Resources: stream / drainage course, slope >20%

Soils: BoB Blount Silt Loam 2-4% slope

BoA Blount Silt Loam 0-2% slope

GwC2 Glynwood Silt Loam 6-12% slope

III. Issues

The Development Plan indicates that this will be a single-family detached condominium project which will serve as an infill development adjacent to existing sections of Scioto Reserve. A primary access is provided from Home Road, aligning with the entrance of The Pointe at Scioto Reserve condo development to the north. A second gated access is provided to the Valley View Lane stub to the west. Open space of 4.32 acres (or 42%) is planned, mostly along the east side of the site.

A hillside is preserved, along with a small stream and existing treelines to the south and southeast. A new pond will be created along the edge of the stream. Substantial landscaping is provided along Home Road. An internal trail connects with a paved sidewalk and an easement will be created along Home Road for the possible future extension of the bikepath. Portions of this path existing along sections of Scioto Reserve and The Reserve at Scioto Glenn in the City of Powell to the east.

IV. Comprehensive Plan and Density

Concord Township's Comprehensive Plan was recently updated. The plan recommends densities similar to Scioto Reserve, which is 1.85 units per gross acre. This project indicates 2.5 units per acre. Based on the parcel's size and location, this use and density are appropriate for the site. Although at a higher density than the units to the west, the development will appeal to empty-nesters and based on traffic models each unit likely will generate half the trips per day as the single-family lots to the west.

V. Divergence

The applicant asks for a single divergence from Section 23.03 A.1 of the code in regards to landscape. The code requires a continuous 6-foot height mound, hedge, or wall adjacent a freeway or arterial street. The application states that this would not be in keeping with the character of the existing development along Home Road.

Staff Comment: *This is reasonable. The proposed landscaping appears to be similar in nature to the landscaping to the west, and will include mounding.*

VI. Utilities

The letter from the Regional Sewer District states that sanitary sewer is available to the site. Development is permitted to connect to the County sewer system provided that there is sufficient capacity available for the development and all requirements of the Sanitary Engineer's office can be met. Sanitary sewer is not currently located on the subject parcel and a sewer extension from the future O'Shaughnessy pump station is required to serve this area.

There is no letter from the County Engineer's office. A Traffic Impact Study will be required but it should be noted that Home Road is a three-lane section across the frontage of the site.

VII. Staff Recommendations

Staff recommends **Approval** of the rezoning request by CV Real Properties, to the DCRPC, Concord Twp. Zoning Commission, and Concord Twp. Trustees.

Commission / Public Comments

Mr. Todd Faris of Faris Planning and Design was present to represent the applicant.

Mr. Stites questioned the sewer availability. Mr. Faris stated that the pump station was under construction.

Mr. George made a motion to recommend Approval of the rezoning request by CV Real Properties. Mr. Price seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

02-16 ZON Two Polaris Company LLC – Orange Twp. – 3.09 acres – amended PCD

I. Request

The applicant, Two Polaris Company LLC, is requesting a 3.09-acre amendment to the PCD zoning to allow the construction and operation of a self-storage facility.

II. Conditions

Location: south side of Candlelite Drive, east of Old State Road

Present Zoning: Planned Commercial and Office (PC)

Proposed Zoning: Planned Commercial and Office (PC)

Present Use(s): Vacant

Proposed Use(s): Self-storage facility

School District: Olentangy Local School District

Utilities Available: Del-Co Water and central sanitary sewer

Critical Resources: none

Soils: BeA Bennington Silt Loam 0-2% slope

 BeB Bennington Silt Loam 2-4% slope

 PwA Pewamo Silty Clay Loam 0-1% slope

III. Issues

Giltz subdivision is located on the southeast corner of South Old State Road and Candlelite Lane. It is surrounded by single family residential subdivisions to the east (Prestwick Commons), north (Shuster), and northwest (Oak Creek). To the west is a gas station/car wash and to the south is vacant land and Polaris Parkway. The land to the east, south, and west is in the City of Columbus.

This site was reviewed by the RPC for rezoning to Planned Commercial in March, 2000. It was ultimately approved by Orange Township in May of that year for a commercial center with drug store anchor and hotel. The retail center was later built. After construction, a subdivision was filed with the RPC with Preliminary approval in March of 2004 to allow the parcel to be divided for construction of the hotel along the undeveloped area. Access would be provided from Candlelite Lane and ultimately to South Old State Road. The plat was recorded later that May but nothing was built on this site.

The current applicant is seeking a change in the Development Plan to allow the construction of a mini-storage warehouse development with office facility. Six buildings will be constructed, two larger buildings at 10,750 s.f. and 12,000 are located along the north and four others between 5,625 s.f. and 7,050 s.f. are to the south. Architectural renderings are included showing the style of the buildings and an office structure which has some architectural detail and style.

Staff Comment: *Generally, staff concurs that this is an appropriate use for this site. The original hotel request seemed to be an awkward fit for this site, given its “back door” access to South Old State Road and lack of visibility. For such uses, however, buffering is important as noted below.*

Lighting: The application states that all outdoor light pole fixtures shall not exceed a maximum twenty feet, including pilings.

Staff Comment: *Staff recommends that based on this location, all lights be wall mounted and utilize fully cutoff fixtures (which are indicated in the plans).*

IV. Divergences

The applicant appears to make only one change from the divergences allowed in the development plan. The plan asks for a reduction in rear yard setback from the approved 15 feet from any residential district to 10 feet. This is to allow for the mix of buildings and property spacing and access between buildings and is being requested for both the north and east boundary.

Staff Comment: *This would typically not be an issue, since the land to the north will probably develop commercially in the future. However, sanitary sewer service must be provided to lots 196 and 197 in the Schuster Plat to the north (the two lots without structures). This will be difficult to manage within a reduced easement. Secondly, buffering is needed where storage units are adjacent to higher-density residential areas. This is particularly relevant to the east and southeast of this site. The plans indicated detention along the southern edge of the property and the requested 10-foot setback divergence to the east.*

V. Utilities

Service letters from the original 2000 zoning are provided from the Sanitary Engineer and Del-Co water. There is also no letter from the County Engineer acknowledging the conceptual stormwater management plan.

VI. Staff Recommendations

Staff recommends ***Conditional Approval*** of the rezoning request by Two Polaris Company, to the DCRPC, Orange Twp. Zoning Commission, and Orange Twp. Trustees, subject to:

1. *The applicant and Orange Township consulting with the Delaware County Regional Sewer District to determine the impact that extending sewer to the north will have on the layout and divergence request;*
2. *Continuing to work with the County Engineer to determine drainage feasibility;*
3. *Consider the use of all wall mounted lights to reduce glare and light trespass on neighboring areas.*

Commission / Public Comments

No one was present to represent the applicant.

Mr. Thurston made a motion to recommend Conditional Approval of the rezoning request by Two Polaris Company, subject to staff recommendations #1-3. Mr. Gauldin seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

03-16 ZON Daniel Frost – Berkshire Twp. – 6.07 acres – AR-1 to FR-1

I. Request

The applicant, Daniel Frost, on behalf of owner Walter and Mary McClintock, is requesting a 6.07-acre rezoning in order to create two separate building sites.

II. Conditions

Location: 1628 S. Galena Rd.

Present Zoning: Agricultural (A-1)

Proposed Zoning: Farm Residential (FR-1)

Present Use(s): Abandoned home

Proposed Use(s): two lot split

Existing Density: 1 du / 5 acres

Proposed Density: 1 du / 1.95 acres

School District: Big Walnut Local School District

Utilities Available: Del-Co Water and on site treatment system

Critical Resources: 100-year floodplain, slope >20%

Soils: SnA Sloan Silt Loam, till substratum, 0-2% slope

GbB Gallman Silt Loam, Loamy substratum, 2-6% slope

GaC2 Gallman Loam, 6-12% slope

CaC2 Cardington Silt Loam, 6-12% slope

CaB Cardington Silt Loam, 2-6% slope

III. Issues

This is a request for a rezoning to a “straight” district, so no development plan is required. However, the intent is to allow this 5.68-acre tract and an adjacent .39-acre tract to be reconfigured into two new buildable lots. The larger parcel has an existing house, noted as “abandoned” on the plans. Together, the lots appear to have approximately 250 feet of frontage, although additional frontage may be available on the northern portion of the site, based on right-of-way documents and surveys. Currently, county GIS indicates there is a small “gap” between the lot and the right-of-way line, which may simply be a discrepancy in how the original surveys are displayed in GIS. This should be clarified with the township at the time of the split.

Staff recommends consultation with the Health District prior to beginning the Lot Split process. Division of the lot will require the typical ORC 711.131 (No Plat) process, where approvals will be required for both lots from the Health District, the Soil and Water Conservation District, the County Engineer, the Sanitary Engineer, the Berkshire Township Zoning Inspector, and finally the Regional Planning Commission.

IV. Staff Recommendations

Staff recommends **Conditional Approval** of the rezoning request by Daniel Frost, to the DCRPC, Berkshire Twp. Zoning Commission, and Berkshire Twp. Trustees, *subject to clarifying the existing frontage for the 5.68-acre parcel.*

Commission / Public Comments

No one was present to represent the applicant.

Mrs. Lewis made a motion to recommend Conditional Approval of the rezoning by Daniel Frost, subject to staff recommendation. Mr. Boysel seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

IV. SUBDIVISION PROJECTS

Preliminary

06-16 The Woods of Dornoch, Section 5 – Delaware Twp. - 40 lots / 12.25 acres

I. Conditions

Applicant: Dornoch Situation LLC
Subdivision Type: Planned Residential
Location: East end of Maketawah Drive, West of Braumiller Rd.
Current Land Use: Vacant
Zoned: Planned Residential District (PRD)
Zoning Approval: August 1, 1994
Utilities: Del-Co water and private community treatment
School District: Delaware City
Engineer: Real Property Design & Development

II. Staff Comments

The Woods of Dornoch, Section 5 is the final undeveloped part of Dornoch, which spans areas of both Delaware Township and Liberty Township. Sections were initially recorded in 1997 and 1998. The most recent Section to be platted was just west of this area in 2005. Section 5 indicates the completion of Maketawah Drive, which is stubbed to this property from both the east and the west. The 40 lots are generally 65' wide by 130' deep and are either adjacent to the existing golf course to the south or large wooded areas to the north. A small, half-acre area is retained in open space and conservation easement, preserving a stream and slopes. Additional acreage has been added to the north, allowing for stormwater maintenance, as well as conservation of a steep slope leading to Weiser Run.

A technical review was held on February 16, 2016, after which the applicant has addressed all of the required changes.

III. Staff Recommendation

Staff recommends ***Preliminary Approval*** of The Woods of Dornoch, Section 5 to the DCRPC.

Commission / Public Comments

Mr. Bill Westbrook was present to represent the applicant.

Mr. Price made a motion for Preliminary Approval of The Woods of Dornoch, Section 5. Mrs. Jenkins seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

05-16.V The Glade at Highland Lakes – variance from Section 306.02, lots on a CAD

Applicant: Edwards Land Development Co.

I. Request

The applicant is requesting a variance from Section 306.02 of the Delaware County Subdivision Regulations to allow a Common Access Driveway that exceeds the number of lots allowed on a CAD within the 50-acre Glade at Highland Lakes.

II. Facts

1. The applicants seek to utilize a Common Access Driveway to provide access to five lots.
2. The site is impacted by significant topography, an existing sanitary line and related easement, and an existing stream.
3. The subdivision is a relatively low-density subdivision, at less than 1 unit per acre.
4. Open space of almost 50% is being preserved through the design.
5. CADs are intended to be used to reduce the impact on natural features but are not intended to gain an excessive number of additional lots.
6. This proposal requests **four lots** to be accessed exclusively by the CAD, with one additional lot with frontage on Holiston using the CAD.
7. Section 306.02 of the Subdivision Regulations allows **three lots** to be exclusively accessed by the CAD, with two additional lots allowed if they have frontage on the connecting street:

“**306.02 Number of Lots.** The CAD may serve and provide access for up to three (3) lots as shown on the CAD subdivision plat. Two (2) additional lots contiguous to the CAD at the point of access to the public or private road by the CAD and which would meet the current applicable zoning requirements as free-standing lots may, at the discretion of the Commission, be accessed by the CAD.”

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

“On behalf of our client, Edwards Land Development, Co., we are respectfully requesting a variance from Section 306 Common Access Driveway (CAD) Subdivision, 306.02 Number of Lots for The Glade at Highland Lakes. The maximum number of lots allowed on a Common Access Drive (CAD) are three excluding the two additional lots located at the entrance of the CAD and the public road. The developer is requesting the maximum number of lots on the CAD to be four, one additional lot, plus the two additional lots at the entrance of the CAD.”

Based on the attached site plan for The Glade at Highland Lakes lots 10, 11, 12 and 13 will take access from the CAD along with lot 14 (side loaded garage). Lot 9 will face the CAD, but it will have its access from the public road (side loaded garage).

We feel the additional lot is justified due to the unique topography of the site, large ravines, and the preservation of the existing streams and woods on the site.”

IV. Staff Recommendation

Staff recommends that based on the findings of fact within this staff report, the Variance from Sections 306.02, for **The Glade at Highland Lakes** be **Approved** by the RPC.

Commission / Public Comments

Mr. Charles Driscoll of Edwards Land Company was sworn in. He explained the request for the CAD was made to preserve the trees.

Mr. Boysel made a motion to Approve the Variance for The Glade at Highland Lakes, based on the findings of fact presented by staff. Mr. Price seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Genoa Twp.). Motion carried.

05-16 The Glade at Highland Lakes - Genoa Twp. - 45 lots / 50.27 acres

I. Conditions

- Applicant:** Edwards Land Company
- Subdivision Type:** Planned Residential
- Location:** North side of Big Walnut Rd., East of I-71
- Current Land Use:** Vacant, former agricultural with barn and house
- Zoned:** Planned Residential District
- Zoning Approval:** July 11, 2007
- Utilities:** Del-Co water and public sanitary sewer
- School District:** Olentangy Local School District
- Engineer:** EMH & T

II. Staff Comments

Originally approved for multi-family, this parcel was rezoned through the township for a single-family development. The Glade at Highland Lakes takes access from Big Walnut Road via Sedgewick Lane, aligning with Highland Hills Drive to the south. This road turns and T's into Holiston Court. The site also provides access to lots to the west via the extension of Whispering Trail. This road was originally built with the intention of extending into this property, at which time its connection to Big Walnut Road would be discontinued. After that, Walnut Woods Section 1 would take access through this development, reducing the number of curb cuts on Big Walnut and increasing spacing between those accesses.

The 45 lots are generally 85' by 145', or 12,325 square feet. Significant open space is preserved based on the topography and proximity to Interstate 71. A large area of 22 acres will include a walking trail through the existing woods. Other small open space reserves of .5 acres, 1.2 acres, and 0.4 acres are scattered through the southern end of the site. The design utilizes two Common Access Driveways, which limit the disturbance to the existing topography. One extends from the northern cul-de-sac providing access to three lots. The other extends to the west, providing access to four lots, plus one with frontage on Holiston Court. These CADs will

be built with the same cross section as the other roads. Sidewalks are provided throughout, except on the private CADs.

A technical review was held on February 16, 2016, after which the applicant has addressed all of the required changes.

III. Staff Recommendation

Staff recommends *Preliminary Approval* of **The Glade at Highland Lakes** to the DCRPC.

Commission / Public Comments

Mrs. Jenkins made a motion for Preliminary Approval of The Glade at Highland Lakes. Mr. Gauldin seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained. Motion carried.

04-16 Harvest Curve – Liberty Twp. - 38 lots / 36.7 acres

I. Conditions

Applicant: Crown Ridge Investment LLC
Subdivision Type: Planned Residential
Location: west side of Steitz Road, South of Hyatts Road
Current Land Use: Vacant, former agricultural, barns
Zoned: PR (Planned Residential District)
Zoning Approval: September 19, 2013
Utilities: Del-Co water and public sanitary sewer
School District: Olentangy Local School District
Engineer: EMH & T

II. Staff Comments

Harvest Curve is a 38-lot subdivision with a main access from Steitz Road. This road, proposed to be called Autumn Grove Drive, ends in a T intersection. A second road is called Golden Crest Court to the north of this intersection. To the south is Vista Walk Lane, a road that extends to an existing road stub in Scioto Reserve, Section 4, Phase 9. A third road extends to the southern property line. A significant amount of open space will be platted, with every lot situated adjacent to this open space. Open space of 18.7 acres constitutes slightly more than 50%. Improvements will include realignment of Steitz Road so that the curve just south of the current frontage is not so severe.

A technical review was held on February 16, 2016, after which the applicant has addressed all of the required changes.

III. Staff Recommendation

Staff recommends *Preliminary Approval* of **Harvest Curve** to the DCRPC.

Commission / Public Comments

Mr. Corey Theuerkauf, Rockford Homes was present to represent the applicant.

Mr. Price made a motion for Preliminary Approval of Harvest Curve. Mr. Heid seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

Preliminary/Final (*none*)

CONSENT AGENDA

Final

06-04.3 Summerwood Lakes, Section 3 – Berkshire Twp. - 33 lots / 23.07 acres

I. Conditions

Applicant: Homewood Corp.

Subdivision Type: Single Family Residential

Preliminary Approval: March 25, 2004

Location: East side of 3 B's & K Road, approx. 5,500 feet south of Cheshire Road

Current Land Use: Vacant

Zoned: PRD (Planned Residential Development)

Utilities: Del-Co Water, central sanitary sewer

School District: Olentangy Local School District

Engineer: CT Consultants

II. Staff Comments

The existing site is a generally flat, open field. Section 1 was recorded on December 15, 2006. Surrounding land uses include large acreage tracts to the south, Summerwood Section 1 to the west, Olentangy property included a middle school and bus facility to the north and Interstate 71 to the east. Section 3 is being developed before Section 2 based on continuing work with drainage along the northern edge of the development.

The developer is proposing a large earth mound along the eastern edge of the site as a sound and visual buffer along the Interstate. Streamside Drive, a long loop street, will access these 33 lots. Lots are generally 80'x130', or a quarter-acre in size. Retention basins are located throughout the site and a walking path will be constructed along the perimeter of the subdivision and throughout the interior open space. An original farmhouse along S. 3 B's and K will remain.

Open space of 12.801 acres will be platted with this section. This represents the majority of the 54% open space throughout the subdivision.

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

III. Staff Recommendation

Staff recommends *Final Approval* of **Summerwood Lakes, Section 3** to the DCRPC.

Commission / Public Comments

Mrs. Jenkins made a motion for Final Approval of Summerwood Lakes, Section 3. Mr. George seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

20-13 Harvest Point – Liberty Twp. - 38 lots / 35.13 acres

I. Conditions

- Applicant:** Crown Ridge Investments LLC
- Subdivision Type:** Single Family Residential
- Preliminary Approval:** February 27, 2014
- Location:** West side of Steitz Road, approx. 1,000 feet North of Home Road
- Current Land Use:** multiple agricultural buildings
- Zoned:** PR (Planned Residential)
- Utilities:** Del-Co Water, central sanitary sewer
- School District:** Olentangy
- Engineer:** EMH & T

II. Staff Comments

Harvest Point is a 38-lot residential subdivision with an access to Steitz Road. To the west is a large detention pond used as part of the Scioto Reserve sanitary treatment system. To the south are large lots with frontage on Home Road. To the north is 49 acres of undeveloped land and a 34.5-acre tract which has a similarly-approved zoning plan and layout.

This project indicates an entrance road turning to the southwest and ending in a cul-de-sac. A second road provides frontage for 15 lots to the south, also ending in a cul-de-sac. A connection is provided to the north. No other connections are available due to the surrounding development. Internal roads will have sidewalks and a bike path is located along Steitz Road. A Fair Share contribution for improvements to Steitz Road has been agreed to by the developer.

The development provides 16.4 acres or 46% open space. All but three of the building lots are adjacent to the open space.

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

III. Staff Recommendation

Staff recommends *Final Approval* of **Harvest Point** to the DCRPC.

Commission / Public Comments

Mrs. Jenkins made a motion for Final Approval of Harvest Point. Mr. George seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

03-16 Orange Centre Development easement vacation - Orange Twp. - 01 lot / 0.903 acres

I. Conditions

Applicant: Epcon Communities/Todd Pomorski

Subdivision Type: Multi-Family Residential

Location: East of Orange Centre Dr., north of East Hidden Ravines Dr.

Engineer: Brian Prenger, EMH&T

II. Staff Comments

Orange Centre was platted December 18, 2007 and intended for a condominium project. That plat included certain “Drainage and Utility Easements.” The site was rezoned with a different layout and condominium product in 2014. During preparation of the site for construction, it was noted that a portion of a drainage and utility easement on the original plat was no longer desired. County Engineer staff has confirmed that new easements are in place.

Utility Easements that are created by plat must be vacated through the RPC. In accordance with the Subdivision Regulations, the legal descriptions and surveys were reviewed and notice was published. There were no comments from any county agencies or other utilities.

The applicant has presented to the RPC Office a survey of the easements to be vacated, a requirement for approval.

III. Staff Recommendation

Staff recommends *Approval* of **Orange Centre Development easement vacation** of 0.903 ac. to the DCRPC.

Commission / Public Comments

Mrs. Jenkins made a motion for Approval of the Orange Centre Development easement vacation of 0.903 acres. Mr. George seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

V. EXTENSIONS *(none)*

VI. OTHER BUSINESS

- Consideration for Approval: Liability Insurance, \$7,473.00

Mr. George made a motion for Approval of the Liability Insurance expense of \$7,473.00. Mr. Price seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

VII. POLICY / EDUCATION DISCUSSION *(none)*

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

Having no further business, Mr. Price made a motion to adjourn the meeting at 8:45 p.m. Mr. Boysel seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

The next meeting of the Delaware County Regional Planning Commission will be Thursday, March 31, 2016, 7:00 PM at the Willis Building, 2079 US 23 North, Conference Room, Delaware, Ohio 43015.

Dave Stites, Chairman

Stephanie Matlack, Executive Administrative Assistant