



# Delaware County Regional Planning Commission

109 North Sandusky Street  
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www.dcrpc.org

Scott B. Sanders, AICP  
Executive Director

## *\*MINUTES\**

Thursday, July 25, 2013 at 7:00 PM  
Frank B. Willis Building, 2079 US 23 North, Conference Room,  
Delaware, Ohio 43015

### I. ADMINISTRATIVE BUSINESS

- Call to order
- Roll Call
- Approval of June 27, 2013 RPC Minutes
- Executive Committee Minutes of July 17, 2013
- Statement of Policy

### II. VARIANCES *(none)*

### III. ZONING MAP/TEXT AMENDMENTS

18-13 ZON Verona LLC – Liberty Twp. – 113.44 acres from PR & FR-1 to PR  
19-13 ZON Romanelli & Hughes – Genoa Twp. – 12.715 acres from RR & SR to PRD

### IV. SUBDIVISION PROJECTS

#### Preliminary

		Township	Lots/Acres
12-13	The Heathers at Golf Village North	Liberty	129 lots / 47.40 acres
11-13	Meadows at Lewis Center North	Orange	38 lots / 25.83 acres
07-04.6.2	Olentangy Crossings, Section 6, Phase 2	Orange	11 lots / 09.012 acres
13-13	Olentangy Crossings South, Lot 7489, Div. #1	Orange	02 lots / 05.569 acres

#### Preliminary/Final *(none)*

#### Final

09-13	Robin Haven, Lot 2191, Div. #1	Liberty	02 lots / 01.598 acres
05-11	Menards Creekside	Orange	20 lots / 71.231 acres
03-06.1.B.2	Meadows at Lewis Center, Sec. 1, Ph. B, Pt. 2	Orange	15 lots / 05.39 acres

**T=TABLED, W=WITHDRAWN**

### V. EXTENSIONS *(none)*

### VI. OTHER BUSINESS

- Consideration for Approval: Concord Twp. Comprehensive Plan Update – Contract \$4,000.00
- Consideration for Approval: Reimbursement for ESRI conference, Da-Wei Liou - \$1,317.46

### VII. POLICY / EDUCATION DISCUSSION

### VIII. RPC STAFF AND MEMBER NEWS

**I. ADMINISTRATIVE BUSINESS**

▪ **Call to Order**

Chairman O'Brien called the meeting to order at 7:00 p.m.

▪ **Roll Call**

Representatives: Jeff George, Rick Sedlacek, Susan Kuba, Fred Fowler, Ken O'Brien, Tiffany Jenkins, Tom Hopper, Joe Clase, Jon Trainer, Dave Stites, Holly Foust, Hal Clase, Thomas Farahay, Robert Taylor, Charlie Callender, Bonnie Newland, and Mike Dattilo. Alternates: Adam Howard and John Piccin. Staff: Scott Sanders, Da-Wei Liou and Stephanie Matlack.

▪ **Approval of the June 27, 2013 RPC Minutes**

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

▪ **July 17, 2013 Executive Committee Minutes**

**1. Call to order**

Chairman O'Brien called the meeting to order at 8:45 a.m. Present: Ken O'Brien, Tiffany Jenkins, Susan Kuba, Dave Stites, and Jeff George. Staff: Scott Sanders and Stephanie Matlack.

**2. Approval of Executive Committee Minutes from June 19, 2013**

*Mrs. Kuba made a motion to Approve the minutes from last month as presented. Mr. Stites seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

**3. New Business**

- Financial / Activity Reports for June 2013

REGIONAL PLANNING RECEIPTS		JUNE	YTD TOTAL
General Fees (Lot Split)	(4201)	\$1,025.00	\$3,580.00
Fees A (Site Review)	(4202)	\$1,200.00	\$2,700.00
Insp. Fees (Lot Line Transfer)	(4203)	\$400.00	\$1,500.00
Membership Fees	(4204)		\$264,753.00
Planning Surcharge (Twp. Plan. Assist.)	(4205)		\$564.43
Assoc. Membership	(4206)		
General Sales	(4220)	\$4.00	\$68.49
Charges for Serv. A (Prel. Appl.)	(4230)	\$7,500.00	\$51,051.50
Charges for Serv. B (Final. Appl.)	(4231)	\$6,968.80	\$22,546.90
Charges for Serv. C (Ext. Fee)	(4232)		\$150.00
Charges for Serv. D (Table Fee)	(4233)	\$400.00	\$600.00
Charges for Serv. E (Appeal/Var.)	(4234)	\$600.00	\$900.00
Charges for Serv. F (Planned District Zoning)	(4235)	\$300.00	\$3,900.00
OTHER DEPT. RECEIPTS			
Health Dept. Fees	(4242)		\$100.00
Soil & Water Fees	(4243)	\$1,050.00	\$3,675.00
MISCELLANEOUS REVENUE			
Other Reimbursements	(4720)		\$206.40

Other Reimbursements A			
Other Misc. Revenue (GIS maps)	(4730)	\$13.00	\$191.80
Misc. Non-Revenue Receipts	(4733)		
Sale of Fixed Assets	(4804)		
<b>TOTAL RECEIPTS</b>		<b>\$17,792.10</b>	<b>\$337,026.72</b>

<b>Balance after receipts</b>	<b>\$520,386.46</b>
<b>Expenditures</b>	<b>- \$ 20,054.57</b>
<b>End of June balance (carry forward)</b>	<b>\$ 500,331.89</b>

*After discussion of the financial reports, Mr. Stites made a motion to approve the financial reports as presented. Mrs. Jenkins seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

- Site Review:
  - Crownover Tract- Berlin Twp. - 106 lots / 87.843 acres
  - Morgan Split – Orange Twp. - 01 lot / 3 acres
  - The Heathers at Golf Village North – Liberty Twp. - 129 lots / 47.4 acres
  - Sizemore Tract – Liberty Twp. - 19 lots / 30.979 acres
  
- July RPC Preliminary Agenda
  - 1.) Rezoning:
    - Verona LLC – Liberty Twp. – 113.44 acres from PRD & FRD to PR
    - Romanelli & Hughes – Genoa Twp. – 12.715 acres from RR & SR to PRD
  - 2.) Variance: none
  - 3.) Preliminary:
    - The Heathers at Golf Village North – Liberty Twp. - 129 lots / 47.40 acres
    - Meadows at Lewis Center/Evans – Orange Twp. -38 lots / 25.83 acres
    - Olentangy Crossings, Section 6, Phase 2 – Orange Twp. - 11 lots / 09.012 acres
    - Olentangy Crossings South, Lot 7489, Div. #1- Orange Twp. - 02 lots / 05.569 acres
  4. Preliminary/Final: none
  - 5.) Final:
    - Robin Haven, Lot 2191, Div. #1- Liberty Twp. - 02 lots / 01.598 acres
    - Menards Creekside - Orange Twp. - 20 lots / 71.231 acres
    - Meadows at Lewis Center, Sec. 1, Ph. B, Pt. 2 – Orange Twp. - 15 lots / 05.39 acres
  - 6.) Extension: none
  
- Director’s Report
  - 1.) Financial to date
 

2013 Dues income:	\$276,257
2013 non-dues income to date:	\$114,650 (budgeted \$27,400)
Total 2012 non-dues income:	\$102,286
Projected expenses:	\$278,117
Projected carryover:	\$405,336
  - 2.) Zoning Reviews

As of the end of June, we had reviewed 19 cases (same as last year) but 886 acres (twice that as 2012).

3.) Subdivision Activity

Including July, we have reviewed 622 new Preliminary residential lots (264 in 2012).

We have reviewed 138 Final Platted lots (142 in 2012).

Thanks to the Menards plat on the July agenda, we have seen a large number of commercial lots (23).

4.) NPA Splits and Transfers

Splits and Transfers are not significantly increased or decreased – we will probably do about the same number as 2012 (only 32 new buildable lots using the NPA process).

5.) Building Permits in Unincorporated Areas (includes multi-family)

Permits are outpacing last year by an average of about 5 more per month in the townships. The second quarter of this year saw the highest number of permits since the second quarter of 2006.

6.) Multi-Family in Columbus.

I've asked Da-Wei to add some municipal projects to our "active" layer in GIS, to enable us to track them in our mapping. I have been particularly interested in the multi-family plans currently in the works in Columbus and the impact that will have on the county:

- 9440 South Old State Road: 44 units on 4 acres (south of Polaris Parkway)
- 801 Polaris Parkway: 270 units on 6.42 acres (next to CVS)
- S. Old State north of Candlelite Lane: 208 units on 14.5 acres
- Antares and Polaris: 224 units on 15.5 acres (behind Walgreen's on Polaris)
- Residences at North Park Place: 208 units on 13.29 acres (west of Toys R Us)

Total of 954 multi-family units.

7.) Contract/Non-contract Work

- a) Completed full draft of Liberty Township Zoning Code – now to prosecutor and final changes;
- b) Completed Sunbury Recommendations – need to revise some recs and update previous chapters, hope to complete by end of year;
- c) Concord Township Comp Plan update – contract on this month's agenda, to begin in Fall, 2013;
- d) Reformatted Berlin Township Zoning Code, will be adding two districts and some "reserved" sections for future use – using free hours at this time.

8.) County Planning Directors

Planning directors will meet next Friday at the Delaware County BODD building at Orange Road and US 23. I continue to serve as Secretary.

**5. Old Business** (*none*)

**6. Other Business**

- Consideration for Recommendation of Approval: Da-Wei Liou conference reimbursement -\$1,317.46

***Mr. Stites made a motion to recommend Approval of the reimbursement for ESRI***

*conference for Da-Wei Liou for \$1,317.46, seconded by Mrs. Jenkins. VOTE: Unanimously For, 0 Opposed. Motion carried.*

7. **Personnel** (*none*)

8. **Adjourn**

*Having no further business, Mr. George made a motion to adjourn the meeting at 11:00 a.m. Mrs. Kuba seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

*The next regular Executive Committee meeting will be Wednesday, August 21, 2013 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** (*none*)

III. **ZONING MAP/TEXT AMENDMENTS**

18-13 ZON      Verona LLC – Liberty Twp. – 113.44 acres from PR & FR-1 to PR

**I. Request**

The applicant, Verona LLC, is requesting a 113.44-acre rezoning from PR & FR-1 to PR to allow 122 single family lots and 55 detached condominium units, or 177 total units.

**II. Conditions**

**Location:** 4436 Powell Rd. and 4127 Seldom Seen Rd.

**Present Zoning:** Planned Residential (PR) and Farm Residential (FR-1)

**Proposed Zoning:** Planned Residential (PR)

**Present Use(s):** One single-family house and golf course with related club house and out-buildings

**Proposed Use(s):** single family residential and detached condominiums

**Existing Density:** 1 du / acre

**Proposed Density:** 1.56 du / acre

**School District:** Olentangy School District

**Utilities Available:** Del-Co Water and sanitary sewer

**Critical Resources:** none

**Soils:** PwA Pewamo Silty Clay Loam 0-1% slope

BoA Blount Silt Loam 0-2% slope

BoB Blount Silt Loam 2-4% slope

GwB Glynwood Silt Loam 2-6% slope

UdB Udorthents, Clayey-Urban Land Complex, undulating

### **III. Issues**

This proposal seeks to zone three parcels – two of which are the current site of the Shamrock Golf Course with access to Powell Road while the third is a 10-acre lot on Seldom Seen Road with a single-family home. It is located between Big Bear Farms to the east and Wedgewood Park to the west. The design shows a single boulevard access from Powell Road, splitting into two roads which would access the 122 single-family homes and continuing through to a second entrance on Seldom Seen Road. The 55 detached condominium units are accessed via a loop road which forms a central open space for the development. Overall, 29% of the area is dedicated as open space.

The overall design creates a transition between two existing neighborhoods. Adjacent lots in Big Bear Farms are approximately 1/3 acre (.3 ac.) in size. Adjacent lots in Wedgewood Park are 2/5 acre (.4 ac.) in size. The proposed lots are 1/3 acre with a band of open space along the perimeter edge to the west and the condominiums have no “lot” size, but the buildable area of each unit with setbacks is .179 acres. The condo portion of the development also includes a 100-foot buffer of open space adjacent to Big Bear Farms. The condominium area is problematic as it creates a pocket of higher density adjacent to an area of existing single-family homes. No buffering is indicated and the divergences requested below ask for an allowance for stockade fencing that exceeds the 150’ limit through the Zoning Resolution.

From a design standpoint, the condominiums conflict with the development pattern of the area. While age-restricted uses are a growing market and there is justification to respond to this market by providing a product that allows residents to “age in place”, location is critical. It has been noted in previous similar reviews that the impacts of such housing with regard to roads and schools are smaller per unit than single-family homes. For example, the average single-family unit generates approximately 10 trip ends per day while “detached senior housing” generates approx. 3.71 trip ends per day (*source: Institute of Transportation Engineers*). However, sanitary use is generally consistent and emergency services may be increased in these areas.

For these reasons, it is recommended that the density be decreased and that these units be moved to the south, possibly taking access from either side of the boulevard entrance. Adequate buffering and landscaping should be provided along adjacent developments and any fencing divergences should be specifically designed and approved as part of the Development Plan.

### **IV. Zoning Process**

RPC records indicate that 90 acres of the golf course (excepting out the club house) was rezoned as part of a Planned Residential development in October, 1989. The Wedgewood Golf Course (identified as 160.586 acres in GIS), along with the Shamrock Golf Course, were part of the land rezoned for Wedgewood Section 2. That Development Plan indicates 165 residential units (some single-family, some condos) on the south side of Powell Road. It appears that 196 have been built in connection to the zoning case as some of the office area on the original plan is now residential development (Tavistock Circle).

Liberty Township confirms that there are documents restricting the 90 acres as follows: “No structure for residential, commercial, or manufacturing purposes shall be erected on the real estate described herein.” Although these deed restrictions were not recorded, they were identified during the township’s rezoning hearings and incorporated into the development plan as amended by the applicants for Wedgewood Section 2.

This raises significant questions as to whether it is appropriate to rezone this property for this use. Deed Restrictions are not within the authority of the Township to enforce, although they were referenced when the Development Plan was approved. While this site is connected to the residential development “on paper,” the fact that the site is on the opposite side of Powell Road (State Route 750), means that there is no physical relationship between Wedgewood Section 2 to the south and the subject of this rezoning application. Essentially, unless

residents utilize the Shamrock course and related facilities, the neighborhood does not benefit from the open space. Generally speaking, despite various controls that may be put in place, any owner may ask for a rezoning of a parcel. Therefore, no rezoning is “permanent.” It is also reasonable that at some point, when the current use is no longer viable, a different use may be appropriate for the site. Since the proposal is for a residential development of a similar style and quality as the surrounding area and includes several areas of open space, this may be a reasonable use. The question is whether the density is appropriate.

#### **V. Conformance with the Comprehensive Plan**

The 2006 Liberty Township Comprehensive Plan identifies the golf course portion of this application as green for “golf, parks and open space.” However, this is not a specific zoning designation in the Zoning Resolution. Generally, this area is recommended for residential uses at 1.25 units per net developable acre. RPC staff did not perform a net developable acre calculation for the site, but using gross acreage, the number of lots would be 142. The NDA would be, at most 128 lots, utilizing the right-of-way subtraction. This proposal is for 1.56 units, which the application states is offset with the open space dedication of 29%.

#### **VI. Specific Areas of Divergence are being requested from the Zoning Code**

1. The applicant is requesting a divergence for density of 1.56 dwelling units per gross acre with 29% open space where the Comprehensive Plan recommends 1.25 dwelling units per net developable acreage and 20% open space.

**Staff comment:** *As noted above, the density is higher than allowed through the net developable calculation and the gross calculation. The smallest single-family lots are 100' x 150', which represents a 1/3-acre lot, which is comparable to neighboring lots. The condominium development is driving the density divergence and this is driving other divergences. Staff does not recommend a divergence to this degree.*

2. The applicant is requesting a front yard setback divergence to 30 feet for the fee simple lots and 25 feet for the condominiums where the code requires a setback equal to the width of the right-of-way (60 feet).

**Staff comment:** *This is reasonable and appears to be comparable to neighboring developments. It also improves the character of neighborhoods when setbacks are not excessive. The proposed draft of the Zoning Resolution reduces this setback to 30 feet.*

3. Divergence is requested from the landscaping plans.

**Staff comment:** *The application did not specify what portion of the code is different from what is requested.*

4. Divergence is requested from the requirement that no driveway be located so that it enters a public road within 100 feet of the intersection.

**Staff comment:** *This appears to be limited to only two intersections where the layout of the lots limits driveway placement. This issue could be resolved with small adjustments in the design and a reduction in the density. Staff does not recommend this divergence.*

5. Divergence is requested to allow a reduction in side yard setbacks and structure separation

**Staff comment:** *This request has been made previously on other developments. Although the current requirement of 25 feet per lot seems excessive (50-foot structure separation), a 6-foot setback results in a 12-foot structure separation. The township should consult with the Fire Chief regarding this request. The new draft of the Zoning Resolution allows the setback in Cluster Housing to be reduced, so with the assurances of the fire-rated adjacent walls as noted within the development plan, this divergence may be reasonable. The code requires masonry walls and no openings on walls that are adjacent. However, lowering the density or increasing the “lot” size would reduce the need for this divergence.*

6. Divergence is requested from the fencing guidelines to allow stockade fencing to be installed where the code requires it to be behind the building and not within 150 feet of the exterior property line of the overall development.

**Staff comment:** *Staff can't locate detail on fencing within the condominium area. Since this is a dense area of development, design is even more critical. Some divergence may be reasonable, if designed specifically for each site and specifically designed as part of the development plan. Staff cannot recommend approval of a general divergence of this nature.*

7. Several temporary signs are proposed during the development of the property. Where such temporary signs are limited to 18 months, the applicant requests that signs be allowed to remain until the construction trailer is removed from the site. Second, it is requested all such temporary construction signs be allowed on the site since the site must be marketed on two different streets.

**Staff comment:** *This request seems reasonable, but this is also an open-ended request, unless it specifies the signs and locations within the development plan. Staff recommends that additional temporary construction signs be allowed at Seldom Seen Road, but only to the same specifications that would be allowed at Powell Road.*

## **VII. Road Improvements**

Since the golf course was a viable use in the past, the Development Plans for Big Bear Farms and Wedgewood Park did not anticipate road connections to this property. Unfortunately, there are no existing road stubs to allow connectivity to adjacent developments.

ODOT is currently planning to widen State Route 750 (Powell Road) from the Columbus Zoo to Sawmill Parkway in 2015. The improvements will include a 5-lane section with a continuous turn lane. The project also includes a continuous shared use path along the north side of the road.

The Traffic Impact Study (based on 162 lots) indicates typical additional lanes within the development at the two entry/exit points. It also requires a westbound right turn lane (175') at the Powell Road entrance and a westbound left turn lane at Seldom Seen Road will be required. The Engineer's TIS review also requires the developer to install a traffic signal at S.R. 750 and Wedgewood Drive. ODOT may elect to take a fair share contribution toward their project instead of requiring a signal that would be moved during ODOT's project. Additional lanes will also be required within the development at the two entry roads.

**Common Access Driveway** – a CAD is shown in the northwestern corner of the site. CADs are typically approved where there is a unique characteristic to the land. At this location, it appears to be used to gain frontage to one or two additional lots. With this level of detail, it is difficult to determine whether the proposed CAD would meet the required geometry for safe access by emergency services. Also, as proposed, the CAD sets up an awkward configuration of open space which might cause maintenance issues in the future. For these reasons, staff recommends the elimination of the proposed CAD.

## **Pedestrian Facilities**

The plan indicates sidewalks in accordance with the Subdivision Regulations and also shows a wider connection to the Bikeway along Powell Road. At the Sketch Plan phase, the developer was asked to seek connections to adjacent developments for pedestrian connections. Wedgewood Park to the west has open space at the entrance which might allow for a pedestrian connection. Big Bear Farms to the east includes an open space area that could connect to the open space behind the condominium areas. This would require coordination with the neighboring developments, but would unify an area that doesn't have any other road connectivity and enhance the health of residents by providing opportunities to walk to other neighborhoods.

## **VIII. Sanitary Service/Utilities**

The letter from the Environmental Services office is included from August, 2012, which was in response to a previous plan showing 162 lots, notes that sewer is available to the site. The RPC's GIS data show that the northern portion of the site would be served by the Seldom Seen pump station and the majority of the site would be served by the Leatherlips pump station at Riverside Drive and the County line. The letter states that there is

not sufficient capacity in the Leatherlips station for the development. The developer has proposed relocating the discharge for the Seldom Seen station, which would alleviate the capacity concerns of the other station. However, upgrades to existing infrastructure, including downstream improvements (pipe size) will be necessary to allow for this development to move forward.

Other utility letters are included, but are based on the density for the Sketch Plan, which was 162. These should be reviewed if the number is greater than 162.

### **IX. Staff Recommendations**

Staff recommends **Conditional Approval** of the application by Verona LLC, for the rezoning of 113.44 acres from PR & FR-1 to PR to the DCRPC, Liberty Twp. Zoning Commission and Liberty Twp. Trustees, *subject to the following:*

- 1) *Resolving the legal issues surrounding the relationship of the Deed Restrictions to the Wedgewood Section 2 Development Plan;*
- 2) *Decrease the density to the 142 recommended on the Comprehensive Plan, particularly within the condominium area, redesigning the location of those units toward Powell Road;*
- 3) *Recommend approval of the divergence for front yard setbacks to 30 feet;*
- 4) *Recommend denial of the divergence from the requirement that driveways be 100 feet from intersections;*
- 5) *Recommend approval of the divergence for side yard setback reduction, if necessary, by utilizing solid masonry walls between units;*
- 6) *Recommend denial of the divergence to allow more intense use of stockade fencing unless specific design detail is provided for each unit where this is proposed;*
- 7) *Recommend approval of an increase in temporary signs, provided each of the two locations does not exceed the standards that would normally be allowed for a single sign;*
- 8) *Recommend removal of the Common Access Driveway;*
- 9) *Seek additional pedestrian links with adjacent neighborhoods;*
- 10) *Continue to work with the Sanitary Engineer to resolve sewer capacity issues.*

### **Commission / Public Comments**

Mr. David Fisher with Kephart Fisher LLC was present to represent the applicant. Mr. Fisher explained that this project would be developed with large buffered areas, landscape and water feature entrance with standalone cottage style units. He acknowledged the staff's comments on density and would continue to meet with the area residents. He also stated that the developer would be happy to work with the neighbors for connectivity.

Ms. Erica Garber, 9338 Wayne Brown Drive, Powell, Ohio, stated that her home is in the Big Bear Farms development along the golf course. She purchased her home at a premium due to the golf course. She expressed her concern that the change in use would be detrimental to the property values of those homes along the golf course and is against it. If the project were to move forward she expressed concern as to how the developer would maintain the green space and create an acceptable amount of buffer for those lots it affects.

Mr. Greg Rekos, 9292 Wayne Brown Drive, Powell, Ohio, explained that he purchased his lot that backs up to the golf course at a premium. He would like to see the golf course maintained as is.

Mr. Fowler asked for any comments from Liberty Township. Mrs. Foust explained that unfortunately the land would be developed either by the Township or by annexing to the City of Powell. She stated she has been reviewing the files for information on the deed restriction to keep the land as permanent green space and it appears that the deed was never recorded. When the property was rezoned, there was not a term "permanent green space" in the zoning code. This may have occurred over time by hearsay.

**Mrs. Kuba made a motion to recommend Conditional Approval of the application by Verona LLC, for the rezoning of 113.44 acres, subject to staff recommendations. Mrs. Jenkins seconded the motion. VOTE: Majority For, 2 Opposed, 1 Abstained (Liberty Twp.). Motion carried.**

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**19-13 ZON      Romanelli & Hughes – Genoa Twp. – 12.715 acres from RR & SR to PRD**

**I. Request**

The applicant, Romanelli & Hughes Building Company, is requesting a 12.715-acre rezoning from RR and SR to PRD to allow a 49 unit detached condominium community.

**II. Conditions**

**Location:** west side of Tussic Street Road, south of Hawksbeard Dr., and north of Eagle Trace Dr.

**Present Zoning:** Rural Residential District and Suburban Residential (SR)

**Proposed Zoning:** Planned Residential District (PRD)

**Present Use(s):** One single-family house

**Proposed Use(s):** 48-unit condominium community

**Existing Density:** 1 du / 2 acres

**Proposed Density:** 3.85 units / acre

**School District:** Olentangy School District

**Utilities Available:** Del-Co Water and sanitary sewer

**Critical Resources:** ponds, streams and slopes

**Soils:** BeA Bennington Silt Loam 0-2% slope

BeB Bennington Silt Loam 2-4% slope

PwA Pewamo Silty Clay Loam 0-1% slope

**III. Description**

The applicant is requesting a rezoning to allow a detached single-family style development of condominiums, which will be age-restricted in ownership. There are 48 detached condominium units proposed. A brick home dated 1901 in the Auditor's data will be maintained as a community amenity. Also a newer home built in 2009 is incorporated into the design, which eliminates one access point.

The site plan shows a single access to Tussic Street Road aligning with Medallion Drive West. The road circulates through the site before intersecting with an east/west road. To the east, a T-turnaround allows an emergency access to Tussic. This site was the subject of a Sketch Plan review in May, 2013 with a different road layout. Based on comments from that site visit, the road access and circulation have been changed as recommended. Internal sidewalks are indicated on the plan, which will connect to existing sidewalks along Tussic.

Building envelopes are 40' x 75' or 3,000 s.f. in addition to the common open space throughout the area. The plan indicates that the open space requirement is 50% where the open space provided is 53%.

**IV. Issues**

1. The 2009 Genoa Township Comprehensive Plan recommends this site for residential use at a maximum density up to 2.2 units per net developable acre. The Zoning Resolution, with amendments that became effective on June 26, 2011, set a maximum density limit of 2.2 units per acre in the PRD designation.

**Staff Comment:** *The proposal represents a substantial departure from the density recommended in the Comprehensive Plan. Staff encourages a variety of housing products as previously mentioned and notes that this*

*proposal allows residents to stay in the same community as they age. The PRD zoning allows a maximum of 28 single-family units on this parcel, which would generate approximately 280 trip ends per day (10 per unit). The proposed units, if limited to age-restricted uses, would generate between 245 trip ends per day (4-5 per unit), based on general trip generation guidelines. While this reduces the traffic generation and school impact, the sanitary use is the same and other services are increased.*

2. Open space: The code requires at least 50% open space throughout the development where the development plan indicates that 56% is provided.

**Staff Comment:** *Open space is difficult to calculate in a condominium proposal, since there is no dedicated "lot" that is designated as open space. This proposal uses all the land that isn't located directly between building envelopes in the open space calculation. A large portion of the open space is for detention pond purposes and the perimeter open space strip appears to be about 50 feet when adjacent to other homes. This does not fulfill the spirit of the open space, since it is not useable.*

3. Parking: The PRD zoning district does not allow overnight parking on public or private streets and condominium streets are typically narrow. The site plan shows eleven dedicated spaces for guests.

**Staff Comment:** *Although this particular housing product generates fewer cars than the typical single-family development, at this density it is likely that there would be the need for guest parking from time to time. More parking should be provided at a few locations throughout the site.*

4. Utilities. A letter from Environmental Services is enclosed which states that there is capacity for this development to be served through the Maxtown pump station. However, this development will use the remaining capacity in the pump station.

**Staff Comment:** *The Zoning Commission and Trustees should be aware that approval of this density may impact future development in the area served by the pump station.*

5. Drainage. During the site review, it was noted that surface flood routing should be provided for the pond located directly to the west.

**Staff Comment:** *The Zoning Commission and applicant should work with the County Engineer's office to ensure that proper drainage from adjacent development (including an adequate outlet for this site) is created. This may have an impact on the layout of structures and other improvements.*

6. Walking path. The site plan indicates a sidewalk on one side of the street. A connection to the walking path in Sherbrook to the north would provide connectivity with the adjacent neighborhood.

**Staff Comment:** *Staff understands this would require coordination and approval of the Sherbrook Homeowners and would likely benefit this site, which is private, more than the adjacent site. It is still worth a discussion.*

7. Divergences: The applicant is requesting several divergences for this project:

- a.) PRD zoning requires a minimum area of 25 acres for the creation of a cohesive planned area.

**Staff Comment:** *The site is adjacent to other Planned Residential development so this is a reasonable request. However, it contributes to the excessive density issues.*

- b.) Maximum density in the zoning resolution is 2.2 units per net developable acre. The code allows up to a maximum of 6 units per net acre. The proposal is for 3.88 units per acre. The proposal states that this divergence is justified because of the preservation of the historic home, the fact that the site is for age-restricted use, and the development is comparable to a recent development by the same developer.

**Staff Comment:** *As noted earlier, the Comprehensive Plan is consistent with the PRD zoning district in its definition of maximum number of units per acre. This request is considerably higher than the allowable density in the Plan. The density is too high and not consistent with surrounding densities.*

**V. Staff Recommendations**

Staff recommends **Conditional Approval** of the application by Romanelli & Hughes, for the rezoning of 12.715 acres from RR & SR to PRD to the DCRPC, Genoa Twp. Zoning Commission and Genoa Twp. Trustees, *subject to the following:*

- 1) *Reduction of density and increase in buffering when adjacent to single-family units. Reduction does not necessarily need to be 28 units since these are age-restricted, but the density is causing other issues. Note that the number of proposed units will use the remaining capacity in the Maxtown pump station;*
- 2) *Increase guest parking areas or ensure that portions of the street are wide enough to enable on-street parking;*
- 3) *Ensure that proper drainage related to this site and adjacent development is provided for;*
- 4) *Seek pedestrian connection to the north;*
- 5) *Divergence for 25-acre PRD zoning is recommended since the proposal is adjacent to other Planned Residential Developments.*

**Commission / Public Comments**

Mr. David Fisher, Kephart Fisher LLC, was present to represent the applicant. He stated that they applied the same principle with regards to green space as in other projects in the township.

Mr. O'Brien asked Mr. Clase if the Trustees fully understand that if they approve increased sewer capacity in this area, it reduces the capacity for other areas of the township. Mr. Clase stated that the Trustees have approved age restricted projects in the past with a higher density. Mrs. Jenkins stated that the sewer use should be calculated the same as single family homes.

***Mr. Stites made a motion to recommend Conditional Approval of the application by Romanelli & Hughes, for the rezoning of 12.715 acres, subject to Staff Recommendations. Mr. Fowler seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Genoa Twp.). Motion carried.***

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#### IV. SUBDIVISION PROJECTS

##### Preliminary

12-13                    **The Heathers at Golf Village North – Liberty Twp. - 129 lots / 47.40 acres**

##### I. Conditions

**Applicant:** Golf Village North LLC  
**Subdivision Type:** Single Family Residential  
**Location:** east side of Sawmill Parkway, between Home Rd and Hyatts Road  
**Current Land Use:** Vacant  
**Zoned:** Planned Residential (PR)  
**Utilities:** Del-Co water and public sanitary sewer  
**School District:** Olentangy  
**Engineer:** EMH & T

##### II. Staff Comments

The Heathers is a 129-lot subdivision on the remaining portion of Golf Village North. It is bordered by Olentangy Schools to the south, the railroad to the east, and an electrical substation to the north. The western boundary is Sawmill Parkway, from which the subdivision takes two accesses. These accesses include a full access to the south and a right-in/right-out to the north. Because of the surrounding development, there are no opportunities for connections to adjacent property, except for potential emergency access to the south, which also serves as access to a pump station and as a pedestrian connection to the schools.

The layout of the site indicates a network of internal connections and open spaces. Small active parks are located within the site and natural areas are preserved or maintained along the southern border. Lots are generally 65' x 110' (7,150 s.f.) in size and there are 12.4 acres (26%) of open space provided. The Environmental Services office is requiring an appropriate area to extend a trunk line either through or adjacent to this site and is currently working with the applicant to locate such a line. Additionally, staff has asked that the Common Access Driveway in the northwestern corner be removed, with both lots having frontage on the road. Development, including overall acreage, must comply with the approved Development Plan per Liberty Township Zoning.

***A technical review was held on July 16, 2013, after which the applicant has addressed all of the required changes.***

##### III. Staff Recommendation

Staff recommends *Conditional Preliminary Approval* of **The Heathers at Golf Village North** to the DCRPC, *subject to removal of the Common Access Driveway and resolution of a discrepancy in the total acreage at the southwestern perimeter site boundary off the east side of Sawmill Parkway.*

##### Commission / Public Comments

Mr. Jeff Strung with EMH & T was present to represent the applicant. He stated that they would comply with staff suggestions to remove the CAD.

***Mr. Hal Clase made a motion for Conditional Preliminary Approval of The Heathers at Golf Village North, subject to staff recommendations. Mr. Sites seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.***

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**11-13 Meadows at Lewis Center North – Orange Twp. - 38 lots / 25.83 acres**

**I. Conditions**

**Applicant:** Evans Capital Investment  
**Subdivision Type:** Single Family Residential  
**Location:** North of Lewis Center Road, west of South Old State Road  
**Current Land Use:** Vacant  
**Zoned:** Single Family Planned Residential (SFPRD)  
**Utilities:** Del-Co water and public sanitary sewer  
**School District:** Olentangy  
**Engineer:** Kleingers Group

**II. Staff Comments**

Meadows at Lewis Center North is an extension of Meadows at Lewis Center, portions of which have been platted with other sections planned for future development. It includes the extension of Ludington Drive from the south, travelling north and ending in a cul-de-sac. A connection is also made to the east into the Bryn Mawr subdivision. Lot sizes are generally 17,575 s.f. (.4 acres), creating a transition between the quarter-acre lots in Meadows at Lewis Center and the third-acre lots in Bryn Mawr. The design includes 5.17 acres of open space, all of which encompasses a large stormwater pond to the north.

*A technical review was held on July 16, 2013, after which the applicant has addressed all of the required changes.*

**III. Staff Recommendation**

Staff recommends *Preliminary Approval* of **Meadows at Lewis Center North** to the DCRPC.

**Commission / Public Comments**

Ms. Jennifer Knittle with the Kleingers Group was present to represent the applicant.

*Mrs. Kuba made a motion for Preliminary Approval of Meadows at Lewis Center North. Mr. Sedlacek seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

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**07-04.6.2 Olentangy Crossings, Section 6, Phase 2 – Orange Twp., 11 lots / 09.012 acres**

**I. Conditions**

**Applicant:** M/I Homes  
**Subdivision Type:** Single Family Residential  
**Location:** west of US 23 and north of Lewis Center Rd.  
**Current Land Use:** Vacant  
**Zoned:** Single Family Residential (SFPRD)  
**Utilities:** Del-Co water and public sanitary sewer  
**School District:** Olentangy  
**Engineer:** CT Consultants

**II. Staff Comments**

This is the final portion of the single-family area of Olentangy Crossings to be platted. This section has an

existing Preliminary approval, but this represents an amended plan. The design consists of 8 lots with access to Cog Wheel Drive. Three additional lots also have frontage on Cog Wheel, but will take their access from a three-lot CAD along the northern property line. This CAD accesses Artesian Run and is proposed to be paved. Additionally, 2.511 acres of open space is also provided with this Phase.

***A technical review was held on July 16, 2013, after which the applicant has addressed all of the required changes.***

### **III. Staff Recommendation**

Staff recommends *Preliminary Approval* of **Olentangy Crossings, Section 6, Phase 2** to the DCRPC.

### **Commission / Public Comments**

Mr. David Denniston with CT Consultants was present to represent M/I Homes.

***Mrs. Jenkins made a motion for Preliminary Approval of Olentangy Crossings, Section 6, Phase 2. Mrs. Kuba seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.***

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13-13                    **Olentangy Crossings South, Lot 7489, Div. #1 – Orange Twp. - 02 lots / 05.569 acres**

### **I. Conditions**

**Applicant:** Continental Olentangy Crossings LLC  
**Subdivision Type:** Commercial  
**Location:** west side of US 23, south of Coal Bend  
**Current Land Use:** Vacant  
**Zoned:** Planned Commercial (PC)  
**Utilities:** Del-Co water and public sanitary sewer  
**School District:** Olentangy  
**Engineer:** Site Engineering Inc.

### **II. Staff Comments**

This is a two-lot subdivision to provide for the immediate development of a McDonald's restaurant, with the remainder to be developed in the future. This parcel was platted with Olentangy Crossings South and according to the Subdivision Regulations must be platted to be divided. The McDonald's site will take access off Pointe Buff Drive, a private road which has a right-in/right-out on U.S. 23. It also takes access from Artesian Run to the west, which allows entry from the signal at Coal Bend/Lewis Center Road. The entry drive from Artesian Run allows shared access to the site to the north approximately 120 feet from the intersection with Artesian. This will reduce the number of curb cuts.

***A technical review was held on July 16, 2013, after which the applicant has addressed all of the required changes except the Floodplain note as indicated below.***

### **III. Staff Recommendation**

Staff recommends *Conditional Preliminary Approval* of **Olentangy Crossings South, Lot 7489, Div. #1** to the DCRPC, *subject to the addition of indication of the flood hazard zone, the flood insurance rate map number and the map date on the plan. One copy of the revised Preliminary shall be submitted within one week.*

**Commission / Public Comments**

Mr. Mark Hazel with Site Engineering was present to represent the applicant. He agreed with staff recommendation and will add the requested flood note.

*Mr. Hal Clase made a motion for Conditional Preliminary Approval of Olentangy Crossings South, Lot 7489, Div. #1 to the DCRPC, subject to the addition of indication of the flood hazard zone, the flood insurance rate map number and the map date on the plan. One copy of the revised Preliminary shall be submitted within one week. Mr. Fowler seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

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**Preliminary/Final** (none)

**CONSENT AGENDA**

**Final**

09-13                    Robin Haven, Lot 2191, Div. #1 – Liberty Twp. - 02 lots / 01.598 acres

**I. Conditions**

- Applicant:** Mark O'Dell
- Subdivision Type:** Single Family Residential
- Location:** north side of Rutherford Rd., approximately 800 feet west of Liberty Rd.
- Current Land Use:** vacant
- Zoned:** Farm Residential (FR-1)
- Utilities:** Del-Co water and public sanitary sewer
- School District:** Olentangy
- Engineer:** Scioto Land Surveying Service

**II. Staff Comments**

Robin Haven is a two-lot platted subdivision recorded in 1994. The subdivision includes a 1.598-acre lot to the east and 1.127-acre parcel to the west. This plat was created during a time when there was a limit on lots that could be created with the No Plat process, ORC 711.131.

The plat splits the 1.598-acre lot into two parcels, one at .848 acres and one at .750 acres. Because the current FR-1 zoning requires a minimum lot size of one acre, the applicant went before the Liberty Township Board of Zoning Appeals and received approval to create the lots as proposed.

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

**III. Staff Recommendation**

Staff recommends *Final Approval* of Robin Haven, Lot 2191, Div. #1 to the DCRPC.

**Commission / Public Comments**

*Mrs. Foust made a motion for Final Approval for Robin Haven, Lot 2191, Div. #1. Mrs. Jenkins seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

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05-11                    **Menards Creekside – Orange Twp. - 20 lots / 71.231 acres**

**I.                    Conditions**

**Applicant:** HIGHDEV Inc.  
**Subdivision Type:** Planned Industrial and Planned Commercial lots  
**Location:** East side of US Highway 23 S, south of Corduroy Rd.  
**Current Land Use:** vacant  
**Zoned:** Planned Industrial (PI) and Planned Commercial (PC)  
**Utilities:** Del-Co water and central sanitary sewer  
**School District:** Olentangy  
**Engineer:** CESO Inc.

**II.                    Staff Comments**

Menards has built a new store on U.S. 23 across from Halfway Avenue and Corduroy Road. The store is located at the eastern end of the 71-acre site. The plat includes a number of out lots, five of which front on the highway, with 15 others fronting interior streets.

Corduroy Road to the north, Creekside Drive to the south, and Graphics Way in the center of the site, have been built as public roads. A new traffic signal has been installed at Corduroy Road, as defined in ODOT's Access Management Plan. An additional north/south backage road is planned behind the frontage lots, though this layout may change as end users are identified. An asphalt mixed-use trail parallels Graphics Way as defined in the township's trails plan, with sidewalks along the north side of Corduroy Road, part of Creekside Drive and along the future backage road.

One wet retention basin is provided, as well as a larger one located near a wooded area along the southern border. Due to the size of the overall development and several existing small sub-watersheds on site, two additional dry detention basins are provided, one of which will handle water from the Menards parking area with the other located at the northwest corner of the site. One set of high-tension power lines crosses the southwest corner of the site.

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

**III.                    Staff Recommendation**

Staff recommends *Final Approval* of **Menards Creekside** to the DCRPC.

**Commission / Public Comments**

***Mrs. Foust made a motion for Final Approval for Menards Creekside. Mrs. Jenkins seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.***

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**03-06.1.B.2 Meadows at Lewis Center, Sec. 1, Ph. B, Pt. 2 – Orange Twp. - 15 lots / 05.39 acres**

**Applicant:** Jones/Lewis Center LLC

**Subdivision Type:** Single-family Residential

**Location:** North side of Lewis Center Rd approximately 500' west of S Old State Rd., Orange Twp.

**Current Land Use:** Agriculture/Open Field

**Zoned:** Single Family Planned Residential District, (SFPRD)

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

**School District:** Olentangy

**Engineer:** EMH&T

**II. Staff Comments**

The overall development contains 135 lots on 75.87 acres (1.78 du/acre). The development is generally configured in a grid pattern using a series of loop and cul-de-sac streets. The proposed lots are generally 80' x 135'. Section 1, Phase A was the site of the Parade of Homes two years ago. This plat includes the extension of Koester Trace and Ludington Drive, providing access to 15 lots. No open space is platted with Section 1, Phase B, Part 2.

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

**III. Staff Recommendation**

Staff recommends *Final Approval* of Meadows at Lewis Center, Sec. 1, Ph. B, Pt. 2 to the DCRPC.

**Commission / Public Comments**

*Mrs. Foust made a motion for Final Approval for Meadows at Lewis Center, Sec. 1, Ph. B, Pt. 2. Mrs. Jenkins seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

**V. EXTENSIONS *(none)***

**VI. OTHER BUSINESS**

- Consideration for Approval: Concord Twp. Comprehensive Plan Update – Contract \$4,000.00

*Mrs. Jenkins made a motion to Approve the contract for Concord Twp. Comprehensive Plan update. Mr. Piccin seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

- Consideration for Approval: Reimbursement for ESRI conference, Da-Wei Liou - \$1,317.46

*Mrs. Foust made a motion to Approve travel reimbursement for Da-Wei Liou for \$1317.46. Mr. Sedlacek seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

**VII. POLICY / EDUCATION DISCUSSION**

**VIII. RPC STAFF AND MEMBER NEWS**

*Having no further business, Mr. Fowler made a motion to adjourn the meeting at 8:00 p.m. Mrs. Jenkins seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

*The next meeting of the Delaware County Regional Planning Commission will be Thursday, August 29, 2013, 7:00 PM at the Willis Building, 2079 US 23 North, Conference Room, Delaware, Ohio 43015.*

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*Ken O'Brien, Chairman*

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*Stephanie Matlack, Executive Administrative Assistant*