



# Delaware County Regional Planning Commission

109 North Sandusky Street  
P.O. Box 8006, Delaware, Ohio 43015  
740-833-2260 fax 740-833-2259  
www.dcrpc.org

Scott B. Sanders, AICP  
Executive Director

## **\*MINUTES\***

**Thursday, September 26, 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 August 29, 2013 RPC Minutes
- Executive Committee Minutes of September 18, 2013
- Statement of Policy

### **II. VARIANCES**

28-04.V Derby Glen Farms – Liberty Twp. – requesting additional 1 year extension

### **III. EXTENSIONS**

28-04 Derby Glen Farms – Liberty Twp. – 53 lots / 47.9 acres

### **IV. ZONING MAP/TEXT AMENDMENTS**

- 22-13 ZON Blair & Patty McCreary – Harlem Twp. – 5.424 acres from A-1 to FR-1
- 23-13 ZON Troy Twp. Zoning Commission – amendment to the Zoning Resolution – Wind Turbines
- 24-13 ZON Epcon – Orange Twp. – 16.444 acres from FR-1 to MFPRD (Courtyards at Abbey Knoll)
- 25-13 ZON Metro Development - Orange Twp. - 13.76 acres from FR-1 to SFPRD (Woods at Weeping Rock)

### **V. SUBDIVISION PROJECTS**

#### **Preliminary**

			<b>Township</b>	<b>Lots/Acres</b>
10-13	<b>T</b>	Glenmead, Sections 1 & 2	Berlin	65 lots / 67.76 acres

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

#### **Final**

02-12	<b>T</b>	River Rock Farms	Liberty	08 lots / 31.12 acres
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**T=TABLED, W=WITHDRAWN**

### **VI. OTHER BUSINESS**

- Consideration for Approval: Berlin Twp. contract

### **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, Susan Kuba, Ric Irvine, Ken O'Brien, Tiffany Jenkins, Gary Gunderman, Joe Clase, Dave Stites, Holly Foust, Tom Farahay, Robert Taylor, Bill Thurston, Charlie Callender, Bonnie Newland, and Mike Dattilo. *Alternates:* Adam Howard, John Piccin, Larry Witt, and Charlie Cooperider. *Staff:* Scott Sanders, Da-Wei Liou and Stephanie Matlack.

▪ **Approval of the August 29, 2013 RPC Minutes**

*Mr. Gunderman made a motion to approve the minutes from the last meeting as presented. Mr. Irvine seconded the motion. VOTE: Majority For, 0 Opposed. Motion carried.*

▪ **September 18, 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, Dave Stites and Jeff George. Susan Kuba was absent. Staff: Scott Sanders and Stephanie Matlack.

2. **Approval of Executive Committee Minutes from August 21, 2013**

*Mrs. Jenkins made a motion to Approve the minutes from the last meeting. Mr. O'Brien seconded the motion. VOTE: Majority For, 0 Opposed, 2 Abstained (Mr. George and Mr. Stites.) Motion carried.*

3. **New Business**

- Financial / Activity Reports for August 2013

REGIONAL PLANNING RECEIPTS		August	YTD TOTAL
General Fees (Lot Split)	(4201)		\$4,605.00
Fees A (Site Review)	(4202)	\$300.00	\$3,600.00
Insp. Fees (Lot Line Transfer)	(4203)		\$1,500.00
Membership Fees	(4204)		\$264,753.00
Planning Surcharge (Twp. Plan. Assist.)	(4205)		\$564.43
Assoc. Membership	(4206)		
General Sales	(4220)		\$68.49
Charges for Serv. A (Prel. Appl.)	(4230)	\$5,300.00	\$75,626.40
Charges for Serv. B (Final. Appl.)	(4231)	\$4,189.40	\$31,093.20
Charges for Serv. C (Ext. Fee)	(4232)	\$150.00	\$450.00
Charges for Serv. D (Table Fee)	(4233)		\$600.00
Charges for Serv. E (Appeal/Var.)	(4234)		\$900.00
Charges for Serv. F (Planned District Zoning)	(4235)	\$300.00	\$4,800.00
OTHER DEPT. RECEIPTS			
Health Dept. Fees	(4242)		\$200.00
Soil & Water Fees	(4243)	\$325.00	\$4,800.00
MISCELLANEOUS REVENUE			

Other Reimbursements	(4720)		\$206.40
Other Reimbursements A			
Other Misc. Revenue (GIS maps)	(4730)	\$80.10	\$292.50
Misc. Non-Revenue Receipts	(4733)		
Sale of Fixed Assets	(4804)		
<b>TOTAL RECEIPTS</b>		<b>\$10,644.50</b>	<b>\$394,059.42</b>

<b>Balance after receipts</b>	<b>\$516,997.65</b>
<b>Expenditures</b>	<b>- \$ 19,943.79</b>
<b>End of August balance (carry forward)</b>	<b>\$ 497,053.86</b>

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

- Site Review - none
- September RPC Preliminary Agenda
  - 1.) Rezoning:
    - Blair & Patty McCleary – Harlem Twp. – 5.424 acres from A-1 to FR-1
    - Troy Twp. Zoning Commission – amendment to the Zoning Resolution – Wind Turbines
    - Epcon – Orange Twp. – 16.444 acres from FR-1 to MFPRD (Courtyards at Abbey Knoll)
    - Metro Development – Orange Twp. - 13.76 acres from FR-1 to SFPRD (Woods at Weeping Rock)
  - 2.) Variance:
    - Derby Glen Farms – Liberty Twp. – requesting additional 1 year extension
  - 3.) Preliminary:
    - Glenmead Sections 1 & 2 – Berlin Twp. – 65 lots / 67.76 acres (TABLED)
  - 4.) Preliminary/Final: none
  - 5.) Final:
    - River Rock Farms – Liberty Twp. – 8 lots / 31.12 acres
  - 6.) Extension:
    - Derby Glen Farms – Liberty Twp. – requesting additional 1 year extension
- Director’s Report
  - 1.) Sunbury – finalizing the comprehensive plan
  - 2.) Concord – Committee selection underway
  - 3.) Berlin – continuing mapping work for JEDZ through a contract to be added to this month’s agenda
  - 4.) OEPA – presented Committee with report filed at completion
  - 5.) MORPC – would like to present a plan on “Sustaining Scioto” to the RPC. Mr. O’Brien suggested presenting to the Executive Committee first, Committee agreed.
  - 6.) Olentangy Crossings – CAD issue, width disagreement
  - 7.) CCAO – pushing to loosen standards of aggregate mining, possible conditional use, will follow through the County Planning Directors Association

- 2014 Budget Discussion
  - 1.) Discussed possibility/need for a part time or temporary intern, Planner with GIS experience possibly
  - 2.) Suggested preparing budget with roll back on dues for the second year in a row

4. **Old Business** (none)

5. **Other Business** (none)

6. **Personnel** (none)

7. **Adjourn**

*Having no further business, Mrs. Jenkins made a motion to adjourn the meeting at 10:30 a.m. Mr. Stites seconded the motion. VOTE: Majority For, 0 Opposed. Motion carried.*

*The next regular Executive Committee meeting will be Wednesday, October 16, 2013 at 8:45 a.m. at 109 North Sandusky Street, Delaware, Ohio, 43015.*

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• **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**

**28-04.V Derby Glen Farms – Liberty Twp. – requesting additional 1 year extension**

**Applicant:** Homewood Corp.

**Consultant:** EMH & T

**I. Request**

Derby Glen Farms is a proposed 53 lot subdivision on the south side of Jewett Road approximately 700' east of Liberty Road. The 47.9 acre site is bounded by Jewett Road to the north, Calumet Farms subdivision to the east, C&O railroad tracks to the west, and the Delaware/Franklin County line to the south. The applicant is requesting a variance for an additional 1-year extension to the Preliminary Plan.

**II. Facts**

1. The Subdivision Regulations currently allow an approved Preliminary Plan to be valid for two years.
2. The Regulations allow an expiring Preliminary Plan to request extensions up to a total of one additional year.
3. Derby Glen Farms received overall Preliminary approval on December 16, 2004 and received a 1-year

extension on November 17, 2005, along with an additional 1-year extension May 25, 2006.

4. Section 1 was recorded August 1, 2007, which retained the active status of the Preliminary until August, 2012.
5. The applicant received a Variance for a one-year extension on August 30, 2012 to September 26, 2013.
6. The applicant seeks another one-year extension via variance.
7. Relevant sections of the Subdivision Regulations:

**“102.03 Expiration or Extension of Subdivision Plat Applications.** Failure to comply within stated time periods of these Regulations as provided in Section 204.04 shall result in the expiration of the application. Before expiration as provided in Section 204.04, the subdivider may submit a written request for an extension and proper extension fee, indicating the status of the project, stating why the time periods cannot be met, and specifying time length of extension being requested for each extension request, with the-maximum total extensions not to exceed one year. Extensions may be considered by the DCRPC; their issuance is discretionary. The subdivider is solely responsible for knowledge of, and compliance with, applicable expiration dates. The requested extension shall be forwarded with a written Staff Report and Recommendation to the Commission for action. In granting an extension, the project may be required to comply with new regulations or standards in effect at the time of the extension.”

**“204.04 Commission Action and Expiration.** Staff shall provide a Preliminary Plan report and recommendation to the Commission. Commission Preliminary Plan approval or conditional approval shall not constitute Final Plat approval, but shall provide an endorsement of the layout and intent of the proposal, and govern the preparation of the Final Plat. **The Preliminary Plan shall expire if a complete Final Plat application for the first phase is not submitted within two (2) years of Preliminary Plan approval.** However, the approval of a Final plat for the first phase of the subdivision shall serve to extend the Preliminary Plan approval period to five (5) years from the date the Final Plat for the first phase is recorded. A Preliminary Plan shall be void upon expiration of the approval period.”

### **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 statement:** “To date Section 1 and Section 2 have been developed and Final Plat recorded. There are a few lots remaining in Section 2 and the construction engineering has already begun for the development of Section 3.”

“Due to the past economic conditions which did not allow for the build out of the development within the five year period, Homewood respectfully requests a variance to section 102.03 to allow for an extension of

one year.”

**Staff Comment:** Staff agrees that the current market conditions have made it a challenge to meet the existing time limits in the Subdivision Regulations. The applicant is moving through the Final Engineering process and is preparing a Final Plat for the next section. The zoning is in place through 2015.

**IV. Staff Recommendation**

Staff recommends **Approval** of the Variance from Sections 102.03 and 204.04, extension of Preliminary Plan approval for **Derby Glen Farms** to the RPC.

**Commission / Public Comments**

Mr. Jim Phieffer was present on behalf of Homewood Corp.

*Mr. Gunderman made a motion for Approval of the variance from Sections 102.03 and 204.04 of the Subdivision regulations for Derby Glen Farms. Mr. Stites seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

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**III. EXTENSIONS**

**28-04 Derby Glen Farms – Liberty Twp. – 53 lots / 47.9 acres**

**Applicant:** Homewood Corp.

**Engineer:** EMH & T

**Preliminary approval:** 12/16/04

**Previous Extensions:** 11/17/05 to 06/2006, 05/25/06 to 12/30/06, 08/30/12 via variance

**I. Staff Comments**

The applicant is requesting a 1-year extension for the Derby Glen Farms, based on the economic downturn.

**II. Staff Recommendation**

Staff recommends **Conditional Approval** of a 12-month Extension for the **Derby Glen Farms** to the RPC, *subject to approval of the variance request.*

**Commission / Public Comments**

Mr. Jim Phieffer was present on behalf of Homewood Corp.

*Mr. Gunderman made a motion for Approval of the 1-year extension for Derby Glen Farms. Mr. Stites seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

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#### IV. ZONING MAP/TEXT AMENDMENTS

##### 22-13 ZON Blair & Patty McCreary – Harlem Twp. – 5.424 acres from A-1 to FR-1

###### I. Request

The applicants Blair and Patty McCreary are requesting a 5.424-acre rezoning from A-1 to FR-1 to allow the lot to be split into two residential lots.

###### II. Conditions

**Location:** 5378 Harlem Rd., Westerville

**Present Zoning:** Agricultural (AR-1)

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

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

**Proposed Use(s):** Two single-family house lots

**Existing Density:** 1 du / 5 acres

**Proposed Density:** 1 du / 2 (net) acres

**School District:** Big Walnut Local School District

**Utilities Available:** Del-Co Water and private on-lot treatment systems

**Critical Resources:** stream

**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

This is a straight district rezoning, so no development plan is required. It is assumed, therefore, that the applicants will divide the lot into at least two lots. This lot has 260 feet of frontage on Harlem Road and is 333.75 in width at the western end of the parcel. The township's frontage requirement for FR-1 is 175' for lots at least 2 acres in size but smaller than 3. Lots may reduce to 60-feet as long as the lot increases to the required width at least 50 feet forward of the front building line.

The applicant should consult with the Health District to assure that there is adequate area for on-lot waste treatment systems.

The 2006 Harlem Township Comprehensive Plan shows the proposed site as Residential at either the FR-1 size (2 acres) or AR-1 (5 acres). The plan supports FR-1 development where sewer is not available.

Surrounding land uses include scattered single-family homes along Harlem and Center Village Roads. A three-lot CAD utilizing a 60-foot strip is located immediately to the south of this site. No new lots can take access from the existing CAD.

The Code does not allow contiguous flag lots on state or county roads. Since Harlem Road is a county road, the flag "pole" would need to be to the north of the existing house. FR-1 zoning would be in character with the area, if on-lot treatment can be designed for two lots.

###### IV. Staff Recommendations

Staff recommends **Conditional Approval** of the rezoning request by Blair & Patty McCreary to the DCRPC, Harlem Twp. Zoning Commission and Harlem Twp. Trustees, *subject to preliminary consultation with the Health District to assure there is adequate area for on-lot waste treatment systems.*

**Commission / Public Comments**

No one was present to represent the applicant.

***Mrs. Kuba made a motion to recommend Conditional Approval of the rezoning request by Blair & Patty McCreary, subject to preliminary consultation with the Health District to assure there is adequate area for on-lot waste treatment systems. Mrs. Jenkins seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.***

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**23-13 ZON      Troy Twp. Zoning Commission – amendment to the Zoning Resolution – Wind Turbines**

**I. Request**

The Troy Twp. Zoning Commission on August 14, 2013, initiated changes to the Troy Township Zoning Resolution related to the regulation of wind turbines.

**II. Issues**

The proposed text includes the following:

1. Several new definitions of words that are related to wind turbines, such as Anemometer (instrument that measures the wind) and Cowling (removable cover that encloses the turbine’s mechanical components);
2. References Wind Turbines as a regulated, Permitted Use in the Farm Residential District;
3. References Wind Turbines in the Height Limitations section;
4. Adds Section 21.19 in General Development Standards related to the regulation of Wind Turbines. Maximum height, fall zone, maintenance, noise levels, signs, lighting, and permitting are all covered.

***Staff comment:*** *The proposed text requires a clear fall zone of 1.5 times the height of the tower. Model codes from other counties and Delaware County townships utilize a 110% clear fall zone. Staff recommends the township consult the Prosecutor’s office on this.*

**III. Staff Recommendations**

Staff recommends **Conditional Approval** of the text amendments to the Troy Twp. Zoning Resolution regarding Wind Turbines to the DCRPC, Troy Twp. Zoning Commission and Troy Twp. Trustees, *subject to:*

1. *Consulting the Prosecutor’s office regarding the clear fall zone regulation.*
2. *Check the reference to “Section 10051” in the text.*

**Commission / Public Comments**

Mr. Cooperider spoke on behalf of Troy Twp. He stated that the Township would reconsider the fall zone requirement to be in conformance with the other townships within Delaware County.

***Mr. Gunderman made a motion to recommend Conditional Approval of the text amendments to the Troy Twp. Zoning Resolution regarding Wind Turbines, subject to:***

1. *Consulting the Prosecutor’s office regarding the clear fall zone regulation.*
2. *Check the reference to “Section 10051” in the text.*

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

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**24-13 ZON      Epcon – Orange Twp. – 16.444 acres from FR-1 to MFPRD (Courtyards at Abbey Knoll)**

**I. Request**

The applicant, Epcon, on behalf of the owner, Charles E. Mainous, is requesting a 16.444-acre rezoning from FR-1 to MFPRD to allow 42 detached condominiums called “The Courtyards at Abbey Knoll.”

**II. Conditions**

**Location:** East side of South Old State Road, north of Abby Knoll Drive

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

**Proposed Zoning:** Multi-Family Planned Residential (MFPRD)

**Present Use(s):** single-family house and barns

**Proposed Use(s):** 42 detached condominiums

**Existing Density:** 1 du / 1.98 acre

**Proposed Density:** 2.62 du/acre

**School District:** Olentangy Local School District

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

**Critical Resources:** streams, ponds, slopes > 20%

**Soils:** GwB Glynwood Silt Loam 2-6% slope

    GwC2 Glynwood Silt Loam 6-12% slope

    BoA Blount Silt Loam 0-2% slope

**III. Description**

The Development Plan indicates two entrances – one from Abbey Knoll Drive and a second one from South Old State Road. An internal, private road circulates through the site, providing access for several rows of single unit buildings. The site currently includes two ponds which will be retained and reworked to allow more logical development of the site. Building product detail indicates single-story structures, although some have a bonus room in a portion of a second story. Each unit includes a two-car garage with a driveway deep enough to accommodate two additional cars.

There is open space of 5.74 acres, which exceeds the 20% (3.28 ac.) required. Mounding is provided in a 70-foot strip between the additional right-of-way and the rear of units. Other open space is located around the two ponds to the east. A “site amenity” is shown on the plan with a potential list of possibilities (cabana, pavilion, pool, exercise facility, or other similar amenities) “as shown on the Development Plan”. No specific details are included. Eight guest parking spaces are shown.

Sidewalks are provided on at least one side of each private street, with connections to existing sidewalks. This will provide a link to Orange Road and Orange Township park facilities on the southwest corner of Orange and South Old State. Roads are designed to meet the County Engineer’s standards.

**IV. Comprehensive Plan**

The 2010 Orange Township Comprehensive Plan recommends residential uses in this area at a density of 2 units per acre. This development represents a gross density of 2.55 units per acre and a net density (deducting additional right-of-way for South Old State and easement area for internal streets) of 2.99 units per net acre. The residential use is consistent with the Plan, but not with regard to density. Condominium uses typically create a smaller impact on traffic and student population, but not with regard to sewer and other utility use. Also, this proposal is an infill development immediately adjacent to other single-family uses and should create a transition between the two neighborhoods.

**V. Divergences**

Only one divergence is requested. The MFPRD has traditionally been used for multi-family uses where multiple units were in a single building (4-unit “pinwheel” condos and 6 or 8-unit condos and apartments). Therefore, the code requires that buildings have two or more units.

*Staff response: This requirement may be the result of trying to differentiate between a single-family project and a multi-family project. Several single-family-style condominium projects are located throughout the county. If other standards such as fire suppression and access can be accommodated, staff sees no reason why this divergence wouldn't be appropriate.*

#### **VI. Building spacing**

As a condominium-type development, there are no parcel lines and therefore no side yard setbacks. The design indicates a minimum 15-foot building separation between most buildings, with 15-foot separation also between the rears of buildings down the center of the development. The Code requires a 25-foot separation unless both adjacent walls are masonry, in which case no buildings shall be closer than 15 feet.

*Staff response: These are designed as courtyard units, with windows and openings primarily on the front and one side, minimal openings on the opposing side and no features or openings on the rear of each unit. Based on the requirements in the code, this needs to need a divergence request and approval. While there is ample open space, the density is driving the closeness of the buildings. It is also likely that road construction is being kept at a minimum. A reduction of the density and more creative arrangement of structures, including utilizing some of the open space to the east, would reduce the need for this divergence.*

#### **VII. Design**

The design introduces a very different “look” from what is adjacent to this site, both to the east and to the west across South Old State Road. The buildings are repetitive, presenting featureless backs to Old State Road homes within Abbey Knoll, and to a lesser degree, Abbey Knoll Drive. Units in the northwest corner are located awkwardly facing the curve of the road. The development should be redesigned so that buildings form more of a “village” with a variety of building placement, particularly reducing instances where the rear of buildings present blank walls to adjacent homes and streets. Similar designs have been developed south of Home Road at Scioto Reserve and adjacent to the Oaks at Highland Lakes.

#### **VIII. Access**

Two accesses are shown – one on South Old State and one on Abbey Knoll Drive. Development of the site should seek to improve sight distance looking north from Abbey Knoll Drive, which is currently restricted based on topography. Also, the access to Abbey Knoll may be better located to the west so that it aligns with Redwood Valley Court to the south.

#### **IV. Staff Recommendations**

Staff recommends **Conditional Approval** of the rezoning request by Epcon for 16.444 acres from FR-1 to MFPRD to the DCRPC, Orange Twp. Zoning Commission, and Orange Twp. Trustees, *subject to:*

1. *Reduction of density to 2 units per acre, or 33 units;*
2. *Additional definition of the Site Amenity;*
3. *Amending the plan to request a Divergence for building spacing, with such spacing being increased to a safe distance as required in the Code;*
4. *Work with the County Engineer's office and align the Abbey Knoll entrance with Redwood Valley Court to the south. Also, a turn lane or fair share contribution will be required on South Old State Road.*
5. *Check with the County Engineer's Drainage department regarding the status of the existing ponds and any regulations related to filling them.*

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

Mr. Jeff Strung was present to represent the applicant. He stated that they would work with the County Engineer regarding access and the ponds. Mr. Strung explained that they have already received approval for 50 units from the Sanitary Engineer's office but would continue to work with the Township on density.

Mrs. Foust stated that “unique doesn’t mean good” in reference to the representative’s description of this project and did not like the blank back walls facing established neighbors. She supports staff recommendations.

Mr. O’Brien was supportive of the realignment of Abbey Knoll entrance with Redwood Valley Court. Mr. Strung stated that he could not speak for Mr. Joel Rhoades of Epcon but he would express the Commission’s concerns to him.

**Mrs. Foust made a motion to recommend Conditional Approval of the rezoning request by Epcon for 16.444 acres from FR-1 to MFPRD, subject to:**

- 1. Reduction of density to 2 units per acre, or 33 units;**
- 2. Additional definition of the Site Amenity;**
- 3. Amending the plan to request a Divergence for building spacing, with such spacing being increased to a safe distance as required in the Code;**
- 4. Work with the County Engineer’s office and align the Abbey Knoll entrance with Redwood Valley Court to the south. Also, a turn lane or fair share contribution will be required on South Old State Road.**
- 5. Check with the County Engineer’s Drainage department regarding the status of the existing ponds and any regulations related to filling them.**

**Mr. Gunderman seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Orange Twp.). Motion carried.**

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**25-13 ZON Metro Development – Orange Twp. - 13.76 acres from FR-1 to SFPRD (Woods at Weeping Rock)**

**I. Request**

The applicant Metro Development, on behalf of the owners, is requesting a 13.76-acre rezoning from FR-1 to Single-Family Planned Residence District to allow a 24-lot single family residential development called Woods at Weeping Rock. The land includes portions of the current parcels, two of which are owned by Ronald Tyo with the third owned by United Methodist Union of The Columbus Districts.

**II. Conditions**

**Location:** north side of Lewis Center Rd., west of North Road

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

**Proposed Zoning:** Single Family Residential (SFPRD)

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

**Proposed Use(s):** vacant wooded and stream

**Existing Density:** 1 du / 1.98 acres

**Proposed Density:** 1.74 units / acre

**School District:** Olentangy Local School District

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

**Critical Resources:** streams, wetlands

**Soils:** UdB Udorthents, Clayey-Urban land complex

GwB Glynwood Silt Loam 2-6% slope

LyD2 Lybrand Silt Loam 12-18% slope

LsA Lobdell, Channery Substratum Sloan

LyE2 Lybrand Silt Loam 18-25% slope

### **III. Description**

The Development Plan shows a single access from Lewis Center Road. A single street traverses the site, ending in a cul-de-sac at the eastern end of the property. Houses are arranged along the road, with lot sizes generally 75'x135', or 10,125 square feet. Open space of 2.75 acres is required and 5.10 acres is included, some of which includes both dry water quality basins and a wet retention area. The site includes a stream, Weeping Rock Run, which rises on the 3,000 feet north of Lewis Center Road on the east side of the railroad and extending west to the Olentangy River. A floodplain designation begins at North Road and impacts portions of the development site.

The street includes sidewalks, with street trees outside the right-of-way. An area between two of the lots includes a pedestrian access and potential emergency access to the north. This access will provide a pedestrian connection toward the Olentangy Schools property which includes Olentangy High School, Shanahan Middle School, and Heritage Elementary School. This will also provide access to land to the northeast which is owned by Orange Township.

### **Comprehensive Plan**

The 2010 Orange Township Comprehensive Plan recommends residential uses in this area at a density of 2 units per acre. This development represents a gross density of 1.74 units per acre and a net density of 2.33 units per acre. As the zoning utilizes gross density, it does comply with the plan. If the plan can limit its impact on the stream and floodplain, it will comply with the other environmental goals within the Comprehensive Plan.

### **Divergences**

The applicant is asking for two divergences:

1. That maximum lot coverage be increased from twenty-five percent to twenty-eight percent for ranch style, single-story homes only. No more than a quarter of the lots shall utilize the foregoing lot coverage divergence.

**Staff response:** *This is a minor difference and seems reasonable.*

2. A “Yard-arm” style development sign will be constructed in lieu of a monument style freestanding sign. The main entry landscape enlargement indicates a maximum height of 12 feet with a location 15' behind the proposed right-of-way.

**Staff response:** *This seems reasonable, if all other sign requirements are met.*

### **Environmental Issues**

As mentioned, a stream draining a significant drainage area travels through the site toward Lewis Center, with the water outletting through a pipe under the road and on toward the Olentangy River. This area is subject to an EPA permit, which requires mitigation for any disturbed areas along the riparian area of those streams. Map work performed by RPC staff in interpreting the EPA indicates that the setback areas do not exceed the existing floodplain boundaries. However, the drawing does not show the 500-year Floodplain, which is also located on the site. Such information should be added to the layout so that the Zoning Commission can better determine what impacts this design will have on the floodplains.

### **Other acreage**

The drawings appear to include an additional piece of the Methodist property of approximately two acres immediately south of the Borst property on North Road. The proposal does not use this land to calculate either its allowable density or its required open space, and is not proposed to be rezoned. However, the applicant should clarify why this land appears to be included in some of the drawings.

**Roads and Access**

A traffic analysis is included which indicates that an east bound left turn lane is warranted with a turn lane 175 feet in length. No westbound right turn lane is warranted. The Commission would typically look for a connection to the north, but since Orange Township owns this land and it is anticipated that it will be developed in the future as park/public uses, a road stub is not necessary. However, it may be wise to consider an allowance for a future emergency access further east near the retention pond.

**IV. Staff Recommendations**

Staff recommends **Conditional Approval** of the rezoning request by Metro Development of 13.76 acres from FR-1 to SFPRD, *subject to:*

1. *Both divergences being recommended for approval;*
2. *That the 500-year Floodplain be shown on the Development Plan;*
3. *That the 2 acres fronting on North Road be clarified as to its involvement with the project;*
4. *Continue working with the County Engineer and Fire Department to determine if the pedestrian access could also serve as an emergency access and if not, if an access at the retention pond would be needed.*
5. *The right-of-way should be extended from the edge of the cul-de-sac to the eastern property line. This will likely be a requirement of platting.*

**Commission / Public Comments**

Mr. Todd Faris, Faris Planning & Design was present to represent the applicant. He explained that they are working with the school officials regarding the pedestrian walking path. He also agrees with the other staff recommendations.

Mr. Gunderman asked if there had been discussions to extend the road to North Road. Mr. Sanders explained that a church owns that land and there is a fairly significant stream/ravine it would need to cross. Extension of the right of way to the property line within the development would achieve what was needed.

***Mr. Stites made a motion to recommend Conditional Approval of the rezoning request by Metro Development, subject to:***

1. *Both divergences being recommended for approval;*
2. *That the 500-year Floodplain be shown on the Development Plan;*
3. *That the 2 acres fronting on North Road be clarified as to its involvement with the project;*
4. *Continue working with the County Engineer and Fire Department to determine if the pedestrian access could also serve as an emergency access and if not, if an access at the retention pond would be needed.*
5. *The right-of-way should be extended from the edge of the cul-de-sac to the eastern property line. This will likely be a requirement of platting.*

***Mrs. Kuba seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Orange Twp.). Motion carried.***

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V. SUBDIVISION PROJECTS

Preliminary

10-13 T Glenmead, Sections 1 & 2 – Berlin Twp. - 65 lots / 67.76 acres

I. Conditions

**Applicant:** Makapa LLC  
**Engineer:** CT Consultants

II. Staff Comments

The applicant has request a 90-day tabling for this application in order to resolve engineering design items. This application was previously tabled June 2013 for 60 days.

III. Staff Recommendation

Staff recommends *Approval of the 90-day table request* for **Glenmead Subdivision, Sections 1 & 2** to the DCRPC.

Commission / Public Comments

No one was present to represent the applicant.

*Mr. Farahay made a motion for Approval of a 90-day table request for Glenmead Subdivision, Sections 1 & 2. Mr. Clase seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

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Preliminary/Final (*none*)

Final

02-12 T River Rock Farms – Liberty Twp. - 08 lots / 31.12 acres

I. Conditions

**Applicant:** Paul & Phyllis Craver  
**Engineer:** EMH & T

II. Staff Comments

The applicant has requested a 90-day tabling to resolve Floodplain issues on the plat.

III. Staff Recommendation

Staff recommends *Approval* of a 90-day tabling for **River Rock Farms** to the DCRPC.

Commission / Public Comments

No one was present to represent the applicant.

*Mr. Irvine made a motion to Approve a 90-day tabling for River Rock Farms. Mrs. Foust seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

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**VI. OTHER BUSINESS**

- Consideration for Approval: Berlin Twp. contract

*Mr. Farahay made a motion for Approval of the Berlin Township contract for up to \$2,500.00, seconded by Mr. Fowler. VOTE: Unanimously For, 0 Opposed. Motion carried.*

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

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

*Having no further business, Mr. Gunderman made a motion to adjourn the meeting at 7:35 p.m. Mrs. Foust seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

*The next meeting of the Delaware County Regional Planning Commission will be Thursday, **October 24, 2013, 7:00 PM** at the **Delaware County Commissioners, Conference Room**, 101 N. Sandusky St., Delaware, Ohio 43015.*

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Ken O'Brien, Chairman

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Stephanie Matlack, Executive Administrative Assistant