

GENOA TOWNSHIP ZONING COMMISSION MEETING MINUTES

DATE: February 12, 2018
TIME: 7:00 PM
LOCATION: Genoa Township Hall, 5111 S. Old 3C Hwy., Westerville, Ohio 43082

AGENDA ITEMS: ZC (2018-02) Harris Automotive, 2nd meeting
ZC (2018-01) Ravines at Hoover, 2nd meeting

STAFF PRESENT: Joe Shafer, Director of Development and Zoning
Mark Fowler, Delaware County Assistant Prosecutor

CALL TO ORDER

Mr. Antonetz called the meeting to order at 7:01 p.m.

ROLL CALL (00:00:14):

MEMBERS PRESENT		MEMBERS ABSENT
Mark Antonetz, Acting Chair	David Leff, Alt.	Tara Paciorek
Sandra Faulkner	Jill Rudler, Alt.	
Shawn Priebe		

Mr. Leff and Ms. Rudler were seated as voting members for this meeting.

A moment of silence was observed in remembrance of Westerville Police officers, Anthony Morelli and Eric Joering, who lost their lives in the line of duty on Saturday, February 10, 2018.

MINUTES (00:01:07):

The Commission reviewed meeting minutes presented by the Genoa Township Development and Zoning Department for the meeting held on January 8, 2018.

MOTION: Mr. Priebe moved to approve the January 8, 2018 meeting minutes, as presented.

Motion was seconded by Mr. Leff.

Roll call: Sandra Faulkner, yes; David Leff, yes; Shawn Priebe, yes; Jill Rudler, yes; Mark Antonetz, yes. Motion carried.

Mr. Priebe requested that staff audit the 2017 minutes to insure all meetings have been accounted for. Mr. Shafer agreed to do so.

Mr. Antonetz recused himself from the meeting due to a conflict of interest with the next hearing. Ms. Faulkner served as acting chair for said hearing.

PUBLIC HEARING (00:03:10)

Ms. Faulkner called the following continued hearing to order at 7:04 p.m., read the legal notice and asked everyone who wished to speak to this matter to sign in and to stand. Those standing were sworn in.

HARRIS AUTOMOTIVE, ON BEHALF OF CARL REUSSER, REQUESTING APPROVAL OF A FINAL DEVELOPMENT PLAN TO CONSTRUCT A 4,524 SQUARE FOOT AUTOMOTIVE SERVICE STATION (REPAIR FACILITY), ON MAXTOWN ROAD, PARCEL NUMBER 31734201017000, CURRENTLY ZONED PLANNED INDUSTRIAL-WAREHOUSE (PID) (ZC 2018-02). **CONTINUED FROM JANUARY 8, 2018.**

STAFF REPORT: Joe Shafer, on behalf of the Genoa Township Development and Zoning Department, presented an overview of the application and staff's written review. His report noted the following:

- The size of the proposed building is now 5,868 square feet (1,240 SF of office space and 4,608 SF of repair shop space).
- The applicant has provided staff a letter indicating that neither they nor JAE Company are interested in sharing a driveway.
- The revised driveway design, depicted on the plans revised January 23, 2018, has been approved by the City of Westerville and the Genoa Township Fire Department.
- Parking blocks have been added to protect the proposed shrubs that screen the front parking lot.
- Proposed wall pack F in the lighting plan will have to be revised to be compliant with the Township's lighting standards.
- The applicant has submitted documentation agreeing to the required standards established in Section 1306 of the Resolution.
- Revised materials received January 23, 2018, now include the anticipated hours of operation (M – F, 8am – 6 pm; Saturday 9 am – 2 pm) and the anticipated colors of the proposed building.
- The Zoning Commission should determine whether or not they believe the lighting provided is adequate for the site.
- The Zoning Commission should determine whether or not they are comfortable with the lighting of the proposed monument sign.
- The applicant's revised materials state that no portion of the site will be utilized for outdoor sales and the proposed sign will not exceed the Township's maximum permitted height.
- A parking island with a tree at the western end of the rear row of parking spaces may help protect vehicles in this parking row should enough space exist to allow for vehicle movement and the island.
- The applicant has submitted revised plan text which reflects the changes that have been made.
- The Zoning Commission should determine whether or not the landscaping on site is adequate to satisfy the requirements of Sections 1303.03, 1303.09.B, and 1306.07 of the Zoning Resolution.

Ms. Faulkner asked Mr. Shafer if the plan's non-compliance with the Township's wall pack lighting design standards and landscape screening requirements for the rear portion of the site, noted in staff's technical review dated February 5, 2018, warranted divergences. Mr. Shafer recommended that the specification for the non-compliant wall pack be changed to a compliant design (and thus would not require a divergence). Mr. Shafer recapped the landscape screening that was proposed and recommended that, if the Commission was comfortable with the design, divergences would be acceptable.

APPLICANTS' PRESENTATION: Brian Harris (Harris Automotive) responded that he was not opposed to changing the wall pack to another design despite the fact that the currently proposed design is not a bright light and would not impact neighbors. He proceeded to reiterate that if the Commission would like it changed; however, he would do so. Mr. Harris also gave an overview of the screening that is proposed on the site including; the privacy fence around the rear of the developed site, trees which are being planted to supplement existing vegetation, and the large undeveloped setback

which will be maintained from the residential properties to the north and east. He noted that he did not wish to plant trees in the existing easement along the rear of the property line.

Ms. Faulkner asked Mr. Harris about the parking in the rear where Mr. Shafer suggested possibly installing a parking island. Mr. Harris said that he could control who utilizes these spaces since they are intended for employees, not customers. He added that he did not think the subject planting island would work due to the need for larger vehicles to turn around.

PUBLIC COMMENTS: Ms. Faulkner asked any individuals who were properly sworn-in to share their comments.

1. Rex Harris, 7012 Laver Lane – He noted that he is the father of the applicant and stated that the lot that this development would be built on is currently unkempt. He indicated that should the development be approved and constructed, the lot would be mowed and maintained making it less unsightly.

COMMISSION DISCUSSION:

- Mr. Priebe asked the applicant how their business would change should this application be approved. Mr. Harris responded that he does not believe the business will necessarily change but it will grow.
- Mr. Priebe asked the applicant how often 18-wheelers turn around in the rear portion of the site. Mr. Harris responded a couple of times a week since some of their deliveries come on larger trucks.
- Ms. Faulkner noted that she was comfortable with the screening as currently proposed and would be willing to consider granting the necessary divergences for these items. She asked if anyone on the Commission had any concerns with this position. None of the other Commission members raised any concerns.

The Commission proceeded to read and review the Divergence Standards of Section 1309.02.L:

Specific statements of Divergence shall be requested “per plan”; if any deviation from this Resolution or existing county regulations or standards are desired, an applicant making such a request shall specifically and separately list each requested Divergence and submit written development text justifying each deviation from any requirements of this Resolution and demonstrating how each Divergence will advance public interests and the General Purposes of this Zoning Resolution, by promoting one or more of the following purposes:

- 1) *The conservation and protection of the natural resources, scenic areas, wildlife habitat and the historical and unique natural features of the land;*

The Commission did not express any concerns with this matter.

- 2) *The health, safety, morals, and general welfare of the present and future inhabitants of Genoa Township;*

The Commission agreed that the needed divergences would not have any negative implications on the above.

- 3) *The quality of life within Genoa Township through the protection of the total environment, the prevention of nuisances and hazards, and the provision of adequate light, air, and convenient access to property;*

The Commission did not express any concerns with this matter.

- 4) *The assurance of the compatibility of land uses which are either adjacent or in proximity to each other;*

The Commission did not express any concerns with this matter.

- 5) *The orderly development of all lands within the Township to its appropriate use; and*

The Commission did not express any concerns with this matter.

- 6) *The most appropriate use of land to facilitate and provide adequate public and private improvements.*

The Commission did not express any concerns with this matter.

Unless a deviation from development standards is specifically approved as a Divergence, the same shall be complied with.

Ms. Faulkner reminded the applicant that they will need to revise the non-compliant building lighting (wall pack F) to a design that meets the Township's standards. The applicant did not disagree with this statement.

APPROVAL MOTION: (00:21:52): Mr. Leff moved to recommend approval to the Genoa Township Board of Trustees for the Final Development Plan proposed by Harris Automotive, on behalf of Carl Reusser, requesting to construct a 5,868 square foot automotive service station (repair facility), on Maxtown Road, Parcel Number 31734201017000, currently zoned Planned Industrial-Warehouse (PID) (ZC 2018-02), incorporating the submitted application, any commitments made by the Applicant during this hearing, and approved divergences to Section 1303.03 and 1303.09.B.

A brief discussion took place with Mr. Shafer in regards to the section numbers being diverged. Mr. Shafer stated that he believed that the divergences were for Sections 1303.09.B and 1306.07.

Ms. Rudler moved to clarify that the approved divergences are to Sections 1303.09.B and 1306.07.

Mr. Leff's original motion, including Ms. Rudler's clarification, was seconded by Mr. Priebe.

Roll call: David Leff, yes; Shawn Priebe, yes; Jill Rudler, yes; Sandra Faulkner, yes. Motion carried.

Ms. Faulkner announced the hearing closed at 7:25 p.m.

A brief recess was taken while Mr. Antonetz re-joined the Commission for the following hearing.

PUBLIC HEARING (00:24:45):

Mr. Antonetz called the following continued hearing to order at 7:28 p.m. and read the legal notice.

KATHERINE BENALCAZAR REQUESTING APPROVAL OF A ZONING MAP AMENDMENT AND PRELIMINARY DEVELOPMENT PLAN FOR CONSTRUCTION OF 67 SINGLE FAMILY HOMES ON APPROXIMATELY 42.791 ACRES LOCATED AT 4741 TUSSIC STREET, INCLUDING PARCELS 31713001036000, 31713001036001, 31713001036002, 31713001036003, 31713001036004, 31713001036005, AND 31713001038000, ALL CURRENTLY ZONED RURAL RESIDENTIAL (RR), TO BE

REZONED TO PLANNED RESIDENTIAL DEVELOPMENT (PRD) ZONING DISTRICT (ZC 2018-01).
CONTINUED FROM JANUARY 8, 2018.

Mr. Antonetz reiterated that this was a continued hearing. He noted at the last meeting, on January 8, 2018, staff presented its report, the applicant presented their materials, and a public comment period was held. He stated that he would like to give the Commission the opportunity to ask the applicant questions this evening. Prior to doing so, Mr. Antonetz asked if any revised materials had been submitted since the last meeting.

STAFF'S PRESENTATION: Mr. Shafer said that the applicant had not submitted any revisions to staff but that staff did have some supplemental materials to present to the Commission. The following items were noted:

- Staff's memorandum had been updated as follows:
 - The proposed development would occur in one (1) phase.
 - A note was added informing the applicant that the final development plans would need to identify that the driveways for lots near intersections would comply with Section 907.03 which states that driveways may not be closer than 40-feet to the intersection of two (2) public streets.
- Staff recently had some correspondence with the Delaware County Engineer's Office regarding traffic matters. Mr. Shafer proceeded to recite the questions he posed to the County as well as the answers he received:
 1. Q: When the traffic analysis review was conducted, was the closure of the Oxbow boat ramp taken into account? (A) resident was concerned that the counts in the study might be lower than what is normally seen if they were done when the ramp was closed and not being utilized by the public.

A: The traffic counts were performed on October 26, 2017. Whether or not the boat ramp was open would not affect the results, as the traffic on Oxbow is minimal. There would have to be more boats going in and out than the existing facility can handle to impact the study.
 2. Q: An e-mail from you (John Piccin) to CEC on December 7th was included in the re-zoning submission and stated that Oxbow is going to need to be widened to County standards. What portions of Oxbow would have to be widened, from the Tussic intersection to the plan's entrance?

A: The road will be improved across the development site's frontage.
 3. Q: Has the sight distance at the Tussic/Oxbow intersection been evaluated? The resident stated there is a hill on Tussic that results in cars coming northbound not being visible until they are very close to the intersection. (A) resident also noted there are trees on Mr. Benalcazar's property that also restrict sight distance in at this corner.

A: The developer is responsible for correcting any sight distance issues at the entrance to their development. Any issues that exist at the intersection you've mentioned would not be the developer's responsibility to correct.

4. Q: Will the required widening of Oxbow also require the road to be re-built from the base up?

A: It is doubtful; however, at a minimum, the widening will require an overlay over the existing surface within the property limits. We can discuss the option of requesting an equivalent contribution if the Township prefers.

5. Q: Does the amount traffic generated by the proposed plan warrant a turn lane on Oxbow?

A: No.

6. Q: Has there been any discussion about coordinating any potential Oxbow improvements with work being done by Columbus/ODNR or will those projects be too far ahead?

A: I am not aware of additional projects being proposed by Columbus / ODNR, other than the recent improvements that were already constructed.

7. Q: Is it the Engineer's Office preference that the plan's access be off of Oxbow instead of Tussic or was that a design choice made by the applicant?

A: The applicant proposed the point of access.

8. Q: Am I correct in assuming that there are laws which restrict the area, scope, and/or extent of road improvements you can require the developer be responsible for improving?

A: We can only require improvements as required by our Standards.

9. Q: So long as there is no access into the plan from Tussic, I am assuming no roadway improvements to the Tussic corridor will be required, is that correct?

A: Pavement widening and / or a ditch setback may be required along the development's frontage. We will review this requirement when we receive preliminary engineering plans.

10. Q: Do you foresee any improvements being required at the Tussic/Old 3C intersection or is that also going to be outside the scope of the developer's responsibility?

A: A signal warrant analysis was performed for this intersection with the Traffic Study. The intersection did not require any improvements due to this development.

11. Q: Same question as #7 above but for the Tussic/Big Walnut intersection?

A: The Traffic Study did not analyze this intersection as the number of trips did not warrant it.

12. Q: Would any of the anticipated improvements conflict with or affect the improvements the turn lane that R&H is being required to install on Old 3C as part of the Vinmar 4,5,6 development?

A: No. This development does not require improvements on Old 3C.

- Staff had sent the applicant some concerns that had been raised to him by a Zoning Commission member shortly after the last meeting in order to give the applicant the opportunity to prepare responses. Mr. Shafer proceeded to read the aforementioned concerns as well as the responses that were received earlier in the day (February 12) from Ben Siembida, P.E., Project Manager, Civil & Environmental Consultants:

1. How the homes on lots 31-33 will be constructed (with or without fill) given the fact that they are at the end of the cul-de-sac and the building envelope is pinched in the rear by the ravine.

RESPONSE: The existing topography appears relatively flat within the buildable area of Lots 31-33. At this time, minimal site grading is anticipated for these lots. Proposed homes will conform to the buildable area for each lot.

2. How the homes on lots 34-35 will be built given their relatively smaller building envelopes.

RESPONSE: Lot widths, at the narrowest distance between building setback lines, of 34-35 are comparable to all proposed lots. Proposed homes will conform to the buildable area for each lot.

3. A view of the foundation of lots 9, 20, and 21 from the road could possibly help give a better understanding of how the homes on these lots will be situated.

RESPONSE: Exposed foundations and/or walk-out basements are likely on Lots 9, 20, 21, and 22 due to topography and proximity to the ravine. The extent of the foundations, basements, and grading on those lots will be determined during final engineering.

4. A side view and/or cross-section of Road C where it crosses the ravine could possibly help give a better understanding of what this crossing and its supports will look and feel like.

RESPONSE: A road profile and stream crossing will be detailed during final engineering. Currently, the assumption is to culvert the stream at the proposed road crossing. Both ends of the culvert would contain a concrete headwall.

5. The status of all wetlands on the property, whether or not they will be mitigated, and if they have to be reviewed by the Army Corps of Engineers, especially the one located where lots 28, 29, and 27 are proposed.

RESPONSE: On-site streams and wetlands will be verified by the U.S. Army Corps of Engineers. Clean Water Action Section 401/404 permits, which describes required mitigation, will be obtained for proposed impacts to on-site streams and wetlands.

Mr. Shafer then concluded his presentation at which point Mr. Antonetz asked the applicant if they had items they wished to present.

APPLICANTS' PRESENTATION: Jeff Brown (Smith & Hale) responded on behalf of the applicant and noted that they did not have any revisions or supplemental material to provide this evening. He noted that the sidewalk easements that were discussed during the last meeting on January 8, 2018, still need to be revised on the plans. Mr. Brown continued that at this time they'd like to hear the Commission's comments.

PUBLIC COMMENT: The Commission decided to not open the floor for public comment at this time so that they could have time to ask the applicant questions and make comments. Mr. Antonetz clarified for the audience that a public comment period for this proposal had already been held

during the January 8 hearing of the subject application but the Commission would consider re-opening the floor for public comment once the Commission had concluded its discussion.

Mr. Antonetz also stated that those testifying needed to still be sworn in and proceeded to swear in those that were testifying on the application this evening. The remainder of the representatives of the application identified themselves. In addition to Mr. Brown, in attendance were Mr. Benton Benalcazar (property owner), Mr. Joe Miller of Vorys, Sater, Seymour and Pease (attorney), and Mr. Todd Faris of Faris Planning & Design (land planner).

Mr. Brown stated that when the team began putting together ideas of what to do with the property, they looked at the code, township requirements, and recent zonings to determine their target density. They did not start off with a number in mind. He also mentioned, in regards to the comprehensive plan, there are lots of plans in the nearby area that have been re-zoned to this district (PRD) in the recent past. He mentioned that the gross density of Vinmar Farms is 1.4 (units/acre) and that they are proposing a gross density of 1.56 (units/acre). He continued that the zoning district they are requesting is consistent with the re-zoning actions of the Commission and their gross density is in the neighborhood of recently approved plans in this area which also exceeded the recommended density in the (Township's) comprehensive plan.

Mr. Brown explained that property owners have two options in utilizing their property: 1) develop it under the current zoning, or 2) request a re-zoning to another district. This is why they chose the district they did (PRD). It required conservation standards. He mentioned that the proposed plan is saving over 80% of the existing trees on the site. He also explained that the noting of agriculture as an alternative permissible use under the current zoning district is not a threat but merely a statement of fact derived from their analysis of the property owner's options.

Mr. Antonetz asked if the plans they were looking at tonight had been changed. Mr. Brown said they had not since the Commission had not yet had the chance to discuss the plans or ask questions of the applicant.

COMMISSION DISCUSSION: The Commission proceeded to hold a question and answer session with the applicant.

- Ms. Rudler:
 - Asked if the easements to connect to the sewer lift station had been obtained yet. Mr. Brown responded that they had not as it would be premature to do so.
 - Asked when they (the easements) would be obtained. Mr. Brown responded when the plan is further along in final engineering and the final development plan processes.
 - Asked if the applicant was concerned about obtaining the needed easements. Mr. Brown said no, they've had preliminary discussions with the property owners.
 - Asked about wetland mitigation. Mr. Brown replied that the engineer will review the property, determine the location of wetlands, and then submit their report to the U.S. Army Corps of Engineers for review. The Corps will review the report and either confirm or suggest alternatives. Once the wetland locations and impacts are agreed upon, the mitigation plan is finalized.

- Asked if the applicant foresees any issues with relocating any of the wetlands. Mr. Brown says their engineers believe they will be able to manage any wetland impacts on the property. This will become clearer as they move forward with a final development plan.
- Asked if they have verified if the layout will provide enough room between road intersections and driveways. Mr. Brown responded that this has been reviewed by their team but will have to be approved by the County Engineer. Ms. Rudler clarified she meant the distance between driveways and intersections internal to the plan. Mr. Brown reaffirmed his previous response.
- Asked why two entrances for the plan weren't utilized. Mr. Brown said their traffic engineers preferred having the traffic coming off a side street as opposed to a main street. He pointed out that an emergency access was provided onto Tussic to provide emergency vehicles a secondary point of access.
- Asked if the applicant had discussed safety concerns regarding the easternmost stormwater pond with the neighbors. Mr. Brown said that an invitation to learn about the plan was given to neighbors but they had not received any specific information about this issue.
- Mr. Priebe:
 - Noted his appreciation that the applicant had taken time to go through the code when putting together their plan. He also noted his appreciation that the applicant had clarified what their alternative for the property was.
 - He stated that, for him, the issue was density and referenced Delaware County Regional Planning Commission's (DCRPC) recommendation of reducing the density of the proposal to match the density recently approved for Vinmar North (Vinmar Village Phase 4, 5, 6 - 1.14 units/net developable acre). He asked if that recommendation had been taken into consideration.

Mr. Brown said that (DCRPC's) request was kind of a standard request. In his 40-year career, he can only recall being asked to put more units into a development one time. Typically, no matter what number he has put forward over the years, he is always asked if they could do less. In this instance they didn't try to max out the site. They tried to be realistic, straight forward, and work within the topographical and zoning restrictions of the property. They are not interested in engaging in a (density) "auction" process. Several recent re-zonings have been granted that exceed the comprehensive plan's recommendations.

- Mr. Leff
 - Asked how the (sewer) connection to the lift station was going to occur. Mr. Benalcazar said a manhole had been established by the sanitary engineer to allow for future connection to the lift station. He continued the line would cross two private properties (Sewell and Vinmar Farms), be 26-feet underground, and gravity fed. This is an improvement over the previous scenario they thought they'd have which was the construction of a secondary lift station on their property.
 - Asked if the line would be installed by boring or by digging 26-feet down. Mr. Benalcazar responded that the line would be bored.

- Asked about the design and overflow of the easternmost retention pond, noting that at the last meeting some neighbors on North Shore had expressed concerns about it potentially flooding their homes. Mr. Faris replied that the spillway would be to the south of the pond and would flow into a naturally occurring drainageway to (Hoover) Reservoir. He continued that unlike some other farm ponds which weren't designed for stormwater or drainage purposes, this one, and its dam, would be built for that purpose and would have to comply with Delaware County design standards which are similar to those established by the City of Columbus (owners of Hoover Reservoir).
- Asked about the difference in elevation between the northern and southern elevations of the pond and if a wall would be required. Mr. Faris replied that the homes at the northern end of the pond would be looking out at the existing grade. Any required dam would be located at the southern end of the pond. The aforementioned residents would not be looking at a wall but would be looking out over water and landscaping.
- Asked about street lighting design. Mr. Brown replied that since they would be located on public streets, they would meet public design specifications. Mr. Faris added post lights are provided at intersections for safety but have not been provided elsewhere. Coach lights will be included but since these will be fee simple lots they will not operate the same way coach lights in condominium projects do.
- Asked if the applicant would be willing to consider reducing their density as recommended by the Delaware County Regional Planning Commission. Mr. Brown replied that they were not. They wanted to utilize the cluster concept so that ponds and open space could provide an ample amount of open space between the back of their lots and neighboring properties.
- Asked if potential widening of Oxbow Road and Tussic Street were taken into account when the perimeter setbacks were established. Mr. Faris responded they had been, that the 200-foot setback only applied to Tussic Street and that it was measured from the centerline, not the edge of the right-of-way.
- Ms. Faulkner:
 - Asked if the applicant had decided who the builder was going to be. Mr. Benalcazar responded that they had not.
 - Noted that the PRD zoning district established a cap of 2.2 (units/net developable acre) but does not guarantee a density of 2.2 (units/net developable acre).
 - Compared the subject site to the recently approved Glade of Highland Lakes on Big Walnut Road which also contained a large ravine that consumed a lot of acreage. The developer had to figure out how to work the road around it. She stated that she would not consider gross density a comparable factor. She continued that net density is the methodology the Township uses and noted that Glade at Highland Lakes' density was 1.05 (units/net developable acre).
 - Cited that Section 915.07 (of the Zoning Resolution) discusses slopes and ravines in sub-section A. Similarly, sub-section B stipulates home setback standard from those features. She noted that homes on several lots appear to be closer than this setback standard. She continued that the engineering response (read by Mr. Shafer) concluded those items would

be addressed during final plan development. She described the proposed slopes on some of the lots and reiterated that her question was, is the proposed building envelope impinging into the slope area. Her follow-up question is, can homes be built on these lots without being located on the slope. She added that she could not make the math work based on what was presented.

She described the grades and layouts of lots 31 and 32 on the plan. After a brief exchange with Mr. Faris, it was agreed that the applicant would put together some supplemental drawings, including the building envelopes, to address these questions for her and the rest of the Commission. She clarified that the lots this concern applied to were lots 31, 32, and 33 as well as lots 20 and 21.

- o Cited Section 915.07.C (of the Zoning Resolution) states that street layouts should avoid impacting conservation areas and strongly discourages wetland crossings and streets traversing slopes over 15% (in grade). She clarified she would like a side view to illustrate the impact of Road C's stream crossing on the conservation area. She pointed out lots 9, 20, and 21 are located very close to the stream as well. Mr. Faris responded that the stream was crossed so they could provide the site a secondary access point for emergency purposes. He agreed that a connection (road or pedestrian) to North Shore was not desired.
- o Cited 918.05 (of the Zoning Resolution), which requires the site must have access to a major street, and stated that there is no question that Oxbow Road is not a major street as it "goes nowhere" and "it ends in a lake". Regardless of whether or not the County Engineer is comfortable with the access being off of Oxbow, the design is not compliant with the Zoning Resolution. Mr. Miller responded that there is direct access to Tussic for emergency access. He acknowledged that Oxbow Road is not a thoroughfare or a minor residential street. The design is to the satisfaction of the County Engineer.

Ms. Faulkner disagreed and said that she believes Oxbow Road is a minor residential street since it only services a small number of homes. She continued by stating she respected the County's position but all it does is confirm that the road, if improved, could handle the traffic but does not speak to the plan's ability to conform to the Township's zoning requirement.

- o Reiterated she did not believe that Vinmar (Village Phase 4, 5, 6) was a comparable example. It is being developed on flat, farm field. The Glade at Highland Lakes is a more comparable project.
- o Stated she did not believe the model price (\$111,000) of a single-family home in the township, as identified in the applicant's January 8 presentation. A brief conversation took place with Mr. Benalcazar in regards to what the numbers in the presentation included and represented.
- Mr. Antonetz:
 - o Asked if the applicant had consulted with a realtor on his numbers. Mr. Benalcazar responded that he is a realtor and he prepared the numbers. Others provided him commentary but he did not hire a consultant.

- o Expressed that, though the applicant stated earlier they had looked at the driveway setbacks from internal street intersections, he doesn't think they have since it appears there are some that don't comply.
- o Stated that the contours on the plans were 2-foot contours but could be +/- 1 foot which compounds Ms. Faulkner's concerns about slopes.
- o Asked if the ponds would be wet ponds or dry ponds. Mr. Faris responded that it is his understanding that they would be wet ponds. Mr. Antonetz explained his understanding of how the ponds are designed. He was concerned about the grades and slopes of the easternmost pond and pointed out there is twenty (20) feet of fall from the north end to the south end. He encouraged the applicant to consider this pond in three dimensions. Ten (10) feet of water would loom above some of the North Shore parcels to the east. The only solution would be retaining walls and he wasn't sure if that was necessarily any safer.
- o Noted that only 20-foot of setbacks were provided from some of the conservation areas on the plan. Ms. Faulkner added that lots 31 and 32 were of most concern in regards to this matter. Mr. Antonetz agreed with her statement. He also pointed out lots 21 and 22 as potential problems.

Mr. Antonetz asked if the applicant was prepared to address these issues and come back to a future meeting. Mr. Brown replied that the issue is deciding what to show and what not to show at this stage in the development process. He asked if some of these details were appropriate for the re-zoning plans. Ms. Faulkner responded that they were because many of the building envelopes depicted are impacted by natural features and may not actually be feasible, possible, and/or code compliant. She would prefer to have these concerns raised and addressed at this time. Additional drawings would help to clarify matters and answer these questions. She mentioned the design of the Glades at Highland Lakes project was an example of how these types of issues can be worked out. Mr. Antonetz concurred. Mr. Brown agreed to provide the Commission the requested information and to come back for another hearing.

Ms. Faulkner noted the landscaping concerns pertain primarily to the mounding around the stormwater basins. She was not in favor of a path connection to North Shore Drive. There is adequate opportunity internal to the site for future residents to enjoy. Mr. Benalcazar said they intended to remove this trail. She repeated her concerns about the plan's access being off of Oxbow Road and asked the applicant to reconsider their proposed density.

Mr. Antonetz understood the reluctance to engineer the site at 1-foot contour levels but still thought it was important for them to look closer at the design of the easternmost pond. He noted for the audience that the floor would be re-opened for public comment at the next meeting. Mr. Fowler of the Delaware County Prosecutor's office recommended if the Commission intended to continue the hearing, that the hearing be continued to a date and time certain.

Mr. Antonetz asked Mr. Shafer when the next meeting was scheduled. Mr. Shafer responded the next meeting would be March 12 at 7 p.m. in the hall. He added that no new applications for re-zoning or final development plans had been received so this application, as of right now, would be the only application on that agenda. He also mentioned the revised plans deadline, as established on the Commission's 2018 calendar, was February 20, 2018, but the Commission could opt to change that date if they saw fit.

PREPARED BY:


Joe Shafer, Director of Development
and Zoning

ZONING COMMISSION APPROVED:


Mark Antonetz, Acting Chair

March 9, 2018
Date Prepared

5/14/18
Date Approved by the Zoning Commission

OTHERS PRESENT AT MEETING

Brian Harris	6175 Maxtown Road
Mary Hellbusch	8301 Oxbow
Catherine Nelson	4000 S. Old 3C Hwy.
Rex Harris	7012 Laver Lane
Kenneth Davis	8343 Oxbow
Gary L. Bingham	7858 Vinmar Way
Marilyn Lundquist	4540 S. Old 3C Hwy.
Carrie Jacin	4638 North Shore Dr.
Joe Miller	52 E. Gay Street (Columbus)
Martha and Bruce Simon	8402 Chimera Loop
Mary Howard	8350 Hickory
Connie Sauter	4625 North Shore Dr.
Trudy McCluskey	299 Fox Trail Dr. (Sunbury)
Todd Prince	3891 Lakeview Dr.
Jeffrey L. Brown	37 W. Broad St. (Columbus)
Donna Grace Froehle	4781 North Shore Dr.
Anne Filbert	4658 North Shore Dr.
Gwyn and Daniel Abell	8141 Oxbow
Diane Stash & Tom Dugan	7733 Marrissey Loop
Joyce Daugherty	399 Tradewind Ct. (Westerville)
Jim Carter	4493 S. Old 3C Hwy.
Carl Brown	6940 Maple Hill Ct.
Dave & Sheri Ault	4645 North Shore Dr.
Luke & Janine Schroeder	4690 North Shore Dr.
Ann Oliva	4710 North Shore Dr.
Wendy & Dennis Landis	5085 Tussic Street
Maria S. Calderone	4361 Sunbury
Tony & Bev Sewell	4681 S. Old 3C Hwy.
Chris Rano	107 Mark (?)

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