

Zoning Commission

1 **Route 23 Corridor Overlay District Application #RCOD-21-02**

July 6, 2021

2 3 **LEGAL NOTICE**

4
5 Notice is hereby given that the Orange Township Zoning Commission will hold a special meeting on
6 Tuesday, July 6, 2021 at 7:00 p.m. to consider the following application: Route 23 Corridor Overlay
7 District Application #RCOD-21-02, Orange Summit Communities, Requesting approval of a
8 development plan for 5761 Columbus Pike, 0 US Highway 23 S., 418 Shanahan Rd. having parcel
9 numbers 31822001021000, 31822001022000, 31822001011000. The development proposed includes
10 townhomes, multi-family residential units, Rail Timber Road extension, internal private roads, open-
11 space, walking paths and private amenities to be known as Orange Summit Communities. After the
12 conclusion of the hearing, the matter will be submitted to the Orange Township Board of Township
13 Trustees for its action. The hearing will be held at the Orange Township Hall, 1680 East Orange Road,
14 Lewis Center, Ohio 43035.

15
16 Adam Pychewicz, Chairperson
17 Michele Boni, Orange Township Zoning

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19 Publish one time on or before Friday, July 2, 2021 in the Delaware Gazette.

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21 Roll Call: Adam Pychewicz, Dennis McNulty, Ciara Harris, Leslie Pierce, Mark Freeman

22
23 Township Officials Present: Michele Boni, Development and Zoning Director

24
25 Mr. Pychewicz: We're here tonight to discuss the Route 23 Overlay District Application #RCOD-21-02,
26 Orange Summit Communities.

27
28 Holly Mattei: What you received today were the Delaware County Regional Planning Commission
29 updated comments. They were more broad to the overall overlay district than specific to this project. So, I
30 think that going through this with the developer at the meeting earlier this week that they are able to
31 respond to some comments on this list if not all of them.

32
33 Mr. Pychewicz: Would a representative of the applicant like to give a brief overview of the project?

34
35 Wes Smith,, Schottenstein Real Estate Group, 2 Easton Oval, Suite 510, Columbus, Ohio 43219. We're
36 here to talk about the Orange Summit Communities. With me tonight I have from Wilcox Communities,
37 Jonathan Wilcox who is the managing partner; Chris Moore, Development Director; Don Hunter with
38 Schottenstein Real Estate Group; who is our Senior VP of Acquisitions; and Laura Comek, Attorney
39 representing both companies. As far as the Zoning Commission is concerned, what I want to do is
40 highlight Orange Summit Communities, talk about how we comply with the Route 23 Overlay District.
41 The points we're going to hit tonight we're going to go through an overlay of Orange Summit
42 Communities, we're going to talk about the ROCOD compliance review, we're going to talk about the
43 ROCOD architectural client's review, go through staff tech review responses and about several updates
44 we're going to make to the plan. Let's talk about Orange Summit Communities. What I'll do is just give
45 some perspective of where Orange Summit Communities lays within Orange Township. Orange Summit
46 Communities is located at the southeast corner of 23 and Shanahan Road. Existing roads are in blue. Have
47 Lewis Center Road, North Road Extension, Home Road Extension Phase 1. That's important because the
48 experience that Schottenstein Real Estate Group has had in the past. There was a public/private
49 partnership with Orange Township, Delaware County, Schottenstein Real Estate Group and other groups
50 where Schottenstein Real Estate Group developed out Orange Grand Communities, and we just wrapped

Zoning Commission

51 our initial phase and just started construction on our next phase. Back to the road system, we have Rail
52 Timber Way that dead ends. We have a commercial development, Olentangy Crossing, we have
53 undeveloped commercial in one area, Village at Olentangy Crossing, directly east of Orange Summit
54 Communities. We have Shanahan Middle School, Heritage Elementary School and Olentangy High
55 School. That just gives you some reference in the location of this development. As far as the Route 23
56 overlay district is concerned, Orange Summit is located in the MU-1 District. The MU-1 District is
57 located north of Lewis Center Road and Shanahan Road and why that is coordinated within the MU-1
58 District, there's actually a cap on the number of residential units that can be proposed under the Route 23
59 Overlay District. Within Orange Summit Communities there are 400 multi-family and townhomes units
60 being proposed within the community. With this proposed community, if approved, it will eat up that 400
61 unit cap which will open up the ability for commercial development to the east, to the west and
62 throughout the MU-1 District. That's just a brief synopsis of the RCOD as it relates to the MU-1 District.
63 As far as the development is concerned, Wilcox Communities, just a little background on them, is a local
64 company, family owned that have been in business many years. They have developed 50 different
65 communities across 7 states with a heavy focus on empty nester communities. Their primary focus here is
66 on Central Ohio. Wilcox Communities will be developing what we call Part A of Orange Summit
67 Communities, so within Part A of Orange Summit Communities there will be 150 empty nester geared
68 multi-family units. With those 150 units geared toward empty nesters, there will be 2 car garages, first
69 floor masters, each unit within the development will have 2 bedrooms, there will be a third floor bonus
70 room that can act as a home office, an in-house workout facility or act as a third bedroom if they so
71 choose. Really the 150 units the renters are really renters by choice. It's an empty nester who wants that
72 lifestyle but doesn't want to own a home; that's really for Part A. Part B will be developed by
73 Schottenstein Real Estate Group. Schottenstein Real Estate Group has been in business over 45 years and
74 is one of the largest residential builders in Central Ohio as well as the Midwest. The primary focus is here
75 on Central Ohio but we do work in Kentucky,
76 Cincinnati and areas of that nature. We are one of the only builders in Central Ohio that's been a 4 time
77 award winner of the BIA which we're very proud of. With our 250 units we are really geared toward what
78 I call the 2 bookends of the housing continue. We really focus in on that empty nester for the young
79 professional group and the empty nesters, so we hit both bookends from those 2 perspectives. We really
80 don't focus on that family market. That's what we find from our history. We have 7 different product
81 types within our communities with 1, 2 and 3 bedroom units so we hit a lot of different spectrum from
82 that perspective. As far as the overall community, the RCOD allows a density of up to 8 units per acre
83 The overall density for Orange Summit Communities is 7.36 units per acre. One thing I will point out, on
84 the development plan it says 7.29; that was an error. It's actually 7.36. From an open space requirement,
85 the requirement for the overall development, 53 acres is 20% open space is 10.88 acres, This development
86 proves 17.2 acres so over 50% over and beyond the requirement. As far as amenities are concerned, in
87 Part A there will be a clubhouse with 3,000 square feet. Within the clubhouse there will be fitness center,
88 a great room, coffee bar, patio with an outdoor grill. We're doing some minor tweaks to the amenity
89 package and add a dog park and a community garden just to take those amenities up a couple of notches
90 and add walking trails, sidewalks throughout the development. Within Part A there is a clubhouse about
91 5,000 square feet with a community room, fitness center, lounge, card room, game room, pool associated
92 with it, outdoor grill, pickle ball court, a dog park and a garden. That's a little bit about the amenities
93 package associated with Orange Summit Communities. As far as compliance review for the Route 23
94 overlay district, we comply with all requirements minus a few exceptions and I'll get into those
95 exceptions. Multi-use trails, minor signage and minor fencing. In the table, green, we comply, yellow
96 there's a minor exception we are requesting. Let's talk about the minor divergences. On the screen there's
97 a snapshot of proposed Rail Timber Way which is, as the overall community relates, is one of the key
98 infrastructure elements. We're actually taking Rail Timber Way from it's exiting terminus all the way to
99 Shanahan Road which is important because that helps take traffic off 23. In your package there is a letter
100 from Rob Riley from the Delaware County Engineer's Office which talks about the importance of this
101 extension and as backage road for the overall community. As it relates to multi-use trails, the

Zoning Commission

102 requirements by the RCOD is multi-use trails should be outside the right-of-way. However, with the
103 Township's permission, it may be located within the right-of-way. One example of the divergence
104 requested by staff for the multi-use trail that extends along Rail Timber Way, there is a public stream that
105 will be impacted, move the multi-use trail toward Rail Timber Way so we can protect the stream against
106 the existing trees. So that's one example of why that divergence is being requested. The second area of
107 importance is Rail Timber ties into Shanahan Road. So we worked with the County Engineer to determine
108 what would be the best location to punch Rail Timber Way through to Shanahan Road and they gave us 4
109 different locations where that would be possible to get a full access drive. One of the ideal locations is
110 actually a house in very disrepair. The basement walls are falling in, the roof is collapsing, the gentleman
111 who owns the home actually got it out of foreclosure 2-3 months ago, so we thought that would be the
112 best location to punch Rail Timber through. This single family lot is about 100' in width. Right-of-way
113 for Rail Timber Way is 70', so really we have 15' on either side of the road to put the trail outside of the
114 right-of-way would be problematic because we just don't have the land to do it, so we're requesting the
115 multi-use trail be located within the right-of-way. Even if it's in the right-of-way, we will maintain it
116 privately and we will note that on the plans as well. As it relates to signage, there are several small
117 divergences we are requesting. One divergence was just approved on Orange Grand Estates as it pertains
118 to wayfinding and what it has to deal with on our signs. On our signs there is a column that has
119 Schottenstein Real Estate logo on it. That column is taller than 8'; the requirement is 3', so we're required
120 to ask for a divergence for that amount. This was just approved in Orange Grand Estates at the beginning
121 of this year. The next divergence as it relates to signage relates to P1. The requirement for signage within
122 the RCOD allows for a sign at any driveway entrance that connects to an arterial road, a local road or a
123 collector road. Sign P1 is at the intersection of a collector road and arterial road. There is no parking, no
124 access off US 23 and that was done purposely. We wanted to minimize the access points off of 23 so as
125 not to impact the traffic. We impact the traffic as little as possible, so Part B does not have an access
126 along. However, for wayfinding purposes for appropriately marketing, we really need signage along this
127 US 23 corridor for Part B, so that is the reason for that divergence request. Sign P3, there's one tweak we
128 would like to make as it relates to the sign at that location. The divergence request for that sign, after
129 further discussion with the staff, needs to be tweaked a little. So the sign sat the entrance right "here" we
130 would be permitted per the Code, But we would like to take this sign, move it up to "this" location, do a
131 joint identification sign between Part A and Part B, so that joint identification sign would be for location
132 from 'here' to "here" then one update we would like to make because it is joint identification, we'd like to
133 make the square footage to go from 32 square feet to 55 square feet to allow for double identification, so
134 that's the reason for that request. So that is the signage divergences. There are some minor fencing
135 divergences that we are requesting. The image you see on the top left is a private fence, so if you look at
136 the landscape package, what we are proposing is the ability to screen the existing seal panel along this
137 property line with either landscaping or a private seed fence. So this area is very heavily wooded, so until
138 we start cutting down trees there to see what it looks like to make a better determination of whether we
139 fill in with landscaping or do we add that privacy fence. So that's the request for that privacy fence. I
140 believe the Code requirement allows for 4' or 5'; we are proposing 6' or 8' depending on how the
141 elevation grade works. Then one request that came from staff from the Tech Review Comments, we
142 would like the ability to add a privacy fence along the southern property line as well as landscaping for
143 those existing family homes. Then the fence you see in the middle and in the bottom left, those are
144 doppler fences. We originally had a divergence for a black vinyl chain link fence but staff requested that
145 we do something more decorative, so the divergence for the black vinyl chain link fence is going to go
146 away but we still need to ask a divergence for the 2 fences you see in the middle and the bottom left hand
147 corner to allow for a doppler fence. There will be dog parks located in the area. Then the third and final
148 fence divergence, on the right there is what Code calls a wrought iron fence which would be iron and
149 aluminum although there's a lot of wood there but with that fence we are asking to get rid of that for
150 safety reasons relating to the Ohio EPA and their requirements. So those are the minor divergences. I
151 went through and looked at all the buildings associated with Part A and all the building associated with
152 Part B and I went through every single requirement as it relates to the RCOD and double checked every

Zoning Commission

153 building, so the sheet you have in front of you is the spreadsheet that confirms and shows that we meet all
154 the architectural requirements as it relates to the Route 23 Corridor District. This was not in your package
155 but is something that will be moved into your next package. As it relates to Tech Review Comments, we
156 had a meeting with staff, Holly, that I think was a very good meeting and we appreciated all the input,
157 hard work and direction and basically we will address all of the staff comments as they relate to the Tech
158 Review Comments. As it relates to Regional Planning, about 4:00 today we got some additional
159 comments from Regional Planning which kind of caught us by surprise. What I'm showing you are the
160 Regional Planning comments. What are highlighted in yellow are the new comments we received.
161 Everything that is not highlighted in yellow has already been addressed. I'd like to ask to get her input on
162 those items highlighted in yellow.

163
164 Laura Comek, 17 S. High Street, Columbus, Ohio, counsel for Schottenstein Real Estate Group for this
165 project. I don't need to tell you the purpose of the RCOD setting with the policies in place and then a set
166 of standards that if compliance is met, approval follows. The comments we got from Regional Planning
167 are very different than what we got last week. Some of the questions are regarding policy concerns and
168 really that's not really what's being heard this evening and so I just wanted to walk through them. For
169 example, the first question, the philosophical contemplation about the mixed use versus multi-family. The
170 fact is The Code sets out the parameters but you see all those green boxes and the green means
171 compliance. Here it's a permitted use to have multi-buildings, so the theoretical discussion is very
172 interesting and they can have those with the Trustees but my hope tonight is to meet the Code the way it
173 is currently written. Second, the question is about two-story and I think these questions are interesting
174 because they start contemplating what is a two-story, so the one thing about common sense is it's not
175 always common. So we have two-story buildings where we have usable, livable space but what I found
176 most interesting and probably because I'm a lawyer, the Code does not define two-story but there are
177 other things that define two-story, like Merriam Webster defines two-story for buildings as having two
178 floors. There's also an ICC Code that talks about any portion of a building that's included between the
179 upper surface and the roof, so those kind of led toward common sense and their questioning that is quite
180 inappropriate and philosophical. The third is about the central green space, so I think it's interesting
181 because these are 2 projects being submitted together because there are certain synergies in place; the
182 roads, the signage, the infrastructure and utilities in a number of places and of course the open space is
183 more than 50% of the requirement, so I think that's more of the philosophical discussion. If this issue
184 comes up again, how are you going to treat it? And that's their right to ask but that's not the question
185 today; the question is do these comply with the black letter of the law, so the black letter of the law we
186 actually exceed those percentages pretty significantly. I'd be happy to answer any questions about these
187 points.

188
189 Mr. Smith: The last items I'd like to roll through is I just want to give this Commission a few updates that
190 are not in the package that will go to the Township Trustees. On Part A, and I talked about this a little
191 already, we're going to update the amenity package where we're going to add a dog park, community
192 garden, a multi-use trail to respond to staff's comments which extends something along the lines of
193 "here" to this larger open space and then extend to Rail Timber Way, so we will have a multi-use trail
194 system along Rail Timber Way and then 2 connecting points Part A and then Part B will connect to a
195 multi-use trail along US 23. In Part A we will add 2 small mail centers to service either end of the
196 community. We talked a little about vinyl fencing as it relates to the southern and northern property lines.
197 One thing we'd like to do on Part A is because as you're driving down these private streets, down these
198 corridors, you have created. What we'd like to do is add vinyl fencing out the back of that building to help
199 break up that corridor where you're not just seeing grills, AC units, patio furniture; it will help break that
200 up and help the screening impacts on those homes, so that's one update we're going to make to the plan.
201 As far as Part B is concerned, we had some really good feedback as it relates to architecture, specifically
202 as it relates to 3 buildings. Staff requested that we look at those buildings and see if there was something
203 we could do to them, so with our estimate there are 2 buildings that back up to public right-of-way. What

Zoning Commission

204 we're going to do to this to building instead of having horizontal siding in the middle, we're going to add
205 a mixture of shake siding and board and back siding to break up that elevation. As it relates to the backs
206 of the buildings that back up to public right-of-way, we're going to add shed roofs over each of the doors,
207 then in this middle section, we're going to remove the horizontal siding and add all sheet siding. At the
208 front of the building just to create some balance, we're going to add sheet siding here as well. Those 3
209 buildings that back up to public right-of-way will maintain the same architecture; all the internal buildings
210 will maintain the same architecture. And then as it relates to signage at Shanahan and US Route 23 and
211 then Shanahan and Rail Timber, we talked about this already. We talked about the divergence request for
212 the sign "here" and one additional thing we were going to do to this sign "here" is move a little bit down
213 in this area because there is an area where it is wooded and to place a sign right "here", you're really not
214 going to get to see it. So if we go down the block, we'll get that visibility at the existing street and we
215 talked about the joint signage. And then we'll remove the black vinyl chain link. That's all I have as an
216 overview. Again, I want to thank staff and Holly; they've always been extremely helpful in guiding us
217 through the process.

218
219 Ms. Harris: I have a question about the sight line along 23. I know you mentioned modifications to
220 Building R and Building S, but what are the sight lines from the other buildings? Do they see up to the
221 top up there, is it just the rear?
222

223 Mr. Smith: We only have comments on these 2 buildings. Staff felt the other buildings were adequate for
224 the rear of those which is a good mixture of horizontal siding, shake siding and vertical siding. The things
225 that these buildings have and really needs is the porches associated with the back of them. These
226 buildings in Part A which is west of 23, those rear elevations should look like front elevations.
227

228 Mr. McNulty: Michele, what was in the original development plan for this 23 frontage? Wasn't that
229 commercial versus multi-family residential?
230

231 Ms. Boni: Existing zoning?
232

233 Mr. McNulty: Yes. All the existing planning that had been gone through,
234

235 Ms. Boni: Sometimes the frontage of 23 was commercial then proposed behind it was single family in the
236 late 80's.
237

238 Mr. McNulty: I knew the 23 overlay had changed it; we tossed it out essentially.
239

240 Ms. Boni: The overlay district is an optional zoning tool that we have but you're correct; the original
241 zoning was different.
242

243 Mr. McNulty; I do have a problem with double the size of the sign at Rail Timber. Usually I would hear
244 doubling the size of the signs are hard to view but since that's not that built, you'd have to have a great
245 reason for that?. What is the reason to double the size of that sign?
246

247 Mr. Smith: To be able to get adequate signage with the development name, the 2 cabinets are on top of
248 each other so essentially you have a 5-1/2' x 10' cabinet with the height of that cabinet you split it by 2,
249 it's only 2.75'. So if you're go down to 32 square feet, imagine how small that height would get that it's
250 almost illogical, so with the extension of Rail Timber Way, it's almost at our main entrance into the
251 development and the wayfinding along Shanahan Road.
252

Zoning Commission

253 Mr. McNulty: I see that as being a wayfinding also at the main entrance because Shanahan once this gets
254 developed is going to be a lot busier. Is Delaware County already planning on putting a light there at least
255 in the near future?

256

257 Mr. Smith: There are no plans for that. Obviously you have your light at 23. What I have heard is that in
258 discussions with the Delaware County Engineer's Office is that their future plans for Shanahan Road
259 would be to widen it out to be a 3 lane section. The CIS, which is still in the works, is not going to let
260 there be a signal at this location. That doesn't mean there won't be a signal in the future as further
261 develop to the north and as they further develop to the east, even to the south.

262

263 Mr. McNulty: Has that property already been purchased for that extension or is that still in negotiations?

264

265 Mr. Smith: We have a legal binding contract for that property.

266

267 Mr. McNulty: How far away is Lewis Center Road from Rail Timber Way?

268

269 Mr. Smith: I can tell you we're extending Rail Timber about 2900' so Rail Timber to the terminus of
270 Lewis Center Road; that is the question isn't it?

271

272 Mr. McNulty: The entrance into the development I am assuming are going to be those because you'll
273 have a right-in/right-out onto 23, is that correct?

274

275 Mr. Smith: There is a right-in/right-out for Part A.

276

277 Mr. McNulty: There's only one single entrance which makes sense off of 23 because I know Delaware
278 County certainly wants to protect 23 from additional traffic. Have they approved this? Has everyone taken
279 a look at this route especially with the quantity, the population you're going to have in these
280 developments?

281

282 Mr. Smith: Yes, if you look in your package, I assume you're referring to the Delaware County
283 Engineer's Office because they review the traffic.

284

285 Mr. McNulty: Ye.

286

287 Mr. Smith: In your package there is a letter from Rob Riley from the Delaware County Engineer's Office
288 who is the Chief Deputy Engineer, which basically supports the access locations shown currently.

289

290 Mr. McNulty; And there's really no other way in except for Shanahan and Lewis Center for the right-
291 in/right-out from 23.

292

293 Mr. Smith: You have Rail Timber extended, Lewis Center, Olentangy Crossing East, Orangewick Drive,
294 so you have multiple access points.

295

296 Mr. McNulty: Olentangy Crossing does not have a traffic light at 23, correct?

297

298 Mr. Smith: At Olentangy Crossing East there is a traffic signal there.

299

300 Mr. McNulty: Only the 23 Overlay would allow this project if it went through zoning previously. I trust
301 you guys and the quality you do. I'm not a fan of all these apartments and such but I'm assuming your
302 research has already told you what you've already stated. People want empty nesters, they don't want
303 them as condos, they want the apartments and I'm sure your research has told you that.

Zoning Commission

304
305 Mr. Smith: Yes.
306
307 Mr. Pierce: Did I understand you correctly when you said the 400 cap that you're taking the whole 400
308 and the rest will be commercial?
309
310 Mr. Smith: We have the ability to do commercial on this.
311
312 Ms. Boni: And that's just specifically for this mixed use zone, so there's 5.
313
314 Mr. Pierce: And that zoned area is...
315
316 Mr. Smith: Lewis Center, you can see the eastern boundary of the district.
317
318 Mr. Freeman: Would the existing properties within that zone count toward that 400?
319
320 Mr. Smith: There is a stipulation within the RCOD that the existing single family homes do not count
321 against that cap.
322
323 Mr. Freeman: When you talked about Part A and Part B separately for roughly 150 units, but it sounded
324 like there's not going to be 300 units total but 400 units total.
325
326 Mr. Smith: There are 150 proposed units on Part A and 250 proposed units on Part B. The reason there
327 are 2 different requests is in case they don't develop simultaneously.
328
329 Mr. Freeman: My question was if they said we have capacity for your 150 units, it's actually 250 units.
330
331 Ms. Boni: I can add to that. There were 2 letters from Del-Co; one is for 150, the other is for 250.
332
333 Mr. McNulty: Part B, are those condos?
334
335 Mr. Smith: They're all for rent.
336
337 Mr. Pychewicz: The mail centers, are those just like CDU's on a pad, is it covered, is there some kind of
338 structure around that?
339
340 Chris Moore, 250 Old Wilson Bridge Road, Worthington, Ohio 43085, there will be a framed structure
341 with recessed mailboxes.
342
343 Mr. Pierce: You talk about the voluminous sign off the corner there and moving it down on 23. One of the
344 things thought about signs is the bigger it is, the faster traffic can move, but at that corner, that's when
345 traffic is going to be slowing down and making a right turn anyhow. What's the thought about moving the
346 sign again because at the corner they are slowing down and can see the sign, so what's the reason to move
347 it closer to 23?
348
349 Mr. Smith: There's an existing stream and trees that are right up to the right-of-way, so as you're heading
350 south on 23, the existing trees are going to block that sign. So you are correct, heading north you will see
351 the sign; however, heading south, you will not have this ability. That's one of those things that as we
352 submit the plans, we go back through and realize every bit of the plan to make sure we're not missing
353 anything, so we'll make a tweak to that.
354

Zoning Commission

355 Mr. Pierce: So you're wrestling with that there's no possible way to leave that sign there just because of
356 that.

357
358 Mr. Smith: It's to appropriately market the community. It would be T1 and T2.
359

360 Mr. Pierce: Approximately where are you going to move them?

361
362 Mr. Smith: We haven't finalized that yet but I'm thinking it's going to be somewhere on the block with
363 Part B.

364
365 Mr. Pierce: My only other concern is that if the sign is there and someone thinks they can turn there into
366 the property and it's not going to happen; there's nothing there yet, right?

367
368 Mr. Smith: On US 23 there will be no access point through here. Actually, per the overlay requirements,
369 there are street trees required every 30' then an additional buffer behind that of 4 trees every 30' so it's
370 going to be pretty heavily vegetated so I can't guarantee where it will be located at but there will be no
371 access point.

372
373 Mr. Pychewicz: I think what you're trying to say, and correct me if I'm wrong, as they approach the sign
374 going northbound they might start slowing down when they see that sign. 23 is a pretty busy road, so to
375 your point, we're okay with moving it down but if we can keep it as far north if it's next to Building E
376 where it's located north so as they start to slow down they see there's no turn there. It's not so much
377 someone is breaking at that property since they see there's no turn and they speed back up.

378
379 Mr. Pierce: Yes, that's what I'm trying to say.
380

381 Mr. McNulty: I'm familiar with that intersection, it's a busy intersection, there's a Speedway. Just beyond
382 that there is that stream, creek; I get that. They just need direction to turn onto Shanahan somehow. Some
383 kind of directional sign.

384 Mr. Freeman: A directional sign, turn 150 ahead with an arrow or something that would make it pretty
385 obvious.

386 Mr. Smith: What we're trying to avoid is the sign with an arrow, turn here, It adds a little too much to the
387 sign from our experience. We try to keep it as simple as we can.

388 Mr. Pychewicz: I don't know if you already did, but could you touch on the billboards?

389 Mr. Smith: On the property there are 3 existing billboards. There is an existing billboard sign "here" and
390 then 2 existing side by side billboard signs "here". If you look in the package, off premise signage is not
391 permitted in the ROCD; however, these 2 existing signs are non-conforming signs have the right to be on
392 the property.

393 Mr. Pierce: You don't own those signs, right? I was thinking particularly of the one on the north side.
394 Again, the whole 400 unit are going to be for rent; none will be for rent?

395 Mr. Smith: Correct.

396 Ms. Boni: The amenities and clubhouses we discussed earlier, will those be available to all residents?

Zoning Commission

397 Mr. Smith: No. Part A will have access to just the clubhouse associated with Part A and then Part B will
398 have access to the clubhouse in Part B.

399 Ms. Boni: What about the dog park and other amenities; will those be divided up?

400 Mr. Smith: Yes, they will be divided because you'll see the same type of amenities as a lot of the same
401 amenities are popular in the same marketplaces but the biggest amenity I see is the multi-use trails and the
402 use of the multi-use trails, you can't control that.

403 Mr. Pierce; Back to the stream in Part B, one more time on protecting that stream; you're going to have
404 the least impact on that; tell me that story again.

405 Mr. Smith: As far as the multi-use trail, the Township would typically like to see that outside the right-of-
406 way, so the Township would like to see this trail closer to the stream but we're requesting a divergence to
407 allow this trail closer to the as not to impact the stream.

408 Mr. Freeman: Did you say that stream crosses under a building?

409 Mr. Smith: Yes, it does. When Rail Timber is extended, it will be piped under "here" and "here".

410 Mr. Freeman: If we're piping the stream, what difference does it make whether the multi-use trail is
411 outside the right-of-way because we're going to have to do something with that stream anyway?

412 Mr. Smith: The further I move it outside the right-of-way the more I'm impacting the trees which impacts
413 the existing stream which we like to maintain those environmentally sensitive areas as much as possible.

414 Mr. Freeman: I noticed on the plan there's an area marked as wetlands but we're not observing that,
415 correct:

416 Mr. Smith: So the wetland area is around Rail Timber Way and it's a very little area from what research
417 was done on it.

418 Mr. Freeman: Does the Ohio EPA have any say in that?

419 Mr. Smith: The Ohio EPA will review those wetland impacts as well as the Army US Corps of Engineers.
420 Whenever you make an impact on a stream or wetland, you have a certain amount of allotted impacts you
421 are allowed to make, so we'll go through the permitting process with each of those entities for those
422 specific impacts and then there's usually mitigation associated with it, so we'll have to pay certain fees to
423 the mitigation bank and if you're not familiar with the mitigation bank, you pay a fee then somewhere in
424 southern Ohio they preserve "X" amount of land that won't be able to be touched over a certain amount
425 of time.

426 Mr. Freeman: You mentioned you'd be hitting kind of the top and the bottom of the continue kind of
427 leaving families out. Other than there's no playgrounds, why wouldn't a family want to live there?

428 Mr. Smith: The unit itself is really geared toward, what have found is families typically want their own
429 place without a common walls. To your point, they want to have a back yard for their kids, basketball
430 hoops, things of that nature is what I find because I've lived in a single family subdivision. So the
431 lifestyle doesn't necessarily hit what those families are looking for.

Zoning Commission

432 Mr. Pierce. Given the proximity of schools, you've got the elementary, middle school and high school,
433 right in your back yard, was there any thought for the non-empty nester condo?

434 Mr. Smith: I sit in on the facilities committee of the Olentangy School District and I think from the school
435 district's perspective, at least the kids, there are more desirable situations than this.

436 Ms. Boni: It's not age restricted either, so they could live thereMr. Smith: Yes, there are families that could
437 live there but it really hits those 2 ends.

438 Mr. Freeman: You mentioned that the signage divergences that you're asking for are very similar to what
439 were granted earlier in the year for Orange Grand. So why were those divergences granted for that and do
440 those same reasons apply to this development?

441 Ms. Mattei: It's because the way those signs are signed and for quick finding facts and identification. It's
442 not really something that means more or less. It's one of those areas where if we could go back and take a
443 look at the Code and revise that section, it would probably be revised.

444 Mr. Freeman: So you're saying under the RCOD it ideally would not be a divergence?

445 Ms. Mattei: No.

446 Mr. Freeman: So future developments will all pretty much have the same divergences?

447 Ms. Mattei: Yes, Just like he said when they go back and look at their signs, they have to pick new signs
448 because they missed that one. Every time you look at it, something doesn't turn out exactly like you think
449 it is and it's just one of those things.

450 Mr. Pychewicz: If I remember correctly, some of the discussion, and maybe it wasn't this particular case
451 but I know in previous ones, the Code is, I don't want to say vague, but there are some gray areas to it in
452 regard to wayfinding and if I remember correctly, I think what the discussion was like Schottenstein Real
453 Estate Group has their name on the sign itself where I think the original intent of this Code was we didn't
454 want to have these big signs saying Dog Park This Way or whatever. And that's the true nature of
455 wayfinding where this is more of a branding or identity so we don't necessarily consider it a wayfinding.

456 Mr. Freeman: This is a big subdivision of single family homes. You would think at the entrance there
457 would be some big sign.

458 Mr. Pychewicz: These single family properties to the north and the ones to the south, you've spoken to
459 some if not all of them?

460 Mr. Smith: As it relate to surrounding single family property owners, we have spoken to the neighbors to
461 the east and actually for the relocation of Rail Timber Way, that was their preferred location because it
462 helps to give them some buffer from the existing and proposed buildings. They did not have those
463 buildings up against their existing property and they'd been there 30-40 years. We just want to respect
464 their wishes. We've had some discussions with the property owners up in "this" location; we will have
465 further conversations with other single family property owners to the north and to the south.

466 Ms. Boni: Will that be before the Trustee meeting?

467 Mr. Smith: Yes.

Zoning Commission

468 Mr. PychewiczL The reason I asked was, and I know you brought up screening which I know they will
469 appreciate, you brought up 2 options, either the fence or some type of hedgerow or something or whatever
470 it is that's going to provide that screening. In those conversations I think it might just be good to get a
471 temperature on which way they prefer.

472 Mr. Smith: That's a good point and the other thing we'll discuss with the existing property owners if
473 there's any existing drainage issues that they may have so we can do on our site that might help better
474 their situation.

475 Ms. Boni: So the plan is to have either fencing or landscaping and that will be dependent upon the
476 residents?

477 Mr. Smith: We'll take the residents' input into consideration but ideally it would be landscaping and I
478 know "this" area is heavily wooded and "this" area is heavily wooded, so it just makes sense that as we
479 start taking down trees, we fill in the gaps with existing foliage, existing trees that are there, that's the
480 route that we'll go. If it just looks barren and makes sense to do the fence instead.

481 Mr. Pierce: I like the tree idea just because it's the idea of preserving more trees and that sort of thing, so I
482 appreciate you having conversations with the residents there on their preference, but the trees are certainly
483 something that sticks out. I have a follow up question on your 4:00 surprise this evening from RPC.
484 Sharing your thoughts that it was somewhat commentary, is there anything in this 4:00 that you thought
485 was a good point that we need to consider?

486 Ms. Comek: Actually the bulk of these comments were from last week so I thought some of them
487 detracted from the comments.

488 Mr. Pierce: Were any of them repetitive?

489 Ms. Comek: Yes they were, that's why I thought it was odd at 4:00.....

490 Mr. Smith: To help clarify, whatever is not highlighted on there is a repeat comment from Tech Review,
491 so there are a lot of those comments we are addressing, one big one in my opinion is we are adding that
492 multi-use trail through Part A. That came from staff's comments as well as Regional Planning.

493 Ms. Boni: Staff was surprised with some of the comments as well.

494 Mr. Pierce: Did staff know in advance though?

495 Ms. Boni: Yes, they were part of our Technical Review last week.

496 Ms. Mattei: The ones that were brought up today were not brought up at Tech Review.

497 Mr. Pierce: Are you planning on reaching back out to them and asking them where this is coming from?

498 Ms. Boni: I think we need to have a further conversation with them as their counsel suggested they're
499 questioning what the policy is.

500 Ms. Comek: Since this seems to be their philosophy, I don't necessarily agree with the comments made.

501 Mr. Freeman: One thing I saw in their plan was a technical issue as to if the detention ponds count as
502 green space. How did that get resolved?

Zoning Commission

503 Mr. Smith: From our end we need to add additional clarification so any central green space, detention
504 ponds are not allowed unless they are wet ponds and within our central green space located “here”, we
505 will provide wet ponds which is permitted so we just need to add that clarification to the open space plan
506 which we’ll do.

507 Mr. Freeman: All the central ponds are going to end up being wet ponds?

508 Mr. Smith: Within the central green space. There is one “here” that may be dry, may be wet but that is not
509 located within the central green space.

510 Mr. Freeman: Are there any trees adjacent along that property line there near that pond?

511 Mr. Smith: There is an existing tree line “here”. It’s like an old fence line and then when Olentangy
512 Crossing was developed, since so many trees got wiped out, there’s some smaller trees that were planted
513 there.

514 Mr. Freeman: So there’s really nothing there to be preserved?

515 Mr. Smith: Not necessarily.

516 Mr. Pychewicz: On wet ponds, isn’t it up to an acre, not that it matters because I feel you guys are so far
517 over.

518 Ms. Mattei; The text just says that if it’s in the central green space, they can have wet ponds.

519 Mr. Pychewicz: And those count as green space? I thought those just counted up to a certain acreage.

520 Ms. Mattei: No, you’re looking at density bonuses. If they want to add more, they can add to an account
521 for that.

522 Mr. Freeman: In your conversations with the neighbors, I assume you’re showing them what things will
523 look like, the vinyl fence, etc.

524 Mr. Smith: When we have those conversations, yes sir.

525 Ms. Boni: And we sent them the application and they reach out to us too.

526 Mr. Freeman: There’s some issue about preserving trees along 23 and Delaware County didn’t think it
527 was appropriate to have a multi-use path along 23 which I thought was a little odd because I think it’s a
528 great place. And in terms of the trees there, are we going to have trees between the path and 23 or
529 between the path and the buildings?

530 Mr. Smith: As it relates to the discrepancy of comments between Orange Township staff and Regional
531 Planning would be depicted as more of a philosophical thing between the 2 entities as it relates to your
532 question for the tree, the path we install right at the right-of-way of US 23, behind that there will be street
533 trees 30’ off center and then behind that there will be 4 trees for every 100’ along the entire frontage of
534 23.

535 Mr. Freeman: Are we not going to preserve any of the trees along 23 or we putting in all street trees?

Zoning Commission

536 Mr. Smith: In that area, we'll put the path in, the buildings and then the trees will go down. We'll try and
537 preserve as much as possible but the likelihood is that they'll get the path in, the buildings and there will
538 be a small area, I don't think it will be very big, where we'll be able to save them.

539 Mr. Pierce: One of the divergences you ask for is for the temporary sign. How long to you anticipate
540 needing it until the project is completed?

541 Mr. Smith: That specific divergence was approved on Orange Grand Estates, so it's a common divergence
542 that has been repeated. I believe that we requested that marketing signs be in place until 6 months after
543 completion of Part A or Part B, so that will allow us the opportunity to rent the community.

544 Mr. Pierce: So 6 months?

545 Ms. Boni: And that's actually standard in our existing Zoning Resolution

546 Mr. Freeman: I thought I saw you were asking for those for a year.

547 Mr. Smith: I thought it was 6 months but it's a year?

548 Mr. Pierce: I like the 6 months idea.

549 Mr. Freeman: I thought once having all those units rented that after that having the signs up would be
550 more of a nuisance to you because you don't want people calling you about units being available when
551 they're not.

552 Mr. Smith: We find that after we get the final certificate of occupancy, you're looking at 3-6 months to
553 stabilize that. And it is 1 year; it needs to be renewed every 6 months. That was my confusion.

554 Mr. Freeman: If we allow for those signs to be there for 6 months, there will be that option to renew for
555 another 6 months if you felt you needed it but I don't know why we'd want to have them there for a year.

556 Mr. Smith: What if we put a cap on it? Again, this is the exact divergence that was listed on Orange
557 Grand Estates. We just repeated it to be consistent. So if after 6 months things have stabilized, then they'll
558 come down.

559 Mr. Freeman: What's happening with the stream that crosses the southern half of the property?

560 Mr. Smith: There's a small existing stream right "here". That stream will not be impacted. It's what the
561 Corps of Engineers or EPA would call a femoral stream whereas "this" stream is a more significant
562 stream that they would call perinnial. So "this" stream is dry most of the season. The only time it's wet is
563 during the rainy season so it doesn't have constant water in it.

564 Mr. Freeman: If there's an existing stream here because there was water that needed a place to go. If you
565 move the stream, that water is going to have to go somewhere so I was wondering if that water would
566 naturally flow into that nearby detention pond and not just pool up into some kind of marsh.

567 Mr. Smith: Whenever you develop out a site, there are certain storm requirements per Delaware County,
568 for the EPA and for the national permit, so whenever we develop a site, we are required to take any water
569 that falls anywhere on site and take it to a storm water management system. That storm water
570 management system allows water to build up in it and then release the water at a rate no greater than what

Zoning Commission

571 it's being released right now, so we will grade appropriately so that everything gets to ponds and does not
572 create marshy and low areas. I don't think the residents would be too happy about it.

573 Mr. Freeman: Obviously if you're going to help people out they're going to appreciate it. You're not
574 going to want to create new problems.

575 Mr. Smith: Absolutely not.

576 Mr. Pychewicz: While we're on the subject of utilities, I saw that you're running a sanitary line through
577 on the plans we originally got, I'm assuming tying into that new lift station going in. What's the intent of
578 that?

579 Mr. Smith: That's one of the infrastructure items on top of Rail Timber Way. We are also extending a 10"
580 sanitary line, the southern terminus is currently located on the southwest corner of Hyatts Road and 23.
581 We will extend it along the backs of "these" buildings, so the homes will have live access to it. More
582 importantly, Shanahan Middle School is currently on a pump line. and Delaware County Sanitary
583 Engineer's Office would like to take the pump station the school is now draining to and take that off line.

584 Mr. Freeman: One thing that was left ambiguous on the plan was whether the multi-use path would be
585 paved or mulched.

586 Mr. Smith: The trail along Rail Timber Way and along 23 will be paved through Part B. Through Part A
587 we want to give ourselves the flexibility of the option of paved or mulched.

588 Mr. Freeman: What would be the benefit of having a mulched trail? I would think that would be more
589 ongoing maintenance for you.

590 Mr. Smith: There's ongoing maintenance either way. It really depends on whether you want the more
591 natural feel or the hard surface for bikers down the backs of these paths.

592 Mr. Freeman: So one of the things of a mulched path would be to deter bicycle traffic.

593 Mr. Smith: That's one of the reasons and provide more of a natural look and walk in this area. The trail in
594 "this" area here along the stream will be paved.

595 Ms. Harris: What about a connection over to Rail Timber?

596 Mr. Smith: It's something we're still looking at.

597 Mr. Freeman: For internal, trying to keep that natural feel makes sense but residents who have bicycles
598 are not only going to want to get to a path they can bicycle on to get to Rail Timber to the trail over to 23.

599 Mr. Smith: The residents have all the services at their disposal to get to those areas to get to those
600 connections so it's something we can look at further and discuss with the staff what makes sense.

601 Mr. Freeman: I saw that one of the other comments was that there should be access to the trails from the
602 buildings. There didn't seem to be any.

603 Mr. Smith: There's actually sidewalk connectivity throughout the entire development through the trails.

604 Mr. McNulty: I guess I'm surprised that the 23 overlay didn't require paved pathways

Zoning Commission

- 605 Ms. Mattei; It does require paved pathways. I would have to go back and look at the language.
- 606 Mr. Freeman: This whole thing about hidden front doors from the County Regional Planning really just
607 aren't in the code. in the Code.
- 608 Mr. Smith: Actually, those are in the Code; we meet the Code.
- 609 Mr. Freeman; if things are to be a requirement, they need to be in the RCOD Code. Maybe there can be
610 some kind of technical revision just to clean up some of the language and things to address some of those
611 comments.
- 612 Mr. Pychewicz: Any other comments from the Board? None
- 613
- 614
- 615 Meeting adjourned at 8:40 p.m.
- 616 Minutes prepared by Cindy Davis, Zoning Secretary