

**ZONING COMMISSION JOURNAL OF ACTIONS
FROM MEETING HELD OCTOBER 22, 2024
ORANGE TOWNSHIP - DELAWARE COUNTY**

The electronic recordings of this meeting serve as the official meeting minutes.
A full and accurate account of this meeting's audio and video can be found at www.orangetwp.org

Christine Trebellas called the meeting to order.

ROLL CALL: Christine Trebellas, Chair - Present
Dennis McNulty, Vice-Chair - Present
Les Pierce - Present
Pam Foster – Present
Karthik Avadhanula – Present

ALSO PRESENT: Robin Duffee, Development and Zoning Director
Eric Gayetsky, Senior Zoning Officer

NEW BUSINESS

Zoning Amendment Application #ZON-24-07, Home and High, Requesting to amend the current PC District zoning #ZON-17-04 to allow for the construction of 220 multi-family units on a 25.476 +/- acres parcel. The subject property is currently owned by Home High LLC and is located at 0 Columbus Pike, Delaware, Ohio 43015 with parcel number 318-230-02-001-003.

Mr. Duffee presents the Staff Report:

- Summary of Amendment Request;
 - The applicant is requesting to amend the currently effective Planned Commercial & Office District (PCD) to allow for the construction of 220 multi-family units on the southern 15.1 acres of the site.
 - A total of 9 divergences being requested:
 - A divergence from Section 14.03: To permit multi-family residential apartment and accessory uses including but not limited to community center(s), clubhouse(s), swimming pool(s), work-out facilities, and other such accessory uses on Parcel 3.
 - A divergence from Section 21.12(h)(3)(b): To permit the light uniformity ratio to be no more than 16:1 in Parcel 3 as shown on exhibit SL-1.
 - A divergence from 14.06 b) 10): If the proposed timetable for development includes developing the property proposed to be rezoned to this Planned Commercial and Office District in phases, all phases to be developed after the first shall be fully described in textual form in a manner calculated to give township officials definitive guidelines for approval of future phases. Each phase, including the first, shall include a minimum of five (5) acres of property or the whole property, whichever is smaller.
 - A divergence from 21.01 a) Dimensions: All parking spaces shall be not less than 9 feet wide by twenty feet long. Such spaces shall be measured rectangular and shall be served by aisle ways of sufficient width to permit easy and smooth access to all parking areas.
 - Parking spaces are proposed to be 9 feet by 18 feet.

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- A divergence from 21.01 b) Paving: Except in the Farm Residential District (FR- 1) and the Agricultural Preservation District (A-1) all common parking areas and adjacent aisles or driveways shall be paved with asphaltic material or cement.
- A divergence from 21.01 d) Parking Area Location:– Except in the single family districts (A-1), (FR-1), (R-2), and (SFPRD), no parking lot or parking area shall be located nearer than six (6) feet to the side or rear line of the tract on which the structure is located and parking in front of the main structure may be permitted only if not more than forty percent (40%) of the front set back area outside of the right-of-way is occupied by parking. All parking spaces required herein shall be located on the same lot with the buildings or use served. The remaining sixty percent (60%) of the front setback outside of the road right-of-way shall be green space adjacent to the road(s) frontage(s).
- A divergence from 21.01(e) for Phase 1: Multi-Family residential apartments require three (3) parking spaces per unit. A divergence to permit 1.75 parking spaces per unit.
- A divergence from 21.10: Nonresidential uses except parking shall not be located closer than 100 feet to any lot line of a residential district.
 - Staff believes this divergence request is not relevant to the current proposal. The setbacks from Gooding Boulevard from the currently approved development plan remain unchanged, and multi-family is considered a residential use for the purposes of this section. However, it would still apply to the north property line of Parcel 1 (north of Home Road), which remains unchanged.
- Additional Staff Comments:
 - Because the Delaware County Regional Planning Commission has not yet reviewed this application, staff does not recommend that the Zoning Commission vote on this matter at the current time.
 - The development text should be edited to make it explicit that no more than 220 multi-family units shall be permitted.
 - The building siding material for the large buildings should be clarified, and the vinyl siding removed from the garage buildings, or a divergence should be requested.
 - The light fixtures should be changed to be completely down-lit to match code.
 - The shrubs should meet the code requirement of 3' in height.
 - More details should be given regarding the amenity area.
 - The site is well screened from the Columbus Pike right-of-way. Staff recommends that similar screening be considered for the Gooding Boulevard right-of-way, including evergreen trees and possible mounding, as the greatest visual impact on existing residents will be from the west sightline.

Pete LaRose of Vision Development and Todd Foley of Pod Design present the proposed amendment of the Planned Commercial zoning to allow multi-family units.

Board Comments:

Mr. McNulty:

- Asks about parking, there isn't space to meet the 3 parking spaces per unit our code requires for multi-family

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- Mr. Foley replies that is one of the divergences being requested, 3 spaces per unit typically are not needed
- Asks about the use of vinyl siding
 - Mr. Foley replies they will not be using vinyl siding

Ms. Trebellas:

- Questions how many bedrooms per unit in order to get a better idea of how many parking spaces per unit may be needed, this area is not a walkable area so parking spaces are needed
 - Mr. Foley says their methodology for figuring parking spaces is one space per bedroom plus additional spaces for ADA parking and guest parking. They have 102 one bedroom units, 102 two bedroom units and 16 three bedroom units for a total of 354 bedrooms. They have 423 spaces in their plan.
- Explains Orange Township measures from grade plan to the peak of the roof to measure height. Further states that when using these points to measure, the plan exceeds maximum building height. Suggests that if they reduce from 4 stories to 3 stories, it would alleviate the parking space issue.
- Wonders if the pond will have benches and/or a walking path around it
- Asks about the mailboxes and the thought process for locating them at the fitness center and not the clubhouse, adding the post office likes to drive up to deliver the mail
- Asks Mr. Duffee when comments from Regional Planning might be received.
 - Mr. Duffee Responds the Regional Planning meets later this week

Mr. Avadhanula:

- Comments that their methodology for figuring parking spaces is not sufficient because many 1 bedroom units will have 2 drivers with 2 cars
 - Mr. Foley replies that there are 1 bedroom units with 2 drivers however, their methodology which is about 1.75 to 2 spaces per unit works. Three spaces per unit will take away greenspace and add a lot of asphalt that never gets used.

Ms. Foster:

- Asks if the number of units could be reduced (to get a parking ratio closer to zoning requirements).
 - Mr. LaRose states they going to evaluate all the comments from tonight's hearing

Mr. Pierce:

- Asks why the parking space size was changed
 - Mr. Duffee replies the zoning code says the size should be 9x20 however most communities use the industry standard of 9x18 which is what the applicant is requesting
- Asks how many times the applicant has met with the community.
 - Mr. Foley replies last week was their first meeting, their intention is to take tonight's comments and decide the best route to take from here

Public Comments:

Barb Touscher, 181 Daymark Drive

- States her development is where residents of proposed development will be parking; also concerned about privacy due to the tall building being able to look right into their windows and courtyards

Mark Pomeroy, 233 Parkgate Drive

- Would like carriage houses and garages towards existing residential and taller buildings closer to 23; would like more of a buffer such as mounding and trees and bushes. Also concerned with lighting shining into the courtyard late in the night from the north entrance. Traffic safety concerns.

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Jack Reardon, 7020 Star Hollow Lane

- States this site is a water source and drainage source for Clear Creek, believes it a protected area by the EPA. Says the major building in this development is directly over the access to the nature area.
 - Ms. Trebellas states environmental issues are handled by the county. The civil engineering plans are approved by the county. Applicant will have to get applicable permits from the EPA.

Yuri Starik, 219 Restoration Drive

- Does not see any benefits as a resident to having this development. This development will destroy the lifestyle of the current residents. Traffic is already bad, will be increased

Tom Reeves, 6908 Star Hollow Lane

- Agrees with all previous comments, added an additional comment regarding the DOT study for 23 and the presented options. States the first 2 options turn Corduroy into a right turn only meaning the only two ways out of the neighborhood would be Gooding at Home Road on the north or Gooding at 23 on the south. The third option eliminates any access from Corduroy to 23 so that would send all the traffic from Clear Creek and this development out Home Road which would be a safety issue.

Michele Shough, 7015 Star Hollow Lane

- States she bought knowing this property would be commercial. Would like it to stay commercial. Would like to see larger buffers for this development.

Roch Kujava, 7009 Star Hollow Lane

- Concerned with the building height and his privacy, concerned with his quality of life due to the cars in and out of property, also agrees with all other comments

Bruce Massa, 225 Parkgate Court

- Concerned with infringement on the people on the west side of Gooding. Suggests shifting everything to the east and moving the carriage houses to the west side. Also suggests planting trees sufficient to provide a visual break

Richard Kight, 326 Parkgate Court

- Asks for a clarification on density as it pertains to multi-family
 - Ms. Trebellas and Mr. Duffee explain this parcel is a Planned Commercial parcel requesting a divergence to allow multi-family housing; Planned Commercial does not have the density requirement that multi-family has.

Roger Ricker, 145 Daymark Drive

- States he would hate this development to ruin the quality of life of existing residents. It is up to the commission to decide, urges commission to be knowledgeable and fair.

Elaine Damo, 6990 Star Hollow Lane

- Would like to see the number of units reduced to help with the traffic and parking issues.

MOTION TO CONTINUE ZON-24-07

Motion by Foster

Second by Avadhanula

VOTE: McNulty - Yes, Trebellas - Yes, Pierce - Yes, Foster - Yes, Avadhanula – Yes
ZON-24-07, Continued to December 3, 2024, 6:30PM

Meeting adjourned