

**ZONING COMMISSION JOURNAL OF ACTIONS
FROM MEETING HELD DECEMBER 3, 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
Rick Beer - Present

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

OLD 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.
- Some changes from the previous submittal include:
 - A revised development plan showing a different configuration for the proposed buildings
 - Updated elevations to be in compliance with 50' height limit
 - Exterior sidings of buildings comply with the planned district
 - Increased the setback to 45' from Gooding Boulevard
 - A total of 458 parking spaces are proposed, with 36 of them in garages , and 422 surface spaces
- A total of 9 divergences being requested, these were gone over in previous meeting however, one is different from previous submittal:
 - A divergence from Section 22.03(c)(1) for Parcel 3 to permit a sign to be mounted to a building at most 40 feet above finish grade.
- Additional Staff Comments:
 - All staff comments from the previous submittal have been satisfactorily address by the applicant in their revised plans
- Review from other agencies

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- The Delaware County Regional Planning Commission recommended **denial** of the amendment request at their meeting on November 21, 2024. RPC staff had the following additional comments:
 - In general, the proposed use and style of construction could blend well with the community. However, the Comprehensive Plan does not support residential uses here. Additionally, the use is not permitted in the PC district. While it is permitted in the MFPRD, it would exceed the permitted density by 167 units. Staff isn't completely opposed to residential use at this location as it may blend well with future commercial uses. If Orange Township Zoning Commission and Trustees decide to approve the request, Staff recommends:
 - Reduce the building type to two-story, which better reflects the multi-family development pattern in the area and along U.S. 23. This would allow a reduction in parking and pavement, and reduce or improve several of the parking divergences. Additionally, the MF-PRD (where this use is permitted) only allows for a maximum building height of 35 feet and 50 feet is proposed;
 - Commit to the completion of sidewalks along Gooding Boulevard and Home Road.
- Staff Recommendation:
 - Staff commends the applicant for putting together a thorough proposal, for engaging with neighboring residents, and for being responsive to concerns from residents, as well as technical agencies and Township staff. However, the Orange Township Comprehensive Land Use Plan does not call for residential on this parcel. Staff does note that this property was indicated as mixed-use in the Route 23 Corridor Overlay District (for which a moratorium is currently in effect), but this proposal does not include a mix of uses. Staff shares concerns noted by Regional Planning Commission staff that the MFPRD would seem a more appropriate zone, and agrees that the proposed four-story buildings would be out of character with the surrounding area, and would in fact be 15 feet taller than any standalone multi-family building approved in the Township to date. Given this lack of cohesion, together with the number of divergences, and lack of accordance with the approved Land Use Plan of the Township, staff recommends **denial** to the Zoning Commission.

Pete LaRose of Vision Development, 2935 Kenney Road, Columbus, Ohio 43221 and Todd Foley of Pod Design, 100 Northwoods Blvd, Columbus, Ohio present the proposed amendment of the Planned Commercial zoning to allow multi-family units.

Board Comments:

Mr. Pierce:

- Asks what is the analysis/targeted rate or income for people to move here?
 - Mr. LaRose replies we will undertake some studies. Rents will be higher than typical multi-family communities
- So the affordability piece may not be at play because they could afford a mortgage?
 - Mr. LaRose answers there is a big difference between the being able to put \$100k down and afford a mortgage after that. So this is not the same as paying monthly rent.

Mr. Beer:

- What is the frontage on 23 on the northern parcel adjacent to the multi family?

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- Mr. Foley replies about 350 feet

Ms. Foster:

- Concerned there is not sufficient parking which may cause overflow to go into neighborhood behind this proposed development
 - Mr. Foley states parking is based off analysis of similar developments they have done, adding 2 spaces per unit is above what is normal

Ms. Trebellas:

- Questions the unit matrix of how many bedrooms per unit in order to get a better idea of how many parking spaces per unit may be needed
 - Mr. Foley says they have 92 one bedroom units, 112 two bedroom units and 16 three bedroom units for a total of 364 bedrooms. They have 458 spaces in their plan.
- Asks why the suggestion to reduce density was not addressed
 - Mr. LaRose replies the focus has been trying to provide the best possible full 220 unit project that we can, respond to the other comments from the last meeting and see how things played out this evening

Mr. McNulty:

- Commends the applicant for trying to work with everyone however, he will be voting to deny as he does not believe this is the best thing for Orange Township. Delaware Regional Planning doesn't like the design, the fifty foot building does not fit into the community. Zoning staff also recommends denial.

Public Comments:

Jack Riordan, 7020 Star Hollow Lane

- Voices concerns about EPA requirements, State of Ohio requirements and drainage issues
 - Ms. Trebellas replies the county engineer will look at drainage and establish any permits required by the EPA and Army Corps of Engineers. Civil Engineering will be handled by the county.

Michelle Shough, 7015 Star Hollow Lane

- Says she does not believe a 4 story building belongs in this area. Thinks there are more suitable areas in the township for a building of this type. States the Comprehensive Land Use Plan includes commercial and office use for that particular area. Believes adhering to that plan protects the community's character and home values.

Yuri Starik, 219 Restoration Drive

- States the Comprehensive Land Use Plan protects his property from this type of development; this does not follow the comprehensive plan

Rhonda Hinson, 71 Tinley Park Circle

- Has concerns with the 23 Corridor Project and how this will affect traffic when/if the 23 Corridor project goes through
 - Ms. Trebellas replies 23 is a larger issue than just the township can address. That would be the State of Ohio Department of Transportation.

Terri Massa, 225 Parkgate

- Asks how many 4 story units there are, and of those, how many balconies face Gooding?
 - Mr. Foley replies that 3 of the buildings have 4 stories on each end with balconies that face Gooding. There are 23 balconies that face Gooding

Richard Kight, 326 Parkgate Ct

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- Wants to point out, whichever way you go on this project, the northern portion of site which is going to remain for commercial use, will have the same setbacks that they had before they came back with the 45' setbacks along Gooding between the residences and the development. The commercial part has not been talked about, it should an additional landscape buffer

Herb Samuel, 125 Tinley Park Circle

- States there are 3 people who need remembered in this decision, Fire Chief, Sheriff, and the Superintendent of Schools

Connie Klema representing Vision responds

- States the Comprehensive Land Use Plan has not been uniformly followed by the township using an Epcon Community and Hidden Ravines as examples.
- Says if Vision leaves, a developer with a 5 story office building or hospital with windows looking out over Gooding Blvd., won't have to come here (zoning amendment meeting) because it is already zoned for that.

Rosemary Pomeroy, 233 Parkgate

- Asks what the consequences were when the plan was not followed in 2018
 - Mr. Duffee answers, the Comprehensive Land Use Plan is a guiding document voted on and adopted by both the Orange Township Zoning Commission and the Orange Township Board of Trustees. It is a roadmap of the vision of Orange Township for the future. There are some instances where strict adherence to the plan may make sense, there are some instances where it may not. In looking at the document now, Ms. Klema is both correct and incorrect on the recommendations for Epcon. It does state the recommendations for land use in that area is the west side of Gooding Blvd., is planned to be residential at 2 units per acre, 1500 feet south of Home Road. Epcon is in the correct location however, it is higher than 2 units per acre so it both did and did not follow the recommendation of the Land Use Plan. When strict adherence to the plan is necessary, and when it is not necessary is a policy decision. That is why the Zoning Commission makes recommendations to the Board of Trustees regarding land use and zoning in the township

**RESOLUTION TO RECOMMEND APPROVAL WITH MODIFICATIONS OF ZONING
APPLICATION #ZON-24-07 OF VISION ACQUISITIONS LLC**

Motion by Mr. Pierce to recommend to the Board of Township Trustees (the "Board) the **APPROVAL WITH MODIFICATIONS** of Zoning Application #ZON-24-07 of Vision Acquisitions LLC, the pages of which are each stamped received with ORANGE TWP. ZONING on 11.21.24, requesting the amendment of the currently effective development plan for property owned by Home High, LLC (applications #17033, and #ZON-17-04), upon finding that it is in the interest of the public convenience, comfort, prosperity, or general welfare, or sufficiently in accordance with the comprehensive plan, and including additional modifications listed below:

1. Applicant will provide evidence that the Orange Township Fire Department has reviewed and approved the updated site plan prior to approval of the amendment by the Orange Township Trustees.

Motion seconded by Mr. Beer.

VOTE: Trebellas - No, McNulty - No, Pierce - Yes, Foster - No, Beer – Yes

MOTION FAILS WITH A THREE – TWO VOTE

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**RESOLUTION TO RECOMMEND DENIAL OF ZONING APPLICATION #ZON-24-07 OF
VISION ACQUISITIONS LLC**

Motion by Ms. Foster to recommend to the Board of Township Trustees (the “Board”) the **DENIAL** of Zoning Application #ZON-24-07 of Vision Acquisitions LLC, the pages of which are each stamped received with ORANGE TWP. ZONING on 11.21.24, requesting the amendment of the currently effective development plan for property owned by Home High, LLC (applications #17033, and #ZON-17-04), upon finding that it is not in the interest of the public convenience, comfort, prosperity, or general welfare, or sufficiently in accordance with the comprehensive plan.

Motion seconded by Mr. McNulty.

VOTE: Trebellas - Yes, McNulty - Yes, Pierce - No, Foster - Yes, Beer – No

NEW BUSINESS

Discussion and Possible Approval of 2025 Meeting Schedule

MOTION TO APPROVE 2025 ZONING COMMISSION SCHEDULE (as presented)

Motion by Foster

Second by Pierce

VOTE: McNulty - Yes, Trebellas - Yes, Pierce - Yes, Foster - Yes, Beer - Yes

Meeting adjourned