



Delaware County Regional Planning Commission

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Scott B. Sanders, AICP
Executive Director

MINUTES

Thursday, April 30, 2015 at 7:00 PM

101 N. Sandusky St., Delaware County Commissioners Conference Room,
Delaware, Ohio 43015

I. ADMINISTRATIVE BUSINESS

- Call to order
- Roll Call
- Approval of March 26, 2015 RPC Minutes
- Executive Committee Minutes of April 22, 2015
- Statement of Policy

II. VARIANCES *(none)*

III. ZONING MAP/TEXT AMENDMENTS

- 08-15 ZON Jack Clark – Harlem Twp. – 9.157 acres from AR-1 to FR-1
- 09-15 ZON Evans Farm Land Development Co. LLC – Orange Twp. – 418.8 acres from FR-1 to SFPRD
- 10-15 ZON Evans Farm Land Development Co. LLC – Orange Twp. – 135.1 acres from FR-1 to PCD
- 11-15 ZON Epcon Communities – Liberty Twp. – 9.779 acres from FR-1 to PR
- 12-15 ZON Jerry Turner – Harlem Twp. – 8.58 acres from AR-1 to PCD

IV. SUBDIVISION PROJECTS

Preliminary

		Township	Lots/Acres
06-15	Reid Estates	Concord	02 lots / 10.7 acres

Preliminary/Final *(none)*

Final

05-15	Frog Hollow easement vacation	Harlem	0 lots / 0 acres
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T=TABLED, W=WITHDRAWN

V. EXTENSIONS *(none)*

VI. OTHER BUSINESS

- Consideration for Approval: DCRPC Employee Position description amendments

VII. POLICY / EDUCATION DISCUSSION *(none)*

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

I. ADMINISTRATIVE BUSINESS

▪ **Call to Order**

Chairman Stites called the meeting to order at 7:00 p.m.

▪ **Roll Call**

Representatives: Jeff George, Susan Kuba, Ric Irvine, Fred Fowler, Ken O’Brien, Barb Lewis, Steve Burke, Tiffany Jenkins, Gary Gunderman, Jon Trainer, Dave Stites, Matt Huffman, Joe Proemm, Bill Thurston, Dan Boysel, Charlie Callender, and Mike Dattilo. Alternates: Chet Heid, John Piccin, Larry Witt, and Rob Quigley.

After roll call, Chairman Stites introduced himself as the new Executive Committee Chairman. He gave a summary of his previous employment and current position at Kingston Township. Chairman Stites also thanked Mr. O’Brien for serving as past President.

▪ **Approval of the March 26, 2015 RPC Minutes**

Mrs. Kuba made a motion to Approve the minutes from the last meeting, seconded by Mr. Irvine. VOTE: Unanimously For, 0 Opposed. Motion carried.

▪ **April 22, 2015 Executive Committee Minutes**

1. Call to order

Chairman O’Brien called the meeting to order at 8:45 a.m. Present: Ken O’Brien, Susan Kuba, Jeff George, and Dave Stites. Tiffany Jenkins arrived late. Staff: Scott Sanders and Stephanie Matlack.

2. Position Elections

- *Mr. O’Brien made a motion to appoint Dave Stites as Chairman. Mr. George seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*
- *Mr. Stites made a motion to appoint Jeff George as Vice-Chairman. Mrs. Kuba seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*
- *Mr. Stites made a motion to appoint Susan Kuba as 2nd Vice-Chairman. Mr. O’Brien seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

Mrs. Jenkins will serve as Member-At-Large and Mr. O’Brien will serve as the Delaware County Commissioner appointed member.

These positions will run through March of 2016.

3. Approval of Executive Committee Minutes from March 18, 2015

Mr. O’Brien made a motion to Approve the minutes from the last meeting, seconded by Mr. George. VOTE: Unanimously For, 0 Opposed. Motion carried.

4. New Business

- Financial / Activity Reports for March 2015

REGIONAL PLANNING RECEIPTS		MARCH	YTD TOTAL
General Fees (Lot Split)	(4201)	\$205.00	\$1,435.00

Fees A (Site Review)	(4202)		\$300.00
Insp. Fees (Lot Line Transfer)	(4203)		\$500.00
Membership Fees	(4204)	\$4,219.00	\$257,616.00
Planning Surcharge (Twp. Plan. Assist.)	(4205)		\$465.79
Assoc. Membership	(4206)		
General Sales	(4220)		
Charges for Serv. A (Prel. Appl.)	(4230)		\$17,599.60
Charges for Serv. B (Final. Appl.)	(4231)	\$2,800.00	\$12,199.60
Charges for Serv. C (Ext. Fee)	(4232)		\$300.00
Charges for Serv. D (Table Fee)	(4233)		
Charges for Serv. E (Appeal/Var.)	(4234)		\$600.00
Charges for Serv. F (Planned District Zoning)	(4235)		\$600.00
OTHER DEPT. RECEIPTS			
Health Dept. Fees	(4242)		\$125.00
Soil & Water Fees	(4243)		\$425.00
MISCELLANEOUS REVENUE			
Other Reimbursements	(4720)		
Other Reimbursements A			
Other Misc. Revenue (GIS maps)	(4730)	\$48.00	\$56.00
Misc. Non-Revenue Receipts	(4733)		
Sale of Fixed Assets	(4804)		
TOTAL RECEIPTS		\$7,272.00	\$292,221.99

Balance after receipts		\$876,204.84
Expenditures	-	\$ 30,080.25
End of March balance (carry forward)		\$846,124.59

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

- Site Review:
 - 1.) Nance Family CAD – Harlem Twp. – 02 lots / 12.18 acres
- April RPC Preliminary Agenda
 - 1.) Rezoning:
 - Jack Clark – Harlem Twp. – 9.157 acres from AR-1 to FR-1
 - Evans Farm Land Development Co. LLC – Orange Twp. – 418.8 acres from FR-1 to SFPRD
 - Evans Farm Land Development Co. LLC – Orange Twp. – 135.1 acres from FR-1 to PCD
 - Epcon Communities – Liberty Twp. – 9.779 acres from FR-1 to PR
 - Jerry Turner – Harlem Twp. – 8.58 acres from AR-1 to PCD
 - 3.) Preliminary:
 - Reid Estates – Concord Twp. – 2 lots / 10.7 acres
 - 4.) Preliminary/Final: none
 - 5.) Final:

- Frog Hollow easement vacation – Harlem Twp.

6.) Extension: none

- Director's Report

- 1.) Continued attendance on the MORPC Data Task Force discussing regional data needs and a potential regional "portal" where user could go to a single location and then find links to other resources.
- 2.) Attended (with Stephanie) the Housing Committee meeting for the Community Reinvestment Area in Orange and Berlin Townships.
- 3.) Continued working with Oxford Township on a Zoning Resolution update.
- 4.) Received edits from the Concord Township Zoning Commission regarding their Comp Plan.
- 5.) Attended Design Columbus's "Sustainable Building Education Day and Trade Show." This was intended for architects, but provided something a little different from typical planning conferences.
- 6.) Attended the MORPC State of the Region lunch at the county's table.
- 7.) Continued involvement as Trustees President with Convention and Visitors Bureau.
- 8.) Met with Nancy from MORPC regarding land use projections around the I-71 Interchange in preparation for ODOT's Interchange Modification Study (IMS). The IMS will be done by the Northgate development, working with ODOT for approvals on the study. Currently, ODOT is working to establish the study area and intersections that they will analyze.
- 9.) Basement/obsolete equipment – pc units and monitors taken by DATA staff to recycle. Logged out of inventory.

5. **Old Business** - none

6. **Other Business** - none

7. **Personnel** - none

8. **Adjourn**

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

The next regular Executive Committee meeting will be Wednesday, May 20, 2015 at 8:45 a.m. at 109 North Sandusky Street, Delaware, Ohio, 43015.

- **Statement of Policy**

As is the adopted policy of the Regional Planning Commission, all applicants will be granted an opportunity to make their formal presentation. The audience will then be granted an opportunity to speak, at which time the chair will allow questions from the members of the Commission. This policy was adopted by the Regional Planning Commission to provide for the orderly discussion of business scheduled for consideration. The Chairperson may limit repetitive debate.

II. VARIANCES (none)

III. ZONING MAP/TEXT AMENDMENTS

08-15 ZON Jack Clark – Harlem Twp. – 9.157 acres from AR-1 to FR-1

I. Request

The applicant, Jack Clark, is requesting a 9.157-acre rezoning from AR-1 to FR-1 to allow the lot to be split into residential lots.

II. Conditions

Location: west wide of Harlem Road, north of Center Village Rd.

Present Zoning: Agricultural (A-1)

Proposed Zoning: Farm Residential (FR-1)

Present Use(s): One single-family house

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

Existing Density: 1 du / 5 acres

Proposed Density: 1 du / 2 acres

School District: Big Walnut Local School District

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

Critical Resources: none

Soils: LvB Loudonville Silt Loam 2-6% slope

 SsA Smothers Silt Loam 0-2% slope

 CnA Condit Silt Loam 0-1% slope

 PwA Pewamo Silty Clay Loam 0-1% slope

 CeB Centerburg Silt Loam 2-6% slope

III. Issues

This is a “straight” rezoning and does not require a development plan. The assumption is that the lot is being rezoned for future subdivision into additional lots.

The parcel is 9.157 acres in size with roughly 115 feet of frontage and a depth of 2,075 feet. The parcel eventually widens to 214 feet. With the house built in 1960, it is a legal, non-conforming lot, based on current road frontage requirements and setbacks.

Harlem Township’s zoning resolution requires 2 acres exclusive of all easements and rights-of-way, and frontage of 175 feet for 2-3 acres, with increasing frontage as acreage increases. Further subdivision of this lot (unless combined with other land) will most likely require a Common Access Driveway. There is no guarantee that a CAD is appropriate for every location.

However, staff has generally supported rezoning requests from 5 acres to 2 as land is utilized in a more efficient manner. Staff also recommends that the applicant consult with the Delaware General Health District to determine the feasibility of on-site treatment for this site.

IV. Staff Recommendations

Staff recommends **Conditional Approval** of the zoning request by Jack Clark to the DCRPC, Harlem Twp. Zoning Commission and Harlem Twp. Trustees, *subject to:*

1. *Consulting with the Health District to determine feasibility of on-site systems on the parcel.*

Commission / Public Comments

No one was present to represent the applicant.

Mrs. Kuba made a motion to recommend Approval of the rezoning by Jack Clark, subject to staff recommendations. Mr. George seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained

(Harlem Twp.). Motion carried.

09-15 ZON Evans Farm Land Development Co. LLC – Orange Twp. – 418.8 acres from FR-1 to SFPRD

I. Request

The applicant, Evans Farm Land Development Co. LLC, is requesting a 418.8-acre rezoning from FR-1 to SFPRD to allow a 986-lot single-family residential development.

10-15 ZON Evans Farm Land Development Co. LLC – Orange Twp. – 135.1 acres from FR-1 to PC

I. Request

The applicant, Evans Farm Land Development Co. LLC, is requesting a 135.1-acre rezoning from FR-1 to PCD to allow for planned commercial and office establishments.

II. Conditions

Location: north of Lewis Center Rd., east of the CSX/Norfolk Southern Rail corridor and west of Alum Creek State Park

Present Zoning: Farm Residential (FR-1)

Proposed Zoning: Single Family Planned Residential District (SFPRD)/Planned Commercial and Office District (PCD)

Present Use(s): agricultural, scattered single family homes

Proposed Use(s): 986 lots single family residential development, commercial and office establishments permitted in PC district and multi-family residential

Existing Density: 1 du / acres

Proposed Density: 2.35 du/acre, 5 du/acre, and 8 du/acre

School District: Olentangy Local School District

Utilities Available: Del-Co Water and central sanitary sewer

Critical Resources: streams/drainage course, wetlands, slopes > 20%

Soils: PwA Pewamo Silty Clay Loam 0-1% slope

BoA Blount Silt Loam 0-2% slope

LyD2 Lybrand Silt Loam 12-18% slope

GwC2 Glynwood Silt Loam 6-12% slope

GwB Glynwood Silt Loam 2-6% slope

III. Description

Evans Farm Land Development Co., LLC, on behalf of the owners, is submitting an application for rezoning 418.8 acres from FR-1 to Single Family PRD and 135.1 acres from FR-1 to Planned Commercial and Office.

Process: While this is an integrated town center with both residential and non-residential components, conformance to the Orange Township Zoning Resolution requires rezoning into two separate districts, with divergences requested where needed. This will allow the community to be a cohesive development while utilizing the existing code.

General Development Character: Evans Farm is intended to be a town-center development. The vision is to create a village-style development that promotes walkability, creates a diverse and mixed-use community, supports a variety of housing styles and types, insists on quality architecture and design, seeks to create a true

neighborhood, and focuses on quality of life.

To achieve this, the overall plan includes the following specific details:

- * 986 single-family lots on 418.8 acres. These include five different lot sizes as follows:
 - 40' x 125' (5,000 s.f.), 55' x 125' (6,875 s.f.), 70' x 130' (9,100 s.f.), 85' x 135' (11,475 s.f.), and 100' x 135' (13,500 s.f.). Smaller lots are concentrated to the west, with larger lots adjacent to similar existing lot sizes to the east with the balance and most of the land area taken up by “medium” sized lots;
- * Total open space of 132.5 acres, including 67 acres along the railroad to the west, and 49 acres on the eastern end of the site along a drainage area, creating a passive park and preserving existing wooded areas and a small stream;
- * Commercial and office area west of the train tracks of 22 acres;
- * South commercial and office “downtown” of 70.5 acres which would also allow 353 residential units;
- * Central commercial and office area of 21 acres which would also allow 168 residential units;
- * School site of 21.6 acres;
- * 10-foot asphalt trail through various areas within the site.

The layout shows a main entrance from Lewis Center Road, extending through a downtown area, then northward to a focal point of open space and potential commercial and residential uses, along with a school site. This main road continues northward into Berlin Township near Shanahan Road. Another significant road is shown along the western edge of the development. This is the extension of Piatt Road, which will begin with a new roundabout when Home Road is extended with development to the southwest (Slate Ridge). This road is indicated on the 2001 Delaware County Thoroughfare Plan as a major north/south route.

The layout is generally a grid street pattern, which increases the internal connectivity within the site and disperses traffic. An east/west road extends from South Old State Road to the central oval. Stubs are provided to the north and to other existing street stubs.

IV. Process

The Orange Township Zoning Resolution requires a single-step rezoning and development plan approval process. In such a complex proposal, there will likely be many adjustments made to the initial approved plan. These need to be anticipated with some flexibility built in. This issue may particularly come into play toward the northern end of the project, depending on what is proposed and ultimately approved in Berlin Township. Changes may also be required in the road configuration and design as the traffic study continues to be reviewed. Ideally the zoning process would allow certain commitments as to number of units, lot sizes, uses, etc., with final detail submitted prior to the development of each section. This may require a significant divergence.

V. Conformance with the Comprehensive Plan

The 2001 Orange Township Comprehensive Plan identified the township’s desire for a mixed-use town center as an extension of Old Lewis Center, located south and west of the old village. An application was filed for a rezoning of that nature, called Cobblestone Crossing, which was eventually dropped. The 2008 update to the Comprehensive Plan reconfigured the “proposed land use” in that area to match the Cobblestone project, with the intent that a town center could still happen there. That site was later zoned for the Slate Ridge development, with the current construction of the Mt. Carmel facility, and including the proposed extension of Home Road to the railroad. The design allows for a variety of uses, but not an integrated town center. Also, the Menards site and

Industrial zoning between it and the railroad all but prevent such a town center from developing on the remaining land.

This site represents a new opportunity to create a neighborhood center. Future upgrades to Lewis Center Road and new access to Home Road will allow improved access for a small-scale, walkable center. Market trends suggest that the two waves of population, retiring baby-boomers and millennials, are looking for mixed use areas with a variety of housing types, recreational opportunities, and other amenities. Such development also has the potential to create a financial benefit to the township and county, with unique retail and office uses and limited impact to school population in the multi-family portions of the site. As densities rise and uses mix, the architectural details and transitions between uses are critical.

Proposed densities create a substantial departure from the typical two units per acre pattern that has developed throughout the township. This plan asks both for a divergence from the density in the single family area, as well as the introduction of residential within the Planned Commercial and Office area. Area B would allow 5 dwelling units per acre and Area C would allow 8 units per acre. As discussed throughout this report, higher density is needed to provide a successful walkable, mixed-use district. The economic impact of the retail and commercial areas will be enhanced by creating a local audience of customers, while attracting other customers from outside the development. However, the township will have to consider whether the density divergence should be limited to apply to only the PC areas. This could be accomplished by enlarging some of the 40-foot lots and other changes recommended within the report. This would limit the divergences needed.

VI. 09-15 ZON SFPRD Divergences

Due to the nature of this as a town center, there are certain aspects of the proposed development that cannot fit into the districts of the existing resolution. This is a summary of the requests:

- A. Allowance for Casual Sale of Goods; **Staff Comment:** *seems more appropriate for the PCD area – not sure why the Single Family part of this development would particularly need a different allowance for these sales than any other SFPRD in the township;*
- B. Limited up lighting for entry features;
- C. Density of 2.35 units per acre (where the code defines a maximum of 2) and maximum units on any one acre shall not exceed 8 units (allowed in “cluster” developments); **Staff Comment:** *removing some of the awkward lots on the west side of Piatt Road and redesigning the 40-foot-wide lots to reduce the intersections may reduce the overall density to the one in the code);*
- D. Some lots may have frontage at 40' minimum (code requires 75'); Lots with frontage of 55' or less shall be a minimum 125' deep (code requires 135'); Side yard setbacks shall be 6' for 40' lots, 8' for 70'/85' lots, and 10' for 120' lots (code requires 12.5'); **Staff Comment:** *all these dimensional setback variances may be appropriate, but the application should show the typical layout of each minimum size lot so the Commission can judge the result. Staff typically recommends that rather than allowing blanket divergences for such details, that the development plan indicates specific occurrences where these divergences are needed;*
- E. Front and corner setbacks shall be treated as “build-to” lines and shall be 10' for 40'-70' lots, 15' for 85' lots, and 20' for 100' lots (code refers to a table with setbacks based on road type); **Staff Comment:** *staff supports using build-to lines, but unsure if this refers to Piatt Road or other roads;*
- F. Rear yard shall have a 10' minimum depth (code requires 35'); **Staff Comment:** *unsure why a divergence to this degree is needed – lots will be 125' deep with small front setbacks. Does this impact the location of the garage?;*

- G. Maximum lot coverage – lots 40' to 55' wide shall have maximum lot coverage of 40% (code requires no more than 25%); **Staff Comment:** *As long as stormwater management takes this into account and more detail is provided as to what is included in lot coverage (patios and walks), then this should be acceptable;*
- H. Phasing plan has not been determined; **Staff Comment:** *this is understandable, but a general idea of the first phase of road improvements, including whether residential or commercial would be the first to develop, should be defined for safety and emergency planning purposes.*
- I. No minimum cluster housing area or acreage (code requires a minimum project area of 10 acres); **Staff Comment:** *This should only apply to stand-alone cluster development as defined in 10.08 and is therefore, acceptable.*
- J. Yard requirements shall meet the building setbacks as defined in the SFPRD; **Staff Comment:** *unclear what this request is;*
- K. Alleys are proposed to provide access to rear-oriented garages on 40' lots and along access-controlled boulevards (code does not appear to prohibit alleys but doesn't address them).

VII. 10-15 ZON PCD Divergences

Due to the nature of this as a town center, there are certain aspects of the proposed development that cannot fit into the districts of the existing resolution. This is a summary of the requests:

- A. Allowing residential in specific areas with the Planned Commercial and Office designation (code references “other commercial ventures not provided by this or other sections...if approved as part of the plan”); **Staff Comment:** *seems to be mislabeled as “intensity of use.” Staff supports multi-family as an integrated part of a mixed-use development. As mixed use is a new approach for the area, it would be beneficial to see additional detail and minimum standards for such uses;*
- B. Self-storage warehousing and public storage are permitted west of the railroad (code specifically prohibits public storage facilities); **Staff Comment:** *this might be appropriate for the site west of the railroad, but only if buffered with higher-quality retail or office use with frontage on Lewis Center and North Road. Since the resolution specifically prohibits it, it should only be allowed if significant architectural standards are required. Otherwise this use is typically reserved for Industrial zoning;*
- C. Attached multi-family residential and attached single-family residential uses are permitted, including on floors above retail and/or office space, flats, townhouses, row houses, apartments, condominiums, and fee-simple lots (code prohibits residential uses of any kind). **Staff Comment:** *a mixed-use town center can only be accomplished by requesting divergences for multi-family in commercial areas or by submitting a developer-initiated district. In this case, the Township will likely be more comfortable making changes to its existing resolution than by digesting a brand new district. Again, with the correct controls, high-quality materials, and appropriate transitions between uses, this could be a successful development;*
- D. PCD lots will be 20' minimum width (code lists no minimum); **Staff Comment:** *this may not be a divergence – the code requires probable lot sizes and setbacks. It should be understood that some portions of the development will include inline stores or a series of commercial uses on a single parcel. If development includes residential on the second and third floors with retail on the first floor, such buildings would not be divided with parcel lines. This is acceptable;*

- E. No timetable of development due to unknown market conditions; **Staff Comment:** *this is understandable, but a general idea of the first phase of road improvements, including whether residential or commercial would be the first to develop, should be defined;*
- F. Limited up lighting is proposed for landscaping and public area locations; **Staff Comment:** *great care should be taken when designing up lighting, particularly new Lewis Center Road where there are existing adjacent uses;*
- G. Side yard setbacks are proposed at a minimum of 0' (code requires the development plan be followed); **Staff Comment:** *again, this may not require a divergence, so long as the request is shown on the development plan. At some point, additional detail should be provided with concentration on the commercial area and where buildings would require a side yard and situations where the side yard could be 0';*
- H. Commercial buildings shall be 0' from the right-of-way and residential buildings may be 6' from the right-of-way. Developer commits to ensuring masonry firewalls where adjacent buildings do not meet the requirement. Some features such as steps, ramps, stoops, and awnings are permitted within the 6' setback but shall not encroach in the right-of-way (code requires a 25-foot separation); **Staff Comment:** *this is a request that is difficult to judge without seeing more detail in the commercial and multi-family areas. Building separate of 0' is not a significant issue, since it is very similar to inline stores (strip malls) in appearance. Secondly, where there is separation between buildings as shown on the development plan, these gaps will probably include an access road for entry into the internal parking areas, or at minimum a pedestrian access. In those cases, the required 25-foot separate may actually be met;*
- I. The overall PCD tract coverage shall not exceed 45% and the overall structure and pavement coverage shall not exceed 75%. Coverage is calculated for the overall zoning and not an individual lot; **Staff Comment:** *This is acceptable as long as stormwater for the overall site is calculated with the overall development. Individual sites often need additional stormwater management as they develop, despite the construction of basins with the initial overall development;*
- J. Shared parking areas shall be developed; **Staff Comment:** *This may be acceptable – see comments below;*
- K. Attached uses are permitted, with fire walls as exterior facing walls. Detached buildings will require a 10' separation with the same firewall commitments; **Staff Comment:** *Same comments as side yard setback comments above;*
- L. Community farm markets will be allowed, with a single permit application; **Staff Comment:** *Sounds reasonable. Should stipulate an “annual” permit;*
- M. Alleys are proposed (code does not appear to prohibit alleys but doesn't address them).

VIII. Other issues

Lot sizes

As noted, there is a variety of lot size approaches, from 40' frontage and 1,600 s.f. to 100' frontage and 2,200 s.f. These are visually discernable on the development plan, but are not independently called out. These should be specified on the plan, with the number of lots for each “family” detailed. There is a “Pattern Guidelines” table provided within the application. This table names each family (Villa Lots, Cottage Lots, Manor Lots, etc.) and provides other detail such as width, depth, setbacks, garage placement, parking, and similar. This will be a valuable

table as the area begins to develop and structures are proposed. However, this table should be labeled and referred to within the other areas of the application. As it stands, it appears to be a set of guidelines rather than an included part of the development plan.

The lot size will be a distinct departure from the current development pattern of the township. While staff agrees that such small lots can be developed correctly to provide a sense of community and an aspect of walkability within the development, the details are critical to ensuring that this part of the development is built with quality to retain values. A number of sample photographs from other similar communities are included, without references. The Zoning Commission will likely want to see what a 40' lot with 6' side yards actually looks like (as well as the other sizes).

The bulk of the 40-foot lots are clustered in the southwest corner of the site with no internal open space. Open space is available to the west, but some streets do not have direct access to the area. These small lots have the appearance of being “packed” into a single area. It is difficult to judge the scale of the area without building footprints, similar to the item noted above. The lots on the west side of the Piatt Road extension are awkward. These would need to be served by an alley since they front a road that will become well-traveled when the connection to Home Road is complete. Given that these lots do not contribute to the overall design and that a divergence for additional density is being requested, these lots could be removed and the overall density lowered. Otherwise, they could be reconfigured as a loop street or as a small court needing only a single access point to the street (this also applies to the medium-sized lots to the north).

Rear-loaded garages are references but not necessarily committed within the text, except on the Pattern Guidelines table. Staff supports this design in general, as it create a stronger sense of place along the street, while allowing for items such as trash pickup and other services behind the primary structure.

Roads and access

As noted, the proposal identifies the planned location of a new intersection of Home Road and Lewis Center Road. A new road extends north from this intersection and connects to existing Piatt Road with the goal of providing an additional north/south road all the way to 36/37 via Roloson Road. This will be an arterial road that not only benefits the regional road network, but also provides a safe way in and out of the proposed development. The applicant has designed the road with controlled access, but with a number of intersections. Alleys are mentioned in the document for use in 40' lots. It is assumed they would be used in this situation to prevent direct curb cuts on Piatt Road, but this should be specified within the document.

Additionally, there appear to be too many intersections of east/west roads on the Piatt extension. This area should be redesigned to reduce the number of conflict points along the road.

Although this road will carry both local and through traffic, it could serve as an impediment to the use of the open space to the west if not designed correctly. The application is lacking cross-sections for the various road types planned within the development. Just as there are different lot sizes within the development, there are a variety of different road typologies in the development as well. The commercial street, the arterial north/south and east/west roads, as well as smaller local neighborhood roads, all need to be shown with cross-sections. These cross-sections will include lane widths, number of lanes, whether parking is allowed, sidewalks, tree-lawns, and yard depths.

School Use

The application locates a 25-acre school site in the central commercial/residential area. The site, at the end of the main entrance road and adjacent to a central park, is an ideal location for a public use of some sort. School use should be specified and limited to institutional uses or otherwise committed as a non-commercial or residential use. The application should provide a backup plan should no educational entity choose to build there.

Landscaping details

There is a reference to landscaping and some sample graphics and examples are included. However, specific detail is lacking as to the nature of entry features, landscaping along roads, and landscape treatments between uses.

It is assumed that there will be natural green space as well as more formal active play areas, but no detail is provided. Will the homeowners association be responsible for all future improvements to these active areas or will the initial development include some developed play areas? It would be logical for the large open space along the railroad tracks to include an access road, parking and other amenities located at the roundabout shown, but no such detail is provided. The shape of Open Space B does not allow for proper access by the public, although a simple adjustment could be made to allow better access.

A 10-foot asphalt trail is shown throughout the site. This trail indicates access throughout the site, as well as to points outside the development including Alum Creek State Park and along South Old State Road. Staff supports this detail, but notes that the path will likely be different as it passes along the fronts of houses and along the main spine north/south route. Here, it would more likely appear as a wider concrete sidewalk and asphalt would be out of place. Again, more detail should be provided for cross-sections of roads in different parts of the site.

Additional landscaping should also be shown at the main “entrance” road to the development. The plan shows ponds but this will also serve as a buffer to the existing houses on the south side of Lewis Center Road.

The proposed text notes that street trees will be planted between the sidewalk and street. Staff supports this, as long as appropriate trees are chosen and ongoing maintenance is established. This may require a divergence from the code or township policy.

Transition (buffers) between different uses

As noted in the divergences above, this development requires a number of 0' setbacks and other reduced setbacks. This is appropriate in a town center design, assuming appropriate details and landscaping. Typically, uses that are adjacent to different uses require a large buffer to allow space between those uses that is intended to limit negative impacts. When both uses are known and can be designed with other types of transitions, these wide perimeter buffers are not as critical. However, the application should include more detail for these buffer areas, particularly between commercial and residential uses. These spaces will likely include a road providing access to the rear parking areas and should be designed carefully.

Parking

Related to the issues above, treatment of the parking areas is critical. Parking that is adjacent to residential uses, both existing (Meadows at Lewis Center) and proposed should include significant landscaping and other details such as walls and fencing that is appropriate for such uses. Landscaping should also be included within parking areas. Staff supports the utilization of shared parking, where multi-family parking and retail parking are allowed to overlap, to minimize the parking requirement in areas that have different peak demand. Staff recommends a standard used elsewhere be adopted and applied by the applicant. Some models show that shared parking can reduce the required number by 26%, based on the uses.

Utilities

Typical utility letters are included. A traffic study memorandum of understanding has been filed with the County Engineer and that work is expected to continue. Del-Co letter is included, noting a required 1-acre site for a new elevated water storage facility.

A general letter from the Sanitary Engineer’s office is also included, stating availability to the parcels being

rezoned. The sewer service area map indicates the overall site is intended to be served by both the Olentangy treatment plant for roughly half of the site to the west and the Alum Creek plant for the eastern remainder. Additional, detailed review needs to be conducted to determine which improvements to the system are required.

IX. Staff Recommendations

Staff recommends **Conditional Approval** of the zoning request by Evans Farm Development Co. LLC. for 418.8 acres and 135.1 acres to the DCRPC, Orange Twp. Zoning Commission and Orange Twp. Trustees, *subject to:*

1. *Consider approval of a “framework” that would set certain details such as density, land use and general divergences with the rezoning application, allowing more detail to be provided as sections are proposed for development;*
2. *Reconfigure the pocket of 40' lots by increasing some of the sizes, reducing the accesses to the Piatt Road extension, and reducing the need for a density divergence in the Single-Family area;*
3. *Reconfigure or remove the lots on the west side of the Piatt Road extension or utilize alleys to prohibit driveway access;*
4. *Given the number of setback variances requested, typical lot layouts with dimensions should be provided as part of the pattern book;*
5. *Self-storage warehousing should only be approved in PC Area A with a development plan that limits an area that does not front on Lewis Center or North Road and includes architectural detail;*
6. *The Pattern Guidelines should be labeled and referenced within the text;*
7. *Add sample cross-sections for road hierarchy, including drive lanes, sidewalk, and building envelope;*
8. *Show landscaping detail of the entrance along Lewis Center Road and guidelines for transitional buffers between single-family residential and commercial uses;*
9. *Continue to clarify sanitary sewer service and commitments.*

Commission / Public Comments

Mr. Tony Eyerman and Mr. Dan Griffith with Evans Farm Land Development Co. along with Mr. Bob Kuederle with American Structurepoint were present to answer questions from the Commission. Mr. Eyerman explained that they have been working with the surrounding HOA's, County officials, and Township officials over the last 5 years to create this plan. He explained the New Urbanism concept is based on a whole list of criteria but two they feel are important to mention are connectivity and promotion of walkability. The school site is within a half mile from 75-80% of all the residential. They have worked with Dr. Lucas on the school site. If the Township would require the location to be restricted to a school only, then they are prepared to make that commitment. Mr. Eyerman mentioned that they have been working with US Representative Tiberi, County Engineer's office, and Dr. Lucas on a plan for a bridge over the railroad crossing at the north-west corner of the project. He said they generally agree with staff comments and will continue working with all parties.

Mr. Heid asked if the Piatt extension would be two or four lanes. Mr. Eyerman said probably two lanes plus a turn lane, but this is currently part of the traffic study.

Mr. O'Brien asked if Berlin Township doesn't approve the rezoning in that Township would the applicants make changes to the 5 point roundabout. Mr. Eyerman stated that they are working with the County Engineer and studying the proper geometrics but would construct what is necessary even if the project doesn't continue into Berlin Twp. They do plan to submit the rezoning application to Berlin Township in the near future. Mr. O'Brien questioned the traffic on Lewis Center Road. Mr. Eyerman explained that it is part of the final study. They are willing to include either a stop sign or signal, whichever is warranted at the T-intersection. Mr. Kuederle stated that this is a large scale project and the traffic study isn't at the point in the process yet to confirm whether the intersection would require a light or stop sign just yet.

Mr. O'Brien asked if the developer is committing to materials for the buildings. Mr. Eyerman confirmed that

they are. The zoning text identifies what materials are limited to. Mr. Griffith also confirmed that they have pattern books that will be followed for building materials.

Mr. Proemm questioned the garage locations. Mr. Griffith explained that they will require all garages to be side or rear load. They do not want garages to be seen from the front.

Mr. Gunderman asked if there were areas designated solely for retail or multi-family. Mr. Eyerman said the area off Lewis Center Road along with the area toward the north (central) are designated to allow multi-family. Parking would be some parallel but a majority would be in the rear of the buildings. Mr. Griffith said they already have 3-4 tenants that are interested in space.

Mr. Gunderman said the green space to the northwest looks like it may be oversized. Mr. Griffith explained that the intention for that space is to be used for active recreation.

Mr. O'Brien asked that based on the walkable atmosphere of this development, have there been discussions with the DATA Bus for service locations? Mr. Eyerman said he is planning to have discussions with them.

When asked the target age for this project, Mr. Eyerman responded that is was multigenerational. The would approach builders interested in empty nester homes, millennials and senior housing communities.

Mrs. Kuba asked about the privately owned property on Lewis Center Rd. no in the application. Mr. Griffith stated that they are acquiring that property as well.

Mr. Stites questioned where they stand on the general letter from the sanitary engineer. Mr. Eyerman said they were working on a study of what areas would be served by which stations but they were confident there was service for all areas in the proposal. Mrs. Jenkins, Sanitary Engineer agreed.

Mr. O'Brien made a motion to recommend Conditional Approval of both cases by Evans Farm Land Development Co., subject to staff recommendations #1-9. Mr. George seconded the motion. VOTE: Majority For, 0 Opposed, 2 Abstained (Berlin and Orange Townships). Motion carried.

11-15 ZON Epcon Communities – Liberty Twp. – 9.779 acres from FR-1 to PR

I. Request

The applicant, Epcon Communities, is requesting a 9.779-acre rezoning from FR-1 to PR (and a related administrative review of existing 7.425-acre PR zoning to a new development plan) to allow for a 69-unit single family courtyard condominium project called The Courtyards at Bradford Court.

II. Conditions

Location: 10635 Sawmill Rd., Liberty Township

Present Zoning: Farm Residential (FR-1)

Proposed Zoning: Planned Residential (PR)

Present Use(s): church, single-family residence

Proposed Use(s): single-family condominiums

Existing Density: 1 du / acre

Proposed Density: 4 du / acre

School District: Olentangy Local School District

Utilities Available: Del-Co Water and central sanitary sewer

Critical Resources: none

Soils: BoB Blount Silt Loam 2-4% slope

BoA Blount Silt Loam 0-2% slope

GwB Glynwood Silt Loam 2-6% slope

III. Description

The Regional Planning Commission has reviewed six similar developments in Orange, Genoa, and Concord Townships. This is the first new Courtyard proposal in Liberty Township. The Development Plan shows a single access point at Sawmill Road where the existing portion of Bradford Court is located. The private condominium road circulates through the site, providing access to the 69 units.

The “courtyard” housing product is a design that has been built in two or three sites in the county, with several others proposed (three other cases this month). Units are typically between 1,800 and 2,500 square feet. Two bedrooms are standard (three with an optional bonus suite). They have front-load garages, with adequate space in front of the garage for two additional parking spaces. Units have ample windows and openings along one side, leading to a courtyard. The wall of the adjacent unit does not have windows or openings (except for the possibility of small areas of glass-block).

Open space of approximately 5.41 acres surrounds the site. This area provides tree preservation as well as stormwater management to the north. A clubhouse and pool are shown along the entrance, with seven parking spaces.

Sidewalks are provided on at least one side of each private street, adjacent to the curb. A public paved path is shown connecting from Waterbury Lane along the southern edge of the site to Sawmill Road at the Bradford Court entrance. Roads are designed to meet the County Engineer’s standards.

IV. Comprehensive Plan

The 2006 Liberty Township Comprehensive Plan recognizes that this area is zoned FR-1 with an institutional use (church) and PR to the south with a 15-lot single-family development that was not built. Surrounding development is a range of 1.9 du/ac to 2.56 du/ac. The 2006 plan did not anticipate that this area would develop (or redevelop). Other undeveloped parcels along Sawmill Road were recommended for office use or residential at 1.5 du/ac. The residential use is consistent with the surrounding area. Condominium uses typically create a smaller impact on traffic (about half as much per unit) and student population, but compare directly with single-family with regard to sewer and other utility use. If the traffic and student impacts are roughly the same or less as single-family, this use and density could serve a positive transition between residential to the east and commercial to the west along Sawmill Parkway.

V. Process

Liberty Township has a single-step rezoning process. This plan represents a rezoning of half the site from FR-1 to PR and an administrative review of the other half of the site since it is currently zoned PR. This administrative process is detailed at length in the current resolution. For all intents and purposes, this is a rezoning case and would likely be cleaner treating it as such, since the administrative process includes separate notification requirements and a non-appealable final vote of the trustees. Staff’s opinion is that it would be cleaner to treat this entire site as a rezoning.

VI. Divergences

The applicant has asked for five divergences.

1. The zoning resolution requires a plat in the PR district.

Staff response: *Condominiums are exempt from the Subdivision Regulations per ORC statute. Some overall condominium sites are platted when they require the extension of a road. Platting the overall lot is also a clean way to record the various easements that are required for a condominium project. However, recognizing the exemption, staff supports this divergence.*

2. A parking area for the clubhouse is requested within 1 foot of the right-of-way along Bradford Court.

Staff response: *The parking area is awkward and potentially conflicts with the driveway for Abbington of Powell to the south. Staff recommends consultation with the County Engineer's office to determine whether this configuration is acceptable.*

3. It is requested that the structure separation be 10'. The application commits that one adjacent wall will have windows and the other will not have windows or openings. The zoning code requires 15' "unless one (1) of such structures has as its exterior facing wall a firewall free of any opening and capable of stopping and spreading any fire.

Staff response: *As long as the applicant commits to the standard above, the code appears to allow such a divergence.*

4. Water Impoundment – although the pool is located behind the clubhouse, it is along Sawmill Road and could be considered a "front yard."

Staff response: *This is a reasonable request, as long as mounding and appropriate safety fencing is installed.*

5. Applicant requests a temporary marketing sign be allowed prior to the requirements stated in the code (plat filing, easements recorded, Declaration filed).

Staff response: *This is reasonable, as long as a time-period is stated on the permit such that if the development is delayed, the sign does not remain indefinitely.*

VII. Access

The development plan shows the existing end-point of Waterbury Lane, adjacent to the eastern property line. While this was approved as a street connection in the previously-approved single-family plan, this is a controversial connection with existing residents in Liberty Lakes to the east. With the introduction of private streets, staff understands that a full connection will not be feasible if this development is approved. Liberty Lakes has two other accesses to Sawmill Road, both north and south of this site, so the through connection is not a vital one. However, providing only a single connection point for these 69 condominium units when an existing road connection exists is not logical. Staff recommends an emergency-only, gated access at Waterbury Lane. Some units will need to be reconfigured and the walking path rerouted.

VIII. Utilities

Utility letters are provided. The sanitary letter indicates the availability of sanitary sewer to the parcels. Capacity upgrades in the downstream system may be required. Staff recommends continued involvement with the Sanitary Engineer's office regarding sanitary service requirements related to the site.

IV. Staff Recommendations

Staff recommends **Conditional Approval** of the zoning request by Epcon Communities for 9.779 acres and administrative review of existing 7.425-acre PR zoning to a new development plan to the DCRPC, Liberty Twp. Zoning Commission and Liberty Twp. Trustees, *subject to:*

1. *Providing an emergency-only access at Waterbury Lane;*
2. *Consultation with the County Engineer's office regarding the clubhouse parking location;*
3. *Approval of the structure separation divergence request, if fire suppression standards are met;*

4. *Approval of the water impoundment, temporary signage, and platting divergences, as noted.*

Commission / Public Comments

Mr. Joel Rhoades with Epcon Communities was present. He agreed with staff comments.

Mr. O'Brien asked if the storm water would be on county maintenance. Mr. Rhoades stated that detailed engineering is not complete but that the maintenance would be by the condo association.

Mr. Gunderman questioned the lack of connection to Waterbury. Mr. Rhoades stated that buyers in this type of community prefer the limited access to the neighborhood. He said he is willing to work the Fire Department on an emergency access. Mr. Gunderman disagreed with only one entrance and exit. He would prefer a full vehicular access at Waterbury. Mr. O'Brien asked if Epcon would commit to an emergency access. Mr. Rhoades said he would commit to a study. Mr. Rhoades stated there will be no parking on the streets. Each home will have a two car garage along with space for two cars in the driveway.

Mr. O'Brien made a motion for Conditional Approval of the rezoning by Epcon Communities, subject to staff recommendations #1-4. Mrs. Jenkins seconded the motion. VOTE: Majority For, 1 Opposed (Mr. Gunderman). Motion carried.

12-15 ZON Jerry Turner – Harlem Twp. – 8.58 acres from AR-1 to PCD

I. Request

The applicant, Jerry Turner, is requesting an 8.58-acre rezoning from AR-1 to PCD for a tree farm and landscaping business.

II. Conditions

Location: 6336 SR 605, Westerville, OH

Present Zoning: Agricultural (AR-1)

Proposed Zoning: Planned Commercial (PCD)

Present Use(s): residential

Proposed Use(s): tree farm and landscape business

School District: Big Walnut Local School District

Utilities Available: Del-Co Water and on site sanitary service

Critical Resources: pond, wetlands

Soils: CeB Centerburg Silt Loam 2-6% slope

 PwA Pewamo Silty Clay Loam 0-1% slope

 BeA Bennington Silt Loam 0-2% slope

III. Introduction

Charter Oaks Tree and Landscaping is a tree farm, maintenance and landscape company. This request is to allow the storage of equipment and materials. The location will not be retail, but a location for employee reporting and equipment storage. The house will remain and use as residential for an onsite caretaker. Parking will be by existing gravel pads. No new buildings and no new lighting will be added.

The rear pole barn will be screened with additional spruce trees on the northeast side of the barn, mirroring the trees on the neighboring parcel. Ten trucks are to be stored on the property, most of which will be in the rear pole building.

The site shows natural buffering through existing woods. Beyond the road frontage, adjacent properties are undeveloped, with no neighboring residential uses to the south and west.

IV. Comprehensive Plan

While the 2008 Harlem Township Comprehensive Plan recommends this area for residential use, it should also be noted that State Route 605 carries significant traffic, impacting the area along the corridor. If the development plan can be enforced, limiting the area to only those uses and activities as requested, this could be an appropriate location for limited commercial activity.

V. Staff Recommendations

Staff recommends **Conditional Approval** of the zoning request by Jerry Turner for 8.58 acres to the DCRPC, Harlem Twp. Zoning Commission and Harlem Twp. Trustees, *subject to:*

1. *Ensuring that all buffering and improvements take place in the first year of operation.*
2. *Taking care to ensure that the development plan is complied with in the future, since this is not an area recommended for retail-style commercial uses.*

Commission / Public Comments

No one was present to represent the applicant.

Mr. Gunderman made a motion for Conditional Approval of the rezoning by Jerry Turner, subject to staff recommendations #1-2. Mr. O'Brien seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Harlem Twp.). Motion carried.

IV. SUBDIVISION PROJECTS

Preliminary

06-15 Reid Estates – Concord Twp. - 02 lots / 10.7 acres

I. Conditions

- Applicant:** Jim Ullman
- Subdivision Type:** 2 lot CAD subdivision
- Location:** north side of Rutherford Rd., east of Riverside Dr.
- Current Land Use:** single family residence
- Zoned:** Farm Residential (FR-1)
- Utilities:** Del-Co water and on-site sanitary treatment
- School District:** Olentangy
- Engineer:** Patridge Surveying

II. Staff Comments

Reid Estates is a two-lot subdivision on Rutherford Road. The lot currently has an existing house which accesses Riverside Drive via a shared driveway. The Riverside Drive access is a private driveway utilized by seven lots via a private agreement. Each of those lots were created with frontage on either Riverside or Rutherford Roads. In order to allow a new lot on the subject parcel, frontage has to be created for the existing house. Platting both lots as a Common Access Driveway subdivision will allow the existing residence to have frontage from the CAD, while continuing to utilize the shared driveway.

Construction of the CAD will be required in accordance with the standards outlined in the Subdivision Regulations.

The site is wooded, with two drainage areas crossing the building area. Drainage easements will be recorded over these areas for future protection and maintenance.

A technical review was held on April 21, 2015, after which the applicant has addressed all of the required changes.

III. Staff Recommendation

Staff recommends *Preliminary Approval* of **Reid Estates** to the DCRPC.

Commission / Public Comments

Mr. Bob Patridge with Patridge Surveying was present to represent the applicant.

Mr. Gunderman made a motion for Preliminary Approval of Reid Estates. Mrs. Kuba seconded the motion. VOTE: Majority For, 0 Opposed. Motion carried.

Preliminary/Final (*none*)

CONSENT AGENDA

Final

05-15 Frog Hollow easement vacation – Harlem Twp. - 0 lots / 0 acres

I. Conditions

- Applicant:** Gregory & Ronda Lyman
- Subdivision Type:** Single Family Residential, Common Access Driveway
- Location:** East side of Green Cook Road, north of Fancher Rd.
- Current Land Use:** 3 lot CAD, currently 1 single family home
- Zoned:** AR-1 (Agricultural Residential)
- Utilities:** private well water and on site sanitary sewer
- School District:** Big Walnut
- Engineer:** Scioto Land Surveying Service

II. Staff Comments

Frog Hollow is a 3-lot Common Access Driveway Subdivision that was recorded October 27, 2014. One of the lots includes a drainage easement and a county main drainage tile. This easement conflicts with the current owner's plans. The Delaware County Soil and Water Conservation District approves of the change and a new drainage route is in place and a new easement has already been recorded.

In accordance with the Subdivision Regulations, notice was published and there were no comments from any other utilities.

The applicant has presented to the RPC Office a survey of the easements to be vacated, a requirement

for approval.

III. Staff Recommendation

Staff recommends *Final Approval* of **Frog Hollow** easement vacation to the DCRPC.

Commission / Public Comments

No one was present to represent the applicant.

Mr. O'Brien made a motion for Final Approval of the Frog Hollow easement vacation. Mr. Irvine seconded the motion. VOTE: Majority For, 0 Opposed, 2 Abstained (Brown and Harlem Townships). Motion carried.

V. EXTENSIONS (*none*)

VI. OTHER BUSINESS

- Consideration for Approval: DCRPC Employee Position description amendments

Mr. O'Brien made a motion to Approve the DCRPC Employee Position description amendments as presented. Mr. George seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

VII. POLICY / EDUCATION DISCUSSION (*none*)

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

Having no further business, Mr. Irvine made a motion to adjourn the meeting at 8:35 p.m. Mr. Boysel seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

The next meeting of the Delaware County Regional Planning Commission will be Thursday, May 28, 2015, 7:00 PM at the Willis Building, 2079 US 23 North, Conference Room, Delaware, Ohio 43015.

