



# Delaware County Regional Planning Commission

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www.dcrpc.org

Scott B. Sanders, AICP  
Executive Director

## **\*MINUTES\***

Thursday, August 25, 2016 at 6:30 PM

Frank B. Willis Building, 2079 US 23 North, Conference Room,  
Delaware, Ohio 43015

### **I. ADMINISTRATIVE BUSINESS**

- Call to order
- Roll Call
- Approval of July 28, 2016 RPC Minutes
- Executive Committee Minutes of August 17, 2016
- Statement of Policy

### **II. VARIANCES**

15-16.V Trenton Park – Trenton Twp. – request variance from Sec. 306.02 – 5 Lot CAD

### **III. ZONING MAP/TEXT AMENDMENTS**

- 14-16 ZON Vince Romanelli – Genoa Twp. – 9.78 acres from SR to PRD
- 15-16 ZON Epcon Communities – Genoa Twp. – 40 acres from RR & PCF to PRD
- 16-16 ZON Jeffrey & Jodie Monebrake – Berkshire Twp. – 10.2 acres from A-1 to PRD
- 12-16 ZON Evans Farm Land Dvlpt. Co., LLC. – Berlin Twp. – 607.12 acres from FR-1 to PRD/PCD
- 13-16 ZON Paykoff Properties, c/o Evans Farm Land Dvlpt. Co., LLC. – Berlin Twp. – 314.21 acres from FR-1 to PRD/PCD

### **IV. SUBDIVISION PROJECTS**

#### **Preliminary**

			<b>Township</b>	<b>Lots/Acres</b>
09-16	<b>T</b>	4910 Rutherford Road CAD (+Reid Estates)	Concord	07 lots / 25.496 acres
17-16		Scioto Ridge Crossing	Concord	162 lots / 80.7 acres
16-16		The Reserve at Duncan Run, Lot 540, Div. #1	Harlem	02 lots / 11.925 acres
15-16		Trenton Park	Trenton	05 lots / 30 acres

#### **Preliminary/Final** (none)

#### **Final**

13-14.2		Brookview Manor, Section 2	Berlin	37 lots / 31.336 acres
12-13.2		The Heathers at Golf Village, Section 2	Liberty	39 lots / 10.301 acres

**T=TABLED, W=WITHDRAWN**

### **V. EXTENSIONS** (none)

### **VI. OTHER BUSINESS**

- Consideration for Approval – Estimated 2016 Cash balance and 2017 Revenues for Budget Commission

### **VII. POLICY / EDUCATION DISCUSSION**

### **VIII. RPC STAFF AND MEMBER NEWS**

**I. ADMINISTRATIVE BUSINESS**

▪ **Call to Order**

Chairman Stites called the meeting to order at 6:30 p.m.

▪ **Roll Call**

*Representatives:* Jeff George, Susan Kuba, Fred Fowler, Gary Merrell, Mike Frommer, Tom Hopper, Dave Stites, Ed Reely, Ed Snodgrass, Dan Boysel, James Gauldin, Bonnie Newland, Mike Dattilo, and Doug Price. *Alternates:* Ken O’Brien, Bob Lamb, Adam Howard, Tiffany Jenkins, Michelle Boni, James Hatten and Allen Rothermel. *Staff:* Scott Sanders, Da-Wei Liou, Phillip Bennetch and Stephanie Matlack.

▪ **Approval of the July 28, 2016 RPC Minutes**

*Mr. George made a motion to Approve the minutes from July 28<sup>th</sup>. Mrs. Kuba seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

▪ **August 17, 2016 Executive Committee Minutes**

**1. Call to order**

Chairman Stites called the meeting to order at 8:50 a.m. Present: Dave Stites, Gary Merrell, Mike Frommer, Jeff George and Susan Kuba. Staff present: Scott Sanders and Stephanie Matlack. Guest speaker: Bob Lamb, Delaware County Economic Development Director.

**2. Approval of Executive Committee Minutes from July 20, 2016**

*Mr. Merrell made a motion to Approve the minutes from the July 20, 2016 Executive Committee meeting, seconded by Mr. George. VOTE: Unanimously For, 0 Opposed. Motion carried.*

**3. New Business**

- Financial / Activity Reports for August 2016

REGIONAL PLANNING RECEIPTS		JULY	YTD TOTAL
General Fees (Lot Split)	(4201)	\$2,045.00	\$7,645.00
Fees A (Site Review)	(4202)	\$300.00	\$3,300.00
Insp. Fees (Lot Line Transfer)	(4203)	\$100.00	\$2,800.00
Membership Fees	(4204)		\$221,608.00
Planning Surcharge (Twp. Plan. Assist.)	(4205)		\$392.48
Assoc. Membership	(4206)		
General Sales	(4220)	\$4.00	\$4.00
Charges for Serv. A (Prel. Appl.)	(4230)	\$1,050.00	\$47,743.40
Charges for Serv. B (Final. Appl.)	(4231)	\$7,735.00	\$41,827.10
Charges for Serv. C (Ext. Fee)	(4232)	\$150.00	\$600.00
Charges for Serv. D (Table Fee)	(4233)	\$200.00	\$1,000.00
Charges for Serv. E (Appeal/Var.)	(4234)		\$1,500.00
Charges for Serv. F (Planned District Zoning)	(4235)		\$900.00
<b>OTHER DEPT. RECEIPTS</b>			
Health Dept. Fees	(4242)	\$100.00	\$2,390.00
Soil & Water Fees	(4243)	\$125.00	\$3,700.00

MISCELLANEOUS REVENUE			
Other Reimbursements	(4720)		
Other Reimbursements A			
Other Misc. Revenue (GIS maps)	(4730)		\$430.20
Misc. Non-Revenue Receipts	(4733)		
Sale of Fixed Assets	(4804)		
<b>TOTAL RECEIPTS</b>		\$11,809.00	\$335,840.18

<b>Balance after receipts</b>	<b>\$913,580.37</b>
<b>Expenditures</b>	<b>- \$ 29,977.95</b>
<b>End of July balance (carry forward)</b>	<b>\$883,602.42</b>

*Mr. George made a motion to Approve the financial reports as presented for audit. Mr. Merrell seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

- Site Review
  - KSM – Kingston Twp. – 4 lots / 32.5 acres
  - Concord Hills – Concord Twp. – 15 lots / 34.094 acres
  
- Mr. Bob Lamb, Director of Economic Development was present for a brief presentation on enhancing the development process. After a short discussion, the Executive Committee agreed with the idea of a uniform/streamline application and would support further discussion. (See attached PowerPoint presentation.)
  
- August RPC Preliminary Agenda
  - 1.) Variance – Trenton Park – Trenton Twp. – requesting additional lot on CAD (Sec. 306.02)
  - 2.) Rezoning:
    - Vince Romanelli – Genoa Twp. – 9.78 acres from SR to PRD
    - Epcon Communities – Genoa Twp. – 40 acres from RR & PCF to PRD
    - Jeffrey & Jodie Monebrake – Berkshire Twp. – 10.2 acres from A-1 to PCD
  - 3.) Preliminary:
    - 4910 Rutherford Road CAD (+Reid Estates) – Concord Twp. - 07 lots / 25.496 acres
    - Scioto Ridge Crossing – Concord Twp. - 162 lots / 80.7 acres
    - The Reserve at Duncan Run, Lot 540, Div. #1 – Harlem Twp. - 02 lots / 11.925 acres
    - Trenton Park - Trenton Twp. - 05 lots / 30 acres
  - 4.) Preliminary/Final: none
  - 5.) Final:
    - Brookview Manor, Section 2 – Berlin Twp. – 37 lots / 31.336 acres
    - The Heathers at Golf Village, Section 2 – Liberty Twp. – 39 lots / 10.301 acres
  
- Director’s Report
  - 1.) County Commissioners established a group to amend the county-wide plan;
  - 2.) Began Liberty Township Comp Plan – meeting next week to review first background chapters;
  - 3.) Attended Troy Township meeting – discussed a zoning issue and will be doing a development plan review;
  - 4.) POD-23 (Lifestyle complex in Liberty Twp) to be reviewed tonight was tabled;

- 5.) MORPC Regional Data Advisory Committee met last week;
- 6.) Delaware County Community Reinvestment Area Housing Council Meeting yesterday;
- 7.) Hosting the state planning directors meeting on Friday at A.D. Farrow;
- 8.) 2017 Budget first review will take place next month at the EC meeting.

4. **Old Business** (*none*)

5. **Other Business**

- **Consideration for Approval – Estimated 2016 Cash balance and 2017 Revenues for Budget Commission**

At the request of the Delaware County Auditor on behalf of the Budget Commission, the RPC staff was asked to estimate the 2016 cash carry forward and 2017 revenue.

2016 cash balance:

\$883,602	-----	07/31/16 cash balance
-\$168,000	-----	remaining expenses for 2016
<u>+\$ 50,000</u>	-----	estimated revenue remaining for 2016
\$765,602		

2017 Est. Revenues:

\$221,608	-----	2016 Dues
\$ 75,000	-----	Platting fees
<u>\$ 500</u>	-----	Contracts
\$297,108		

***Mr. George made a motion to recommend Approval of the following projections: \$765,602 cash balance for 12/31/16 and 2017 revenues of \$297,108. Mrs. Kuba seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.***

6. **Personnel** (*none*)

7. **Adjourn**

***Having no further business, Mr. George made a motion to adjourn the meeting at 11:05 a.m. Mrs. Kuba seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.***

**The next regular Executive Committee meeting will be Wednesday, September 21, 2016 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

### 15-16.V Trenton Park – Trenton Twp. – request variance from Sec. 306.02 – 5 Lot CAD

**Applicant:** Michael Jones Builder

#### I. Request

The applicant is requesting a variance from Section 306.02 of the Delaware County Subdivision Regulations to allow a 5-lot Common Access Driveway subdivision on the north side of Trenton Road approximately 3130' east of Sage Creek Drive.

#### II. Facts

1. The applicant seeks to create a five-lot subdivision, utilizing a Common Access Driveway;
2. The site is approximately 30 acres with no structures and limited frontage;
3. A CAD would enter the site and travel approximately 1,440 feet to the north, providing frontage for the five lots;
4. The land is zoned FR, which is a 5-acre minimum lot size and there is no provision for flag lots;
5. Del-Co Water is available to the site with an existing line running across the frontage and into the site;
6. Relevant sections of the Subdivision Regulations:

**“306.02 Number of Lots.** The CAD may serve and provide access for up to three (3) lots as shown on the CAD subdivision plat. Two (2) additional lots contiguous to the CAD at the point of access to the public or private road by the CAD and which would meet the current applicable zoning requirements as free-standing lots may, at the discretion of the Commission, be accessed by the CAD.”

#### III. Criteria for a Variance

The burden is on the applicant to demonstrate in writing, each of the following:

1. The granting of this variance request shall not be detrimental to the public health, safety and welfare and not injurious to other property.
2. The conditions, upon which this variance request is based, are unique to the property for which this variance is sought.
3. Due to the physical surroundings, shape, or characteristics of the property, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of the Delaware County Subdivision Regulations were carried out.
4. The granting of this variance will not vary the provisions of the applicable zoning regulations, comprehensive plans, or other existing development guidelines and regulations, nor shall it otherwise impair the intent and purpose of these regulations, or the desirable development of the neighborhood and community.

*“The variance request is to have an additional interior lot access the private road with the total number of lots having the ability to access the CAD being five (5) which meets the maximum permitted by the Subdivision Regulations. The request is being made with the earlier planned improvements being at a much higher density and this layout reflects a low density development. All of the lots meet or exceed the FR zoning lot size requirements.”*

**Staff Comment:** Although the regulations do allow five lots on a Common Access Driveway, Section 306.02 notes that two of those lots must be stand-alone lots. At a 5-acre lot size minimum, these lots will

be large compared to other CAD developments. This request is not an attempt to create a development that is out of character with the land around. The property is limited in its frontage in an area where flag lots are not allowed or desired.

#### **IV. Staff Recommendation**

Staff recommends **Approval** of the Variance from Sections 306.02, for **Trenton Park** to the DCRPC.

#### **Commission / Public Comments**

Mr. Brian Lundgren with Osborn Engineering was sworn in by Mr. Stites.

*Mrs. Kuba made a motion to Approve the Variance request for Trenton Park based on the findings of fact presented in the report. Mr. Merrell seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Trenton Twp.). Motion carried.*

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### **III. ZONING MAP/TEXT AMENDMENTS**

**14-16 ZON      Vince Romanelli – Genoa Twp. – 9.78 acres from SR to PRD**

#### **I. Request**

The applicant, Vince Romanelli, on behalf of the owners of four parcels is requesting a 9.78-acre rezoning from Suburban Residential (SR) to Planned Residential (PR) to develop 27 detached unit condominiums.

#### **II. Conditions**

**Location:** east side of South Old 3 C Highway, south of Charles Road

**Present Zoning:** Suburban Residential (SR)

**Proposed Zoning:** Planned Residential (PR)

**Present Use(s):** Three single-family house lots

**Proposed Use(s):** 27 detached condominiums

**Existing Density:** 1 du / 20,000 s.f. (2.178 du/ac)

**Proposed Density:** 2.76 du / acre

**School District:** Westerville Local School District

**Utilities Available:** Del-Co Water and central sanitary sewer

**Critical Resources:** none

**Soils:** BeA Bennington Silt Loam 0-2% slope

BeB Bennington Silt Loam 2-4% slope

PwA Pewamo Silty Clay Loam 0-1% slope

CnA Condit Silt Loam 0-1% slope

#### **III. Issues**

The applicant is requesting a rezoning to allow a detached single-family style condominium development. There are 27 detached condominium units proposed. The site plan shows a single access to South Old 3 C Highway, approximately 1,400 feet north of Mount Royal Avenue and 460 feet south of Charles Road. The road enters the site and then ends in a loop. Two units appear to take access from a shared narrow driveway that also serves as access to an open space area. This site was the subject of a Sketch Plan review in April, 2016. Based on comments from that site visit, the changes have been made as recommended. Internal sidewalks are indicated on the plan, which will connect to future sidewalks along South Old 3 C.

Although open space is not platted as individual parcels in a condominium development, the plan indicates 3.86 acres of open space outside what residents would be considered “yard” areas. This meets the required 40% of the gross site area, which would result in 3.69. Common open space is located in the parking circle as well as in the southern portion of the site, with common space equaling 0.75 acres where 0.55 is required.

#### **IV. Issues**

1. The 2009 Genoa Township Comprehensive Plan recommends this area for residential use at a maximum density up to 1.8 units per net developable acre. The Zoning Resolution sets a maximum density limit of 1.8 units per acre in the PRD designation when Conservation Standards are not applied. The application notes that the gross density calculation is 2.95 units per acre while the Net Developable Acreage calculation is 3.57 units per net acre.

**Staff Comment:** This is essentially an “in-fill” site, and the Comprehensive Plan map does not specifically recommend new uses or densities, so each site has to be evaluated individually. The proposal represents a departure from the density recommended in the Comprehensive Plan. Staff encourages a variety of housing products as previously mentioned and notes that this proposal allows residents to stay in the same community as they age. The PRD zoning could allow a maximum of 17 single-family units on this parcel, which would generate approximately 170 trip ends per day (10 per unit). The proposed units could generate between 135 trip ends per day (4-5 per unit), based on general trip generation guidelines. While this reduces the traffic generation and school impact, the sanitary use is calculated by bedrooms.

2. Utilities. Sewer is available through a 12" sanitary sewer located on the east side of South Old 3C.
3. Drainage. During the site review, it was noted that the site was in a generally poor-draining area.

**Staff Comment:** A wetlands and drainage study are included. A pond will be located along Old 3C in the southwest corner of the site.

4. Traffic study. The applicant is requesting that no traffic study be required due to the small size of the development.

**Staff Comment:** Every project has a traffic study. In the case of this site, the County Engineer will require a Traffic Access Study with sight distance exhibits.

5. Divergences: The applicant is requesting several divergences for this project:

- a.) PRD zoning requires a minimum area of 25 acres for the creation of a cohesive planned area.

**Staff Comment:** The site is adjacent to other Planned Residential development so this is a reasonable request.

- b.) Maximum density in the zoning resolution is 1.8 units per net developable acre when Conservation Standards are not being applied. The proposal is for 3.57 units per acre. The proposal states that this development will clean up some poorly-maintained structures, the fact that other condominium infill projects have been approved at a higher 3.75 du/nda density, preservation of existing trees and open space and a smaller impact on local services.

- c.) Cluster Housing: the cluster housing language in the code applies to cluster housing as a part of a

larger PRD and therefore limits such use to 35% of the overall project. This application is obviously for 100% of the site.

**Staff Comment:** As noted earlier, the Comprehensive Plan is consistent with the PRD zoning district in its definition of maximum number of units per acre. This request is higher than the allowable density in the Plan and through Zoning Resolution, but the site is a reasonable location for an infill development and the impacts will be less than those in a single-family development (based on estimated lot yield).

#### **V. Staff Recommendations**

Staff recommends **Conditional Approval** of the rezoning request by Vince Romanelli for 9.78 acres to the DCRPC, Genoa Twp. Zoning Commission and Genoa Twp. Trustees, *subject to:*

- 1) *Ensure appropriate buffering where adjacent to existing single-family homes;*
- 2) *Ensure that proper drainage related to this site and adjacent development is provided for;*
- 3) ~~*Seek pedestrian connection to the north; (removed during staff presentation)*~~
- 4) *Divergence from the 25-acre minimum PRD size is recommended since the proposal is adjacent to other Planned Residential Developments.*
- 5) *Checking the design of the narrow shared driveway of units 17 and 18 and ensuring proper access for emergency vehicles.*

#### **Commission / Public Comments**

Mr. Joe Looby with Stantec was present to represent the applicant.

Mr. O'Brien asked if the traffic study was a divergence. Mr. Looby stated that due to the low traffic volumes generated from this project and the low background volumes on Old 3 C they are not being asked to do a traffic study. Mr. O'Brien expressed concern due to this being a busy road currently. Mr. Sanders explained that it may be terminology; there is a difference between a traffic access study (showing that you have safe sight distance at your entry point) and a more detailed traffic study where you are looking at adjacent intersections and areas along the road where you might have to add turn lanes. Mr. Sanders stated that his correspondence with the County Engineer was that a traffic access study would be required. Mr. O'Brien stated that part of the problem with that road is people back out of their driveways and that causes traffic to stack. Mr. Sanders said that the County Engineer wouldn't let a new higher use access be placed on a road without at least an access study. Mr. O'Brien asked what the zoning requires (traffic study). Mr. Sanders stated that typically zoning codes have some reference to a traffic study but it usually doesn't go into a tremendous amount of detail. Often at the time of rezoning, it's an expensive study to do at the beginning of the process. A traffic study doesn't usually kill a project, rather it usually says "here is what you will need to do to mitigate your impacts". Mr. George stated that a zoning board can ask for a traffic study but the applicant is not required to do it for rezoning. They rely on the County Engineer to make that determination.

***Mr. O'Brien made a motion for Conditional Approval of the rezoning request by Vince Romanelli, subject to staff recommendations #1,2,4 and 5. Mr. George seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.***

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**15-16 ZON      Epcon Communities – Genoa Twp. – 40 acres from RR & PCF to PRD**

**I. Request**

The applicant, Epcon Communities, on behalf of the owners, is requesting a 40-acre rezoning from RR and PCF to PRD for the development of 94 single detached condominium units to be known as The Courtyards at Big Walnut.

**II. Conditions**

**Location:** south side of Big Walnut Road, east/west of Worthington Road

**Present Zoning:** Rural Residential (RR) and Planned Community Facilities (PCF)

**Proposed Zoning:** Planned Residential District (PRD)

**Present Use(s):** Single-family homes

**Proposed Use(s):** condominium development

**Existing Density:** 1 du / 2 acres

**Proposed Density:** 2.35 du / acres gross, 2.85 du/net acre

**School District:** Olentangy Local School District

**Utilities Available:** Del-Co Water and central sanitary sewer

**Critical Resources:** stream/drainage course, pond, slope >+20%

**Soils:** BeA Bennington Silt Loam 0-2% slope

BeB Bennington Silt Loam 2-4% slope

PwA Pewamo Silty Clay Loam 0-1% slope

CnA Condit Silt Loam 0-1% slope

CaC2 Cardington Silt Loam 6-12% slope

**III. Description**

The applicant is requesting a rezoning to allow a detached single-family style “Courtyard” product. There are 94 detached condominium units proposed.

The site plan shows multiple full accesses to the site. Both “subareas” have entrances at both Worthington Road and Big Walnut Road, allowing for circulation and multiple entry and exit opportunities. Three small narrow lanes are also proposed to create access for some lots that don’t “fit” into the rest of the layout. Building envelopes are 40’ x 75’ or 3,000 s.f. in addition to the common open space throughout the area. The plan indicates that the open space requirement is 50% where the open space provided is slightly over that. The open space design provides for the preservation of several wooded areas, as well as two existing ponds. Large setbacks along Big Walnut and Worthington Road meet the typical characteristics of a Conservation Subdivision by preserving the views along existing roads. Even with road improvements along Big Walnut Road, these open spaces will be preserved. Additional buffering and landscaping may be needed where the site is adjacent to single family homes to the south.

The “Courtyard” product is a design that has been built on several sites in a variety of townships. Units are typically between 1,800 and 2,500 square feet. Two bedrooms are standard (three with an optional bonus suite). All include 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). Minimum building spacing is 11 feet, according to the development plan.

**IV. Issues**

1. The 2009 Genoa Township Comprehensive Plan recommends this area for residential use at a maximum density up to 2.2 units per net developable acre. The Zoning Resolution, with amendments that became

effective on June 26, 2011, set a maximum density limit of 2.2 units per acre in the PRD designation.

**Staff Comment:** The proposal represents a substantial departure from the density recommended in the Comprehensive Plan. Staff encourages a variety of housing products as previously mentioned and notes that this proposal allows residents to stay in the same community as they age. The PRD zoning could allow for anywhere from 72 to 88 single-family lots, generating 720-880 trip ends per day (10 per unit). The proposed units, if limited to age-restricted uses by regulation or by the market, would generate between 448 trip ends per day (4-5 per unit), based on general trip generation guidelines. While this reduces the traffic generation and school impact, the sanitary use is based on bedroom count.

2. Open space: The code requires at least 50% open space throughout the development where the development plan indicates that approximately 20 acres, or 50.05% is provided.

**Staff Comment:** Open space is always difficult to calculate in a condominium proposal, since there is no dedicated “lot” that is designated as open space. This proposal uses all the land that isn’t located directly between building envelopes in the open space calculation. Based on the large amount of open space provided and the design which preserves existing natural features and view-sheds, the provided open space fulfills the spirit of the code.

4. Parking: The PRD zoning district does not allow overnight parking on public or private streets and condominium streets are typically narrow. The site plan shows minimal dedicated spaces for guests.

**Staff Comment:** Although this particular product generates fewer cars than the typical single-family development, at this density it is likely that there would be the need for guest parking from time to time. More parking should be considered at various locations throughout the site.

5. Utilities. A letter from Environmental Services is enclosed which states that there is capacity and sanitary access for this development. Other utility letters are also included.
6. Drainage. During the site review, it was noted that surface flood routing should be provided for the pond located directly to the west.

**Staff Comment:** The Zoning Commission and applicant should work with the County Engineer’s office to ensure that proper drainage from this and adjacent development (including an adequate outlet for this site) is created. This may have an impact on the layout of structures and other improvements.

7. Walking path. The site plan indicates a sidewalk on both sides of the street, throughout the open space, as well as connections toward Worthington Road, stopping short of the right-of-way.

**Staff Comment:** Staff strongly supports the paths as shown. Since the clubhouse and pool is on the east side of Worthington Road, staff suggests working with the township and county on designing a pedestrian crossing that takes into account possible future widening of the road.

8. Divergences: The applicant is requesting several divergences for this project:
  - a.) Maximum density in the zoning resolution is 2.2 units per net developable acre. The proposal is for 2.35 units per gross acre and 2.85 units per net acre. The proposal states that this divergence is justified because it has less impact than single-family homes and fulfills a housing need identified in

market studies. The eastern subarea also is consistent with adjacent projects.

**Staff Comment:** As noted earlier, the Comprehensive Plan is consistent with the residential recommendations of this area. This request is a reasonable departure from the density requirements, based on reduced impact of traffic and students.

- b.) Water Impoundments: Divergence is sought to allow ponds within the 200' setback along Big Walnut and Worthington Roads. The proposal states that “All provisions of the Engineer’s office shall be followed as it pertains to setbacks from roadways, pond construction, and maintenance to ensure safety to surrounding uses.”

**Staff Comment:** With the commitment noted above, this is a reasonable request. Additional mounding and buffering may also be needed as an extra precaution.

**V. Staff Recommendations**

Staff recommends **Conditional Approval** of the rezoning request by Epcon Communities for 40 acres to the DCRPC, Genoa Twp. Zoning Commission and Genoa Twp. Trustees, *subject to:*

- 1) Increase in buffering when adjacent to single-family parcels to the southwest;
- 2) Increase guest parking areas or ensure that portions of the street are wide enough to enable on-street parking;
- 3) Ensure that proper drainage related to this site and adjacent development is provided for;
- 4) Provide a pedestrian connection across Worthington Road at the entry intersection;
- 5) Divergences recommended based on comments within the report.

**Commission / Public Comments**

Mr. Joel Rhodes with Epcon was present to represent the applicant. He agreed with staff recommendations.

***Mrs. Kuba made a motion to recommend Conditional Approval of the rezoning request by Epcon for 40 acres, subject to staff recommendations #1-5. Mrs. Jenkins seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.***

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**16-16 ZON      Jeffrey & Jodie Monebrake – Berkshire Twp. – 10.2 acres from A-1 to PCD**

**I. Request**

The applicants, Jeffrey and Jodie Monebrake, are requesting a 10.2-acre rezoning from A-1 to PCD for an office and storage units.

**II. Conditions**

- Location:** 956 SR 61, Sunbury
- Present Zoning:** Agricultural District (A-1)
- Proposed Zoning:** Planned Commercial District (PCD)
- Present Use(s):** Residential, agricultural
- Proposed Use(s):** office, self-storage
- Existing Density:** 1 du / 5 acres
- Proposed Density:** N/A
- School District:** Big Walnut Local School District
- Utilities Available:** Del-Co Water and private on-lot treatment
- Critical Resources:** slope  $\geq 20\%$

**Soils:** BeA Bennington Silt Loam 0-2% slope  
BeB Bennington Silt Loam 2-4% slope  
CaB Cardington Silt Loam 2-6% slope  
CaC2 Cardington Silt Loam 6-12% slope

### **III. Description**

The proposal indicates that the existing home will be converted into a 1,440 square foot professional office and the rest of the site would be developed with 88,000 square feet in storage units. It would also include a 500 square foot storage office.

The converted home would be used as a real estate office and may include other permitted uses as noted in the development plan. Up to six full-time employees could be accommodated in the building. Storage units would be configured in a way that directed all opening inward, so that the outward appearance would be a consistent tan wall. The office facility would be served by an on-site waste treatment system. Water is available to the site.

The property is a rectangle approximately 345 feet wide at its frontage and 1,325 feet deep. The site is gently rolling, sloping down from the road before rising from a highpoint at the road, dropping a few feet east of the frontage before rising 16 feet across the site to a high point at the eastern end of the site. Stormwater would be managed with a retention area in the southwest corner of the site.

The property is surrounded by the Village of Sunbury on the south, east, and north side, with land forming the Anthony Kinslow Memorial Park to the south and Sunbury Church of the Nazarene beyond. Other surrounding uses are generally undeveloped backland and older home with small setbacks from the road.

### **IV. Comprehensive Plan**

The 2008 Berkshire Township Comprehensive Plan did not anticipate non-residential uses on this portion of S.R. 61 and showed 1 unit per two acres without sewer or 1.25 units per acre with sewer. The Sunbury Comprehensive Plan, which has been approved by the Planning and Zoning Commission (with assistance by the RPC staff) but not yet by Village Council indicates residential uses both to the north and on the portion of the church property that is not zoned for institutional use (although it is unlikely that would be developed residentially). Existing tree lines buffer to park property to the east and south, but the screening appears to be minimal, particularly in the winter.

The village's plan envisions a potential east/west road connecting S.R. 61 with U.S. 36/S.R. 37, potentially located 2,000 feet north of this site. That intersection might generate conditions where non-residential uses are appropriate there, but this would not impact the subject property.

### **V. Divergences**

The proposal indicates a number of divergences from the township's PCD requirements:

1. Divergence from Permitted Uses to allow self-storage in the PCD district;
2. Divergence from Prohibited Uses to allow the outdoor storage of unused motor vehicles;
3. Divergence from the required side yard setbacks to permit the reduction of the 100-foot setback to 89.5 feet;
4. Divergence from the required rear yard setbacks to allow a reduction of the 100-foot setback to 90 feet;
5. Divergence from the required perimeter setback next to non-commercial uses of 100 feet to 90 and 89.5 as noted above;
6. Divergence from the required pavement of commercial areas to allow gravel and parking within the self-storage fenced lot.

**Staff comments:** *As noted in the Comprehensive Plan comments, this use is not consistent with the long-range plans of either the township or the village. It also isn't consistent with the permitted uses within the PCD zoning district which directs such uses to Industrial (PID) areas. The required setbacks may seem excessive but they are intentionally set to form a buffer particularly from residential or non-industrial commercial uses. This site is adjacent to a park which will continue to be developed as the village identifies recreational needs that can be served there.*

**VI. Staff Recommendations**

Staff recommends **Denial** of the rezoning request by Jeffrey and Jodie Monebrake for 10.2 acres to the DCRPC, Berkshire Twp. Zoning Commission and Berkshire Twp. Trustees. Staff might support the conversion of the existing house into offices, but the proposal converts too large an area into a commercial use that isn't consistent with the Zoning Resolution and conflicts with the uses adjacent to it and seeks divergences from those regulations that would mitigate those conflicts.

**Commission / Public Comments**

Mr. Joe Clase, Plan 4 Land along with Mr. Jeff Monebrake was present. Mr. Clase stated that the applicant has informally met with the Township to come up with an appropriate use for the site. The initial design was for a Common Access Drive and after a few conversations with the Township has evolved to this type of development. With the undeveloped area of the park being used for maintenance, the church, a funeral home and some other non-residential uses being developed, the applicant thought this might be appropriate use. There are other storage units in the Planned Commercial district in the Township.

Mr. Monebrake stated that he disagreed with the staff comment regarding screening. He considers the tree line to be substantial. He also doesn't feel there is much residential to buffer. He expressed his disappointment in the staff recommendation for denial.

Mr. O'Brien asked if the applicant would be willing to remove the divergence for the setbacks and if so, stated he would be much more inclined to recommend approval. Mr. Monebrake stated he would consider it. He said the setback divergence is only from 100 to 89.5. The site was designed from the inside out. Having all the access doors facing inward. Mr. Clase stated that if they removed one building they could comply without the divergence.

***Mr. O'Brien made a motion for Conditional Approval of the rezoning for 10.2 acres from A-1 to PCD, subject to staff recommendations #1 and #6. Motion failed due to a lack of a second.***

***Ms. Boni made a motion to recommend Denial of the rezoning for 10.2 acres from A-1 to PCD, based on staff recommendations. Mr. Gauldin seconded the motion. VOTE: Majority For, 0 Opposed, 2 Abstained (Berlin and Berkshire Twp.'s). Motion carried.***

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**12-16 ZON      Evans Farm Land Development Co., LLC. – Berlin Twp. – 607.12 acres -  
FR-1 to PRD and PCD**

**I. Request**

Evans Farm Land Development Co. LLC, is requesting a 607.12-acre rezoning from FR-1 to PRD/PCD for a mixed use new urbanism community.

**II. Conditions**

**Location:** north of Lewis Center Road, west of South Old State Road.

**Present Zoning:** Farm Residential (FR-1)

**Proposed Zoning:** Planned Residential District (PRD) and Planned Commercial and Office (PCD)

**Present Use(s):** Vacant

**Proposed Use(s):** mixed use planned development

**Existing Density:** 1 du / acre

**Proposed Density:** 2.2 du / acre for single-family development

**School District:** Olentangy Local School District

**Utilities Available:** Del-Co Water and central sanitary sewer

**Critical Resources:** wetlands, streams/drainage course

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

GwB Glynwood Silt Loam 2-6% slope

GwC2 Glynwood Silt Loam 6-12% slope

BoA Blount Silt Loam 0-2% slope

LyD2 Lybrand Silt Loam 12-18% slope

**III. Description**

Evans Farm Land Development Co., LLC, is submitting two related applications. One, which RPC has labeled “**12-16 ZON, Evans Farm Land Development Co., LLC.,**” is **607.12 acres, of which 563.8 acres are Planned Residential and 43.2 acres are Planned Commercial and Office.**

The second, which is labeled “**13-16 ZON, Paykoff Properties, c/o Evans Farm Land Development Co., LLC,**” is **300.9 acres, of which 281.8 acres is Planned Residential and 19.1 acres is Planned Commercial.**

The application includes two books, one of which includes standards and development plans related to the **Planned Residential portions of both the Evans development area and the Paykoff development area.** The other book includes the standards and development plans related to the **Planned Commercial portions of both the Evans development area and the Paykoff development area.**

**Process:** Both requests are for combined Preliminary and Final Development Plan Approval, which is a positive change from the initial application that was previously reviewed. This is an integrated town center with both residential and non-residential components. Conformance to the Berlin 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. It is potentially confusing for two applications which differ by location to be presented in two notebooks which differ by zoning district and development standards.

**A significant amount of information was included within both the PRD and the PCD documentation. Given the scope of the project, the amount of additional details, and the limited time for review, this report will only touch on the broad issues of the development and the divergences.**

**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:

\* 1,234 single-family lots on 564.2 acres. These include eleven different lot sizes as follows:

176 lots at 40' wide, 172 lots at 45' wide, 75 lots at 50' wide, 188 lots at 55' wide, 100 lots at 60' wide, 192 lots at 65' wide, 181 lots at 70' wide, 51 lots at 80' wide, 51 lots at 90' wide, 44 lots at 100' wide, and 4 estate lots. 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 200.1 acres, or 35%, is provided where 20% is required. This includes 56.7 acres along the railroad to the west and 19.2 acres along the railroad to the east and other large areas at 16.4 acres and 11.4 acres. Various other open space areas and parks are located throughout;

\* Commercial and office area east of the train tracks of 43.2 acres *NOTE: the 4.2-acre neighborhood-scale commercial area at Hollenback and South Old State Roads has been removed and redesigned as residential and open space, but no additional lots have been gained on the Evans properties;*

\* 10-foot asphalt trail through various major routes within the site, otherwise curb-and-gutter with sidewalks on all streets.

The layout shows several roads entering the site, with the main southern “entrance” from Lewis Center Road in Orange Township. Piatt Road extends from the north, traveling through the site and down to the Orange Township section. Piatt Road will eventually terminate at 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. Development incorporates Hollenback Road, as well as a new access to South Old State Road. Shanahan is proposed to cross the railroad tracks with an above grade crossing, and realign with Hollenback. A new street connects Peachblow to Shanahan.

The layout is generally a grid street pattern, which increases the internal connectivity within the site and disperses traffic. Stubs are provided to the north and to other existing street stubs.

*NOTE: Since the initial application, it has been noted by the County Engineer’s office that the extension of North Road into this site will carry a significant amount of traffic and should either be redesigned to accommodate additional traffic or should be redirected into undeveloped land just north of Shanahan Road for extension by others. This will result in a change in the layout that should be used in the traffic study and presented to the Zoning Commission prior to Development Plan approval. Other street design changes may also need to be made in the northwestern edge of the site based on existing zoning or subdivision plans in the city of Delaware.*

#### **IV. Process**

The Berlin Township Zoning Resolution allows either a one-step rezoning process or the option of filing a Preliminary Development plan, then a Final Development Plan within a certain time period. This application requests a single-step approval. In such a complex proposal, there will likely be many adjustments made to the initial approved plan. Changes may be required in road configuration and design as the traffic study continues to be reviewed. This has been the experience in the Orange Township portion of the project. 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. Otherwise, the developer and township should expect many meetings to determine whether future changes are Major or Minor amendments, and then approving such amendments. It is projected that development of the first phase could begin in 2022.

## V. Conformance with the Comprehensive Plan

The 2011 Berlin Township Comprehensive Plan identified the township's desire for a mixed-use area, potentially as a town center development, at the current intersection of Piatt and Shanahan Roads. The proposed mixed-use area, at 43 acres, is larger than the commercial area noted on the Comp Plan. However, the plan also shows a 100-acre site on the west side of the railroad as recommended for commercial or industrial use. This 100-acre parcel is proposed to be residential in the plan, so on balance this acreage is essentially transferred to the other side of the railroad.

This is part of a larger development with acreage in Orange Township as well. That portion of the plan includes 418 acres of residential use and 135 acres of Planned Commercial use which includes multi-family residential uses as well. This site represents an overall opportunity to create a neighborhood center. Future upgrades to Lewis Center Road and new access to Home Road in Orange Township, as well as improvements to Shanahan Road and Piatt Road, will allow improved access for a 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 pattern that has developed throughout the two townships. This plan asks both for single-family residential areas, as well as the introduction of residential within the Planned Commercial and Office area. The current Comprehensive Plan recommends densities of 1.85 units per net developable acre where the plan requests 2.2 dwelling units per gross acre. As discussed throughout this report, higher densities are 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 the pocket of smaller lots immediately east of the railroad and other changes recommended within the report. This would limit the divergences needed.

## VI. PRD Divergences

Due to the nature of this development, 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. Applications for Temporary Uses for serial events, such as but not limited to weekly farmer's markets; **Staff Comment:** *seems more appropriate for the PCD area, should stipulate annual permits;*
- B. Telecommunication Towers – applicant requests three towers as part of the development plan; **Staff Comment:** *based on design, this seems reasonable if located as part of the development plan to reduce impact on existing homes;*
- C. Lighting – two LED up light fixtures to illuminate community identification signs with ball field lighting in the PRD section. **Staff Comment:** *Probably reasonable, based on the specific type of lighting. Ball field lights should be limited to specific areas and noted on the plan. Such use is probably limited to the open space labeled "DD?";*
- D. Lot width – the application asks for a variety of lot widths as noted above. **Staff Comment:** *reasonable, but it would be helpful if the requirement was listed in the divergence section;*



E. Side, rear, and front yard setbacks – the application lists the requested setbacks graphically within the exhibits. **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 indicate specific occurrences where these divergences are needed;*

F. Landscaping – trees will be plated according to the standards but trees will be planted across the developed community... (goes on to mention the PCD standards). **Staff comment:** *This should be clarified;*

G. Plan expiration divergence. Application notes that “total development within all lands in Evans Farms may span 15 to 20 years.” **Staff Comment:** *this is understandable, but may suggest that zoning is premature, especially for Final Development Plan approval. A reasonable date should be set so that future review is scheduled.*

## **VII. 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. (Also in PRD) Applications for Temporary Uses for serial events, such as but not limited to weekly farmer’s markets; Staff Comment: seems more appropriate for the PCD area, should stipulate annual permits.

B. (Also in PRD) Telecommunication Towers – applicant requests three towers as part of the development plan. Based on design, this seems reasonable if located as part of the development plan to reduce impact on existing homes.

C. Permitted and Conditional Uses - A list of additional uses is included, most of which will probably not result in much discussion. Multi-family is also noted and must be approved as a divergence, since multi-family is specifically defined for application in the Transitional Planned Unit Development (TPUD) district. The proposal notes that densities shall be 8.0 du/acre within the 43-acre PCD area. This results in 346 potential dwelling units.

**Staff Comment:** *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. The application notes that the density “shall be” 8 du/ac. Is this a requirement of the applicant’s design or is this the maximum requested? Several housing types are proposed (Flat, Multiple-Family, Townhouse) but none may exceed 8 units per building. With the correct controls, high-quality materials, and appropriate transitions between uses, this could be a successful development. It would be helpful for the township if the language on pages 13 and 14 could specifically reference the Architectural Exhibits in Tab 3, particularly noting what an 8-unit building looks like. Additional detail as to the possible “plan” or overhead views should be included as well.*

*Also, the Development Plan refers to Exhibit C for allowable locations for Multi-Family but staff cannot locate an Exhibit C in the PCD book and the Exhibit C in the PRD section is a Phasing Plan.*

D. Building setbacks. **Staff Comment:** *this is a request that is difficult to judge without seeing more detail in the commercial and multi-family areas. Building separation of 0' is not a significant issue, since it is very similar to inline stores 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 separation may actually be met.

E. Building Height requested to be increased to 50 feet. **Staff comment:** *This is acceptable if approved by the Fire Department.*

F. Landscaping (Also in PRD) – trees will be planted according to the standards but trees will be planted across the developed community... **Staff comment:** *This should be clarified.*

G. Shared parking areas shall be developed; **Staff Comment:** *This may be acceptable and is encouraged, depending on the uses.*

H. Signage – the signage pallet is created to reflect an old town vision and that is necessary for the walkable, pedestrian-friendly community. **Staff Comment:** *This is acceptable for the PCD, given the architectural details included and the fact that the signage will be internal to the site. Additional “project identification” and marketing signs may need to be provided to the Zoning Commission.*

I. Lighting (Also in PRD) – two LED up light fixtures to illuminate community identification signs with ball field lighting in the PRD section. **Staff Comment:** *Probably reasonable, based on the specific type of lighting. Ball field lights should be limited to specific areas and noted on the plan.*

J. Plan expiration divergence (Also in PRD) - Application notes that “total development within all lands in Evans Farms may span 15 to 20 years.” **Staff Comment:** *this is understandable, but may suggest that zoning is premature, especially for Final Development Plan approval. A reasonable date should be set so that future review is scheduled.*

### **VIII. Staff Recommendations**

Staff recommends **Conditional Approval** of the 607.12 acre rezoning request by Evans Farm Land Development Co. LLC. to the DCRPC, Berlin Twp. Zoning Commission and Berlin Twp. Trustees, *subject to:*

1. *The Traffic Study has not been approved by the County Engineer for the Evans Farm development. The developer has been working with the County Engineer to resolve the issues that were raised with the original study; however staff strongly recommends the Traffic Study be approved by the County Engineer with specific engineering standards Variances approved by that office before the Berlin Township section of the Development Plan is approved. Staff is unsure if the Berlin layout matches the traffic study;*
2. *Redesign the location of the North Road extension before approval;*
3. *Clarify the number of residential lots added to replace the small commercial area at Hollenback and S. Old State;*
4. *Consider approval of a Preliminary Development Plan only, setting 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;*
5. *Consider reconfiguring and enlarging the pocket of 40' lots east of the railroad as a way to create a transition to the larger lots to the north and as a way to lower the overall density;*
6. *Calculate the Net Developable Acreage as defined in the zoning resolution and indicate graphically within the Development Plan document, whether adhered to or not;*
7. *Utilize alleys as indicated, particularly along Piatt Road to limit driveway access and reduce potential conflict points;*
8. *The Pattern Guidelines should be labeled and referenced within the text;*
9. *Show landscaping detail and transitional buffers between single-family residential and commercial uses;*
10. *Clarify sanitary sewer service, proposed improvements, and commitments.*

### **Commission / Public Comments**

No one was present to represent the applicant.

**Mr. George made a motion to recommend Conditional Approval of the rezoning request for 607.12**

*acres by Evans Farm Land Development Co. LLC, subject to staff recommendations #1-10. Mr. Lamb seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Berlin Twp.). Motion carried.*

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**13-16 ZON      Paykoff Properties, c/o Evans Farm Land Development Co., LLC. – Berlin Twp. – 314.21 acres - FR-1 to PRD and PCD**

**I. Request**

Evans Farm Land Development Co. LLC, on behalf of Paykoff Properties, is requesting a 314.21-acre rezoning from FR-1 to PRD and PCD for a mixed use new urbanism community.

**II. Conditions**

**Location:** north of Lewis Center Road, west of South Old State Road.

**Present Zoning:** Farm Residential (FR-1)

**Proposed Zoning:** application does not state

**Present Use(s):** Vacant, agricultural

**Proposed Use(s):** legal description is included with the PCD packet, application does not specify

**School District:** Olentangy Local School District

**Utilities Available:** Del-Co Water and central sanitary sewer

**Critical Resources:** wetlands, streams/drainage course

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

GwB Glynwood Silt Loam 2-6% slope

GwC2 Glynwood Silt Loam 6-12% slope

BoA Blount Silt Loam 0-2% slope

LyD2 Lybrand Silt Loam 12-18% slope

**III. Process**

Evans Farm Land Development Co., LLC, is submitting two related applications. One, which RPC has labeled “**12-16 ZON, Evans Farm Land Development Co., LLC.,**” is **607.12 acres, of which 563.8 acres are Planned Residential and 43.2 acres are Planned Commercial and Office.**

The second, which RPC has labeled “**13-16 ZON, Paykoff Properties, c/o Evans Farm Land Development Co., LLC,**” is **300.9 acres, of which 281.8 acres is Planned Residential and 19.1 acres is Planned Commercial.**

**The application includes two books, one of which includes standards and development plans related to the Planned Residential portions of both the Evans development area and the Paykoff development area. The other book includes the standards and development plans related to the Planned Commercial portions of both the Evans development area and the Paykoff development area.**

**Process:** Both requests are for combined Preliminary and Final Development Plan Approval, which is a positive change from the initial application that was previously reviewed. This is an integrated town center with both residential and non-residential components. Conformance to the Berlin 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. It is potentially confusing for two applications which differ by location to be presented in two notebooks which differ by zoning district and development standards.

**A significant amount of information included within both the PRD and the PCD documentation. Given the scope of the project, the amount of additional details, and the limited time for review, this report will only touch on the broad issues of the development and the divergences.**

**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 plan includes the following specific details:

- \* 539 single-family lots on 281.8 acres. These include only the larger lots when compared to the Evans area: (These are not specifically numbered on the Development Plan between the two areas but are shown graphically):

  - 53 lots at 55' wide, 69 lots at 60' wide, 172 lots at 65' wide, 141 lots at 70' wide, 30 lots at 80' wide, 59 lots at 90' wide, 19 lots at 100' wide, and 2 estate lots. Lots are similar to adjacent existing lots and otherwise distributed throughout;

- \* Total open space of 98.2 acres, or 35%, is provided where 20% is required. This includes larger areas of 10 acres, 29.5 acres, 22.9 acres, and 13 acres, among other smaller pieces located throughout;

- \* Two commercial and office areas east of 13 acres on the north side of Peachblow and 6.1 acres on the south side of Peachblow. *NOTE: No design details are provided for the PCD portion of the Paykoff land;*

- \* 10-foot asphalt trail through various major routes within the site, otherwise curb-and-gutter with sidewalks on all streets.

On the south side of Peachblow, the layout shows one main entrance, plus continuations of two other existing street stubs. The layout is generally a grid street pattern, which increases the internal connectivity within the site and disperses traffic. A stub is provided to the west.

On the north side of Peachblow, the layout indicated two accesses to Peachblow, one connection to an existing stub from the north and two stubs to adjacent properties to the west. Staff notes that although Street B-DDD provides a stub to the Homewood property at the northern edge of the site, an additional stub should be provided by extending Street B-WW to the north.

#### **IV. Process**

The Berlin Township Zoning Resolution allows either a one-step rezoning process or the option of filing a Preliminary Development plan, then a Final Development Plan within a certain time period. This application requests a single-step approval. In such a complex proposal, there will likely be many adjustments made to the initial approved plan. Changes may be required in road configuration and design as the traffic study continues to be reviewed. This has been the experience in the Orange Township portion of the project. 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. Otherwise, the developer and township should expect many meetings to determine whether future changes are Major or Minor amendments, and then approving such amendments. It is projected that development of the first phase could begin in 2022.

#### **V. Conformance with the Comprehensive Plan**

The 2011 Berlin Township Comprehensive Plan identified the township's desire for a mixed-use area, potentially as a town center development, at the current intersection of Piatt and Shanahan Roads. It does not recommend non-residential uses within the Paykoff properties.

This site represents an overall opportunity to create a series of interconnected neighborhoods. 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. The commercial areas in the Paykoff land have no detail provided and have no relationship with the proposed residential development. It is assumed that these areas will be stand-alone commercial areas which may not mix well with the surrounding residential areas. Additional detail is needed. Otherwise, commercial and office does not fit the Comprehensive Plan. As densities rise and uses mix, the architectural details and transitions between uses are critical.

Proposed densities create a substantial departure from the typical pattern that has developed in this area of the township. The current Comprehensive Plan recommends densities of 1.5 units units per net developable acre where the plan requests 1.85 units per gross acre north of Peachblow and the Plan recommends 1.85 dwelling units per net developable acre south of Peachblow where the proposal requests 2.0 units per gross acre. As discussed throughout this report, higher densities are typically necessary to provide a successful walkable, mixed-use district. While this approach works for the mixed-use proposal on the Evans properties, it doesn't apply to the Paykoff properties since the uses aren't truly mixed. The Paykoff proposal is a well-designed neighborhood with ample open space, but the densities should conform to what the Comprehensive Plan indicates. Net Developable Acreage is not shown nor calculated, so the Zoning Commission should find it difficult to judge whether the requested increase in density is reasonable.

## **VI. PRD Divergences**

Due to the nature of this development, 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, with similar staff comments from the other application, although not all of these likely apply to the Paykoff land:

- A. Applications for Temporary Uses for serial events, such as but not limited to weekly farmer's markets; **Staff Comment:** *seems more appropriate for the PCD area, should stipulate annual permits.*
- B. Telecommunication Towers – applicant requests three towers as part of the development plan. Based on design, this seems reasonable if located as part of the development plan to reduce impact on existing homes.
- C. Lighting – two LED up light fixtures to illuminate community identification signs with ball field lighting in the PRD section. **Staff Comment:** *Probably reasonable, based on the specific type of lighting. Ball field lights should be limited to specific areas and noted on the plan. Such use is probably limited to the open space labeled "DD?".*
- D. Lot width – the application asks for a variety of lot widths as noted above. **Staff Comment:** *reasonable, but it would helpful if the requirement was listed in the divergence section.*
- E. Side, rear, and front yard setbacks – the application lists the requested setbacks graphically within the exhibits. **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 indicate specific occurrences where these divergences are needed.*
- F. Landscaping – trees will be planted according to the standards but trees will be planted across the developed community... (goes on to mention the PCD standards). **Staff comment:** *This should be*

clarified.

G. Plan expiration divergence. Application notes that “total development within all lands in Evans Farms may span 15 to 20 years.” **Staff Comment:** *this is understandable, but may suggest that zoning is premature, especially for Final Development Plan approval. A reasonable date should be set so that future review is scheduled.*

## **VII. 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. (Also in PRD) Applications for Temporary Uses for serial events, such as but not limited to weekly farmer’s markets; **Staff Comment:** *seems more appropriate for the PCD area, should stipulate annual permits.*

B. (Also in PRD) Telecommunication Towers – applicant requests three towers as part of the development plan. Based on design, this seems reasonable if located as part of the development plan to reduce impact on existing homes.

C. Permitted and Conditional Uses - A list of additional uses is included, most of which will probably not result in much discussion. Multi-family is also noted and must be approved as a divergence, since multi-family is specifically defined for application in the Transitional Planned Unit Development (TPUD) district.

**Staff Comment:** *staff notes that there is no Exhibit showing where Multi—Family uses would be. It is unlikely that multi-family is proposed for the Paykoff lands, but the application should clarify this. The Development Plan refers to Exhibit C for allowable locations for Multi-Family but staff cannot locate an Exhibit C in the PCD book and the Exhibit C in the PRD section is a Phasing Plan.*

D. Building setbacks. **Staff Comment:** *is this intended for the Paykoff property? This is a request that is difficult to judge without seeing more detail in the commercial and multi-family areas. Building separation of 0' is not a significant issue, since it is very similar to inline stores 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.*

E. Building Height requested to be increased to 50 feet. **Staff comment:** *This is acceptable if approved by the Fire Department.*

F. Landscaping (Also in PRD) – trees will be planted according to the standards but trees will be planted across the developed community... **Staff comment:** *This should be clarified, but landscape plan is included for both areas.*

G. Shared parking areas shall be developed; **Staff Comment:** *This may be acceptable and is encouraged, depending on the uses, may not be applicable in the Paykoff property.*

H. Signage – the signage pallet is created to reflect an old town vision and that is necessary for the walkable, pedestrian-friendly community. **Staff Comment:** *This is acceptable for the PCD, given the architectural details included and the fact that the signage will be internal to the site. Additional “project identification” and marketing signs may need to be provided to the Zoning Commission.*

I. Lighting (Also in PRD) – two LED up light fixtures to illuminate community identification signs with ball field lighting in the PRD section. **Staff Comment:** *Probably reasonable, based on the specific type of lighting, but more detail is needed for the Paykoff property.*

J. Plan expiration divergence (Also in PRD) - Application notes that “total development within all lands in Evans Farms may span 15 to 20 years.” **Staff Comment:** *this is understandable, but may suggest that zoning is premature, especially for Final Development Plan approval. A reasonable date should be set so that future review is scheduled.*

**Other issues that may require a divergence or should be addressed:**

K. Phasing: **Staff Comment:** *Paykoff property does not include a phasing plan.*

L. Lighting: **Staff Comment:** *Paykoff property does not include a lighting plan for the PCD areas.*

M. PCD Development Plan: **Staff Comment:** *No detail is provided for the nature of the commercial development on the Paykoff property. Existing roads need to be labeled on Exhibit A PCD Development Plan.*

N. Existing uses: **Staff Comment:** *Several existing structures including two homes, a substantial barn, and several silos are located on the north side of Peachblow in the open space area “TT.” Additional detail should be provided related to the short-term and long-term plans for these structures.*

**VIII. Staff Recommendations**

Staff recommends **Conditional Approval** of the 314.21-acre rezoning request by Paykoff Properties c/o Evans Farm Land Development Co. LLC. to the DCRPC, Berlin Twp. Zoning Commission and Berlin Twp. Trustees, *subject to:*

1. *The Traffic Study has not been approved by the County Engineer for the Evans Farm development. The developer has been working with the County Engineer to resolve the issues that were raised with the original study; however staff strongly recommends the Traffic Study be approved by the County Engineer with specific engineering standards Variances approved by that office before the Berlin Township section of the Development Plan is approved. Staff is unsure if the Berlin layout matches the traffic study;*
2. *Consider approval of a Preliminary Development Plan only, setting 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;*
3. *Calculate the Net Developable Acreage as defined in the zoning resolution and indicate graphically within the Development Plan document;*
4. *The Pattern Guidelines should be labeled and referenced within the text;*
5. *Show landscaping detail and transitional buffers between single-family residential and commercial uses;*
6. *Clarify sanitary sewer service, proposed improvements, and commitments;*
7. *Application should clarify which Divergences and other issues noted above (A. through N.) also apply to the Paykoff properties. Staff does not recommend approval of a Final Development Plan for these PCD areas of the Paykoff properties.*

**Commission / Public Comments**

No one was present to represent the applicant.

**Mr. Lamb made a motion to recommend Conditional Approval of the rezoning request for 314.21 acres by Paykoff Properties, subject to staff recommendations #1-7. Mr. Boysel seconded the motion. VOTE: Majority For, 1 Opposed (Kingston Twp.), 1 Abstained (Berlin Twp.). Motion carried.**

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#### IV. SUBDIVISION PROJECTS

##### Preliminary

09-16 T 4910 Rutherford Road CAD (+Reid Estates) – Concord Twp. - 07 lots / 25.496 acres

##### I. Conditions

**Applicant:** 4910 Rutherford Road LLC

**Subdivision Type:** Single Family Residential

**Location:** North side of Rutherford Rd., east of Riverside Dr.

**Current Land Use:** two single family homes

**Zoned:** Farm Residential (FR-1)

**Utilities:** Del-Co water and private on-lot treatment systems

**School District:** Olentangy

**Engineer:** Pomeroy & Assoc.

##### II. Staff Comments

The applicant is requesting a 90-day tabling in order to work out sanitary sewer issues.

##### III. Staff Recommendation

Staff recommends *Approval* of the 90-day table request for **4910 Rutherford Road CAD** to the DCRPC.

##### Commission / Public Comments

No one was present to represent the applicant.

*Mr. Merrell made a motion for Approval of the 90-day tabling of 4910 Rutherford Road CAD. Mr. George seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

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17-16 Scioto Ridge Crossing – Concord Twp. - 162 lots / 80.7 acres

##### I. Conditions

**Applicant:** M/I Homes

**Subdivision Type:** Single Family Planned Residential

**Location:** East side of S. Sectionline Road, South of Clark Shaw Rd.

**Current Land Use:** Vacant

**Zoned:** Planned Residential District

**Zoning Approval:** March 14, 2016

**Utilities:** Del-Co water and central sanitary sewer

**School District:** Buckeye Valley

**Engineer:** Advanced Civil Design

##### II. Staff Comments

Scioto Ridge Crossing is a 162-lot single-family subdivision with frontage on South Section Line Road. Its main access is through the proposed Clark Shaw Moors project with eventual access to Clark-Shaw Road. An emergency access is proposed at South Section Line Road with a paved path that will be built to hold emergency vehicles. Two roads enter the site from the east heading west, each connecting with new roads



continuing west and joining in a cul-de-sac on the western end of the subdivision. One north-south road connects the two east-west roads.

Six reserve areas are being created. To the north, extending from the eastern to the western edge of the subdivision, are two adjacent reserves totaling 7.1 acres with mounding. To the east, adjacent to Clark Shaw Moors, is a 0.42-acre strip of open space. To the south, extending from the eastern to the western edge of the subdivision, is a 35.8-acre reserve including three basins, mounding, and 5' sidewalks throughout. In the center of the subdivision are two reserves; one is a 1.26-acre green space surrounded by a 5' sidewalk, and the other is a 1.79 open space with a basin and a 5' sidewalk along one side.

***A technical review was held on August 16, 2016, after which the applicant has addressed all of the required changes.***

### **III. Staff Recommendation**

Staff recommends *Preliminary Approval* of **Scioto Ridge Crossing** to the DCRPC.

### **Commission / Public Comments**

Mr. David Denniston with Advanced Civil Design was present to represent the applicant.

Mr. O'Brien expressed concern about the street names. Having two intersections with the same street names causes some confusion with emergency personnel. Mr. Sanders stated that this could be resolved during final engineering discussions.

***Mr. Price made a motion for Preliminary Approval of Scioto Ridge Crossing. Mr. George seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.***

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16-16                    **The Reserve at Duncan Run, Lot 540, Div. #1 – Harlem Twp. - 02 lots / 11.925 acres**

### **I. Conditions**

**Applicant:** Dan Reckner  
**Subdivision Type:** Single Family Residential  
**Location:** West side of South County Line Road, south of Center Village Road  
**Current Land Use:** Two single family homes  
**Zoned:** Farm Residential (FR-1)  
**Zoning Approval:** May 18, 2016  
**Utilities:** well water and private on-lot treatment systems  
**School District:** Johnstown-Monroe  
**Engineer:** Scioto Land Surveying Service

### **II. Staff Comments**

The Reserve at Duncan Run is a 4-lot Common Access Driveway subdivision that was built and platted on February 10, 2010. On May 31, 2007, prior to being approved, the RPC granted a variance to allow up to 6 lots on the driveway. When the site was developed, the northern lot, Lot 540, retained its A-1 zoning (5-acre minimum lot size) while the other areas were being developed under FR-1 zoning (2-acre minimum lot size). In May of this year, FR-1 zoning was approved through Harlem Township for the creation of the 3.5-acre eastern portion of lot 540. This Preliminary Plan seeks to subdivide Lot 540, leaving an 8.424-acre lot to the west.

As a resubdivision of an existing platted lot, all other owners within the plat were provided notice of this meeting to be given the opportunity to identify whether they are being injuriously affected by the division.

As constructed, the existing CAD appears to be in reasonable shape and was built with a wider profile rather than utilizing passing areas. A new Maintenance Agreement will be required and recorded prior to the Director signing a future Final Plat.

***A technical review was held on August 16, 2016, after which the applicant has addressed all of the required changes.***

**III. Staff Recommendation**

Staff recommends *Preliminary Approval* of **The Reserve at Duncan Run, Lot 540, Div. #1** to the DCRPC.

**Commission / Public Comments**

Mrs. Karen Coffman with Scioto Land Surveying was present to represent the applicant.

***Mr. Price made a motion for Preliminary Approval of The Reserve at Duncan Run, Lot 540, Division #1. Mr. Fowler seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.***

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15-16                    **Trenton Park – Trenton Twp. - 05 lots / 30 acres**

**I. Conditions**

- Applicant:** Michael Jones Builder
- Subdivision Type:** Single Family Residential
- Location:** North side of Trenton Road, East of Sage Creek Drive
- Current Land Use:** Vacant
- Zoned:** Farm Residential (FR)
- Zoning Approval:** June 5, 2013
- Utilities:** Del-Co water and private on-lot treatment systems
- School District:** Big Walnut
- Engineer:** Osborn Engineering

**II. Staff Comments**

Trenton Park is a five-lot subdivision on 30 acres. The development plan indicates a 1,440-foot Common Access Driveway that will extend north from Trenton Road. Three lots on the west side of the CAD are sized (from south to north) 5.1 acres, 6.38 acres, and 5.06 acres. One lot north and west of the CAD is 8.32 acres, and one lot on the east side of the CAD is 8.32 acres. The site will include an existing tree line, which passes through 3 of the lots. The site has on-site sewer treatment.

***A technical review was held on August 16, 2016, after which the applicant has addressed all of the required changes.***

**III. Staff Recommendation**

Staff recommends *Conditional Preliminary Approval* of **Trenton Park**, *subject to the Approval of the Variance request*, to the DCRPC.

**Commission / Public Comments**

Mr. Price made a motion for Preliminary Approval of Trenton Park, seconded by Mrs. Jenkins.

***VOTE: Unanimously For, 0 Opposed. Motion carried.***

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**Preliminary/Final** (none)

**CONSENT AGENDA**

**Final**

13-14.2 Brookview Manor, Section 2 – Berlin Twp. - 37 lots / 31.336 acres

**I. Conditions**

**Applicant:** Pulte Homes

**Subdivision Type:** Single Family Residential

**Location:** North of Sherman Road, east side of Africa Road

**Current Land Use:** Vacant

**Zoned:** R-2 with PRD overlay

**Zoning Approval:** December 20, 2013

**Preliminary Approval:** June 24, 2014

**Utilities:** Del-Co Water, central sanitary sewer

**School District:** Olentangy

**Engineer:** CEC Inc.

**II. Staff Comments**

Brookview Manor is a single-family subdivision with its main access from Africa Road. A series of internal streets provide frontage for the 88 lots. Section 2 provides the extension of Brookview Manor Drive to a T intersection with Ravine View Drive. A stub is provided to the existing adjacent street Cliffview Drive. Ravine View Drive also provides frontage for 5 lots whereas the other 32 access Brookview Manor Drive.

A ravine and tree line are protected with a 7.199-acre parcel of dedicated open space. A second strip of open space, at 1.404, forms a narrow buffer along the northern and eastern boundaries.

The applicant has presented to the RPC Office a Final Plat (mylar) signed by the various County agencies, a requirement for Final approval.

**III. Staff Recommendation**

Staff recommends *Final Approval* of **Brookview Manor, Section 2** to the DCRPC.

**Commission / Public Comments**

Mr. Price made a motion for Final Approval of Brookview Manor, Section 2. Mrs. Kuba seconded the motion. ***VOTE: Unanimously For, 0 Opposed. Motion carried.***

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12-13.2            **The Heathers at Golf Village, Section 2 – Liberty twp. - 39 lots / 10.301 acres**

**I.            Conditions**

- Applicant:** Pulte Homes
- Subdivision Type:** Single Family Residential
- Location:** East side of Sawmill Parkway, between Hyatts Road and Home Road
- Current Land Use:** Vacant
- Zoned:** Planned Residential District (PR)
- Zoning Approval:** June 3, 2013
- Preliminary Approval:** July 25, 2013
- Utilities:** Del-Co Water, central sanitary sewer
- School District:** Olentangy
- Engineer:** EMH & T

**II.            Staff Comments**

The Heathers is a 129-lot subdivision on the remaining portion of Golf Village North. It is bordered by Olentangy Schools to the south, the railroad to the east, and an electrical substation to the north. The western boundary is Sawmill Parkway, from which the subdivision takes two accesses.

Section 2 includes the extension of Beechwood Drive to the east, creating two intersections with Emerald Ash Drive and Valley Oak Drive. From Valley Oak, a new road, Prairie Knoll, extends eastward to a new north/south road, Rocky Fork Drive. This road intersects with an extension of Pasture Ridge Drive which currently provides a full second access to Sawmill Parkway.

The layout of the site indicates a network of internal connections and open spaces. A small area of open space at 0.496 acres, is located north of Beechwood Drive. Lots are generally 65' x 110' (7,150 s.f.) in size. This is the final portion of land in this development that is currently owned by Pulte Homes.

**The applicant has presented to the RPC Office a Final Plat (mylar) signed by the various County agencies, a requirement for Final approval.**

**III.            Staff Recommendation**

Staff recommends *Final Approval* of **The Heathers at Golf Village, Section 2** to the DCRPC.

**Commission / Public Comments**

**Mr. Price made a motion for Final Approval of The Heathers at Golf Village, Section 2. Mrs. Kuba seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.**

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**V.            EXTENSIONS    (*none*)**

**VI. OTHER BUSINESS**

- **Consideration for Approval – Estimated 2016 Cash balance and 2017 Revenues for Budget Commission**

At the request of the Delaware County Auditor on behalf of the Budget Commission, the RPC staff was asked to estimate the 2016 cash carry forward and 2017 revenue.

2016 cash balance:

\$883,602	-----07/31/16 cash balance
-\$168,000	-----remaining expenses for 2016
<u>+\$ 50,000</u>	-----estimated revenue remaining for 2016
\$765,602	

2017 Est. Revenues:

\$221,608	-----2016 Dues
\$ 75,000	-----Platting fees
<u>\$ 500</u>	-----Contracts
\$297,108	

The Executive Committee recommended Approval of the following projections: \$765,602 cash balance for 12/31/16 and 2017 revenues of \$297,108.

***Mr. O'Brien made a motion to Approve the estimated projections that were recommended by the RPC staff and the Executive Committee. Mrs. Jenkins 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. Price made a motion to adjourn the meeting at 7:45 p.m. Mr. BoyseI seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.***

***The next meeting of the Delaware County Regional Planning Commission will be Thursday, September 29, 2016, 6:30 PM at the Willis Building, 2079 US 23 North, Conference Room, Delaware, Ohio 43015.***