



Delaware County Regional Planning Commission

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Scott B. Sanders, AICP
Executive Director

MINUTES

Thursday, October 22, 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 September 17, 2015 RPC Minutes
- Executive Committee Minutes of October 14, 2015
- Statement of Policy

II. VARIANCES *(none)*

III. ZONING MAP/TEXT AMENDMENTS

- 30-15 ZON Glenn Biddlestone – Harlem Twp. – 1.5 acres from FR-1 to PCD
- 31-15 ZON Linda Paquin and Keara Jackson – Harlem Twp. – 5.209 acres from AR-1 to FR-1
- 32-15 ZON Metro Development – Concord Twp. – 38.9 acres from FR-1 to PRD
- 33-15 ZON Metro Development – Liberty Twp. – 176.71 acres from FR-1 to PR

IV. SUBDIVISION PROJECTS

Township

Lots/Acres

Preliminary *(none)*

Preliminary/Final *(none)*

Final

09-14	London Crossing	Genoa	13 lots / 10.094 acres
11-15	Nance Family CAD	Harlem	02 lots / 12.17 acres
12-13.1	The Heathers at Golf Village, Section 1	Liberty	36 lots / 16.657 acres
16-14	Enclave at the Lakes	Orange	44 lots / 24.6 acres
03-06.2	Meadows at Lewis Center, Section 2	Orange	37 lots / 15.80 acres

T=TABLED, W=WITHDRAWN

V. EXTENSIONS *(none)*

VI. OTHER BUSINESS

- 2016 Budget – 1st Review
- Consideration for Approval: GIS computer purchase up to \$2,500.00

VII. POLICY / EDUCATION DISCUSSION

- Delaware General Health District – presentation and discussion of proposed sewage rules
- Annual Demographic Information updated - www.dcrpc.org/RESOURCES/demographics.htm

VIII. RPC STAFF AND MEMBER NEWS

I. ADMINISTRATIVE BUSINESS

▪ **Call to Order**

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

▪ **Roll Call**

Representatives: Jeff George, Chet Heid, Susan Kuba, Fred Fowler, Gary Merrell, Barb Lewis, Jeff Benton, Steve Burke, Tiffany Jenkins, Tom Hopper, Joe Shafer, Jon Trainer, Dave Stites, Tracey Mullenhour, Hal Clase, Anthony Hray, Joe Proemm, Bill Thurston, Mike Dattilo, and Doug Price. Arrived after roll call: John Piccin (A), and Claudia Husak (A). *Staff:* Scott Sanders, Da-Wei Liou and Stephanie Matlack.

▪ **Approval of the September 17, 2015 RPC Minutes**

Mr. Price made a motion to Approved the minutes from the last meeting, seconded by Mr. Clase.

VOTE: Unanimously For, 0 Opposed. Motion carried.

▪ **October 14, 2015 Executive Committee Minutes**

1. Call to order

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

2. Approval of Executive Committee Minutes from September 9, 2015

Mr. George made a motion to Approve the minutes from the last meeting, seconded by Mr.

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

3. New Business

- Financial / Activity Reports for September 2015

REGIONAL PLANNING RECEIPTS		SEPTEMBER	YTD TOTAL
General Fees (Lot Split)	(4201)	\$625.00	\$4,315.00
Fees A (Site Review)	(4202)	\$300.00	\$1,800.00
Insp. Fees (Lot Line Transfer)	(4203)	\$300.00	\$2,800.00
Membership Fees	(4204)		\$272,375.00
Planning Surcharge (Twp. Plan. Assist.)	(4205)		\$465.79
Assoc. Membership	(4206)		
General Sales	(4220)		
Charges for Serv. A (Prel. Appl.)	(4230)		\$56,210.60
Charges for Serv. B (Final. Appl.)	(4231)	\$18,200.00	\$58,399.60
Charges for Serv. C (Ext. Fee)	(4232)		\$600.00
Charges for Serv. D (Table Fee)	(4233)		
Charges for Serv. E (Appeal/Var.)	(4234)		\$1,200.00
Charges for Serv. F (Planned District Zoning)	(4235)		\$3,600.00
OTHER DEPT. RECEIPTS			
Health Dept. Fees	(4242)	\$125.00	\$2,510.00
Soil & Water Fees	(4243)	\$100.00	\$2,600.00
MISCELLANEOUS REVENUE			

Other Reimbursements	(4720)		
Other Reimbursements A			
Other Misc. Revenue (GIS maps)	(4730)		\$85.00
Misc. Non-Revenue Receipts	(4733)		
Sale of Fixed Assets	(4804)		
TOTAL RECEIPTS		\$19,650.00	\$406,960.99

Balance after receipts	\$830,802.15
Expenditures	- \$ 23,513.85
End of September balance (carry forward)	\$807,288.30

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

- Site Review: (none)
- October RPC Preliminary Agenda
 - 1.) Rezoning:
 - Glenn Biddlestone – Harlem Twp. – 1.5 acres from FR-1 to PCD
 - Linda Paquin and Keara Jackson – Harlem Twp. – 5.209 acres from AR-1 to FR-1
 - Metro Development – Concord Twp. – 38.9 acres from FR-1 to PRD
 - Metro Development – Liberty Twp. – 176.71 acres from FR-1 to PRD
 - 2.) Preliminary: (none)
 - 3.) Preliminary/Final: (none)
 - 4.) Final:
 - London Crossing
 - Nance Family CAD
 - The Heathers at Golf Village, Section 1
 - Enclave at the Lakes
 - Meadows at Lewis Center, Section 2
 - 5.) Extensions: (none)
- Director’s Report
 - 1.) Hosted a Zoning Roundtable on September 10. Attending was Liberty, Orange, Brown, Berkshire, Harlem, County Zoning. Discussed RPC interaction with townships during zonings and subdivision.
 - 2.) Oxford Zoning Resolution – group met in October, one final change and they will initiate in November probably on the November RPC agenda. No drastic changes.
 - 3.) Supporting a grant application for Preservation Parks for land on Bale Kenyon Road.
 - 4.) Attended a bus tour by the Soil and Water Conservation District yesterday showing various conservation techniques used by the district. Tour was through Thompson and Radnor Townships.
 - 5.) Continue to attend, when available, the bi-weekly county Directors’ meetings.

6.) MORPC Data Task Force meeting (should be the last one) is this Thursday. Northeast Area “Summit” group summit meets next Tuesday.

- 2016 Budget – 1st Review

Mr. Sanders presented a budget that used actual and predicted revenue and expenses for 2016. In addition to staff’s draft projections, the following topics/changes were discussed:

- 1.) Projected platting revenue is conservative at \$60,000,
- 2.) Salaries budgeted at 3% increase. Staffing includes an intern for 36 weeks,
- 3.) Health Insurance rates were provided by the County Administrator,
- 4.) Materials and supplies are conservative estimates, there are no significant expenses anticipated for 2016;
- 5.) Audit services are included at \$3,000 (completed every two years)
- 6.) Membership dues were calculated with a 30¢ per capita credit for those jurisdictions that are current, applied to the existing \$1.04 per capita dues amount.

The full Commission will review the draft budget at the October RPC meeting. The vote will take place at the November 19th RPC meeting.

- Discussion of Subdivision Regulations

Mr. Sanders presented the Committee with a few minor amendments to the Subdivision Regulations. More discussions to follow.

4. **Old Business** (*none*)
5. **Other Business** (*none*)
6. **Personnel** (*none*)
7. **Adjourn**

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

The next regular Executive Committee meeting will be Thursday, November 12, 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

30-15 ZON Glenn Biddlestone – Harlem Twp. – 1.5 acres from FR-1 to PCD

I. Request

The applicant Glenn Biddlestone is requesting a 1.5-acre rezoning from FR-1 to Planned Commercial and Office (PCD) for the purposes of operating an indoor multi-sport building.

II. Conditions

Location: 11283 Fancher Rd., Westerville

Present Zoning: Farm Residential (FR-1)

Proposed Zoning: Planned Commercial District (PCD)

Present Use(s): Single family home, 2 accessory buildings

Proposed Use(s): Single Family home, storage building and indoor sport rental facility

Existing Density: 1 du / 1.95 acres

School District: Big Walnut Local School District

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

Critical Resources: none

Soils: CeB Centerburg Silt Loam 2-6% slope

PwA Pewamo Silty Clay Loam 0-1% slope

III. Request

The applicant/owner is requesting a rezoning to allow an indoor sport rental facility. The use will be by appointment only with reserved times primarily by specialized sport instructors, for all types of sports play, instruction, fitness training, and family parties. The parcel currently accommodates an occupied single-family house, a separate garage, and an existing 50' x 80' pole barn with 16' x 30' loft. Bathroom service is provided with two port-a-potty's.

Materials supplied by the applicant include the following:

- Letters of support from neighbors and the approval for overflow parking from the church to the north.
- Letter from the Delaware General Health District dated 2/19/14, stating that the proposed building would not impact the existing on-site treatment system for the home.
- Inspection record from the Code Compliance office showing foundation, electric, gas, and HVAC inspections.
- Zoning permit dated 11/25/2013 for a 50' x 72' accessory building under the FR-1 district.

IV. Issues

Use – Creating a Planned Commercial zoning on this site creates several problems. First, the permitted uses listed under Planned Commercial do not easily match the proposed use. Another issue under the “use” category is the single-family home which is intended to remain on the site. Residential uses are not permitted in the Planned Commercial district and this would represent a significant divergence from the standards.

Commercial location – This would also create an area of Planned Commercial zoning in a location that is surrounded by a row of FR-1 residential lots. While the area near the corner of Harlem Road and Fancher Road has developed with an unusual mixture of Neighborhood Commercial, Planned Commercial, and some legal Non-Conforming non-residential uses, that mixture has not extended this far east.

Permitting – Although the applicant has taken a number of steps to receive permitting for this project, that

permitting has been inaccurate. The zoning permit specifically states that accessory structures cannot be used for business purposes.

The permit from DGHD did not anticipate that this commercial structure would be using port-a-potty’s in a semi-permanent fashion. The photos indicate there is a water fountain and sink within the building. These facilities typically require a connection to public sewer or on-site disposal system. The review authority will be based on the anticipated gallons per day based on occupancy count. The District would also be looking for plumbing details and other details regarding the service schedule of the portable toilets.

The Code Compliance permits assumed the building was being constructed for residential purposes. Conversion to a commercial use requires an Application for Change of Use and Occupancy from the Code Compliance Office.

No letter from the Fire Department is included in the application.

V. Board of Zoning Appeals

As noted below, the RPC staff is recommending that this case be heard in front of the Board of Zoning Appeals. Although this use is not specifically mentioned in the list of Conditional Uses allowed under FR-1, there are several which could be combined to justify such a request. While this goes beyond the typical “Expanded Home Occupation” typically anticipated in the Conditional Use language of the code, there is language in that section that might be used as part of the request.

Finally, using the BZA would allow specific control by the township over the use which would not run with the land should the property change hands in the future.

VI. Staff Recommendations

Staff recommends **Denial** of the rezoning by Glen Biddlestone, to the DCRPC, Harlem Twp. Zoning Commission and Harlem Twp. Trustees, *and recommends that this case be treated as a Conditional Use request with review by the Harlem Township Board of Zoning Appeals.*

Commission / Public Comments

No one was present to represent the applicant.

Mrs. Kuba made a motion to recommend Denial of the rezoning request by Glen Biddlestone, based on staff recommendations. Mrs. Jenkins seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Harlem Twp.). Motion carried.

31-15 ZON Linda Paquin and Keara Jackson – Harlem Twp. – 5.209 acres from AR-1 to FR-1

I. Request

The applicant’s Linda Paquin and Keara Jackson are requesting a 5.209-acre rezoning from AR-1 to FR-1 to allow the lot to be split into two residential lots.

II. Conditions

Location: north side of Woodtown Rd., west of SR 605 S

Present Zoning: Agricultural (AR-1)

Proposed Zoning: Farm Residential (FR-1)

Present Use(s): vacant

Proposed Use(s): Two single-family house lots
Existing Density: 1 du / 5 acres
Proposed Density: 1 du / 1.95 acres
School District: Big Walnut Local School District
Utilities Available: Del-Co Water and private on-lot treatment systems
Critical Resources: stream, drainage course
Soils: CeB Centerburg Silt Loam 2-6% slope
PwA Pewamo Silty Clay Loam 0-1% 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, created in July 2015, is 5.209 acres in size with 300 feet of frontage and a depth of 755 feet. 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. Flag lots, or lots with 60 feet of frontage, are allowed on county roads if separated by a lot with full frontage. Further subdivision of this lot (unless combined with other land) will be accomplished through the No Plat lot split process, allowing township and county agencies the opportunity to review and approve the proposed lot and remainder.

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 on the site.

IV. Staff Recommendations

Staff recommends **Conditional Approval** of the rezoning by Linda Paquin and Keara Jackson, to the DCRPC, Harlem Twp. Zoning Commission and Harlem Twp. Trustees, *subject to:*

- 1.) *Review by the Delaware General Health District to determine the appropriateness of on-site sewage treatment.*

Commission / Public Comments

No one was present to represent the applicant.

Mr. George made a motion to recommend Conditional Approval of the rezoning request by Linda Paquin and Keara Jackson, subject to Staff Recommendations. Mrs. Jenkins seconded the motion. VOTE: Majority For, 0 Opposed. Motion carried.

32-15 ZON Metro Development – Concord Twp. – 38.9 acres from FR-1 to PRD

I. Request

Metro Development, on behalf of the owners, is requesting a 38.9-acre rezoning from FR-1 to PRD to create a 75-lot single family subdivision, Heather Ridge. The rezoning includes two parcels, a 36-acre parcel owned by Roy and Judith Jackson Trustees and a 6-acre parcel owned by Richard Girton Trust.

II. Conditions

Location: north side of Hyatts Rd., east of S. Section Line Rd.

Present Zoning: Farm Residential (FR-1)

Proposed Zoning: Planned Residential (PRD)

Present Use(s): one house, vacant

Proposed Use(s): 75-lot single-family residential, open space

Existing Density: 1 du / 1.5 acres

Proposed Density: 1.93 du / acre

School District: Olentangy Local School District

Utilities Available: Del-Co Water and central sanitary sewer

Critical Resources: wetland, stream, drainage course

Soils: BoA Blount Silt Loam 0-2% slope

BoB Blount Silt Loam 2-4% slope

GwB Glynwood Silt Loam 2-6% slope

GwC2 Lynwood Silt Loam 6-12% slope

PwA Pewamo Silty Clay Loam 0-1% slope

III. Description

The project is designed as an extension of the Clark-Shaw Moors project to the north which is currently in the Final Engineering phase of development. The 36-acre parcel is currently in agricultural use while the 6-acre parcel currently houses a single home with undeveloped land extending north. The land is generally flat with a small wooded area to the west and two depressions that begin to form streams that eventually head south through Scioto Reserve.

The design indicates a main access to Hyatts Road approximately 1,500 feet west of Steitz Road and roughly 2,000 feet east of Scioto Chase Boulevard. This road extends through the site to an eventual intersection with a road extending out of the Moors project to the north. A stub is located toward the east near the entrance and toward the northwest. The latter stub would likely require the combination of several portions of parcels to create a viable development area.

The 75 lots are designed at a minimum width and frontage of 75 feet, resulting in lot sizes of .23 acres, comparable to lot sizes in Scioto Reserve.

Open space of 12.55, or 32%, is distributed through the site. Approximately 5.5 acres of open space is under the high-tension power lines along the northern edge of the property. An additional 6.5 acres includes open space along Hyatts Road, the western edge of the site plan, and a preserved wooded area. An area of .7 acres at the southeast corner of the site would be roughly half of an open space area located in the proposed project to the east. Open space is passive, and will be landscaped with mounding along the southern and western side of the site.

Roads will include sidewalks, with 2,681 linear feet of additional asphalt paths through the open space connecting with proposed developments north and east of the site. Staff concurs with the addition of recreational features.

IV. Process

Concord Township's Planned Residential District is a single-step process. While some changes can be made to the approved Development Plan over the course of development, detail must be provided at the time of initial rezoning. If approved, the land would be rezoned and the Development Plan would be viable for three years. Extensions can be granted.

V. Comprehensive Plan

The 2004 Comprehensive Plan is currently in the process of being updated. The current plan recommends residential use at a density of 1.25 units per acre throughout much of the township. That plan predates the Sewer Master Plan update in 2006 and the construction of the Lower Scioto Wastewater Treatment Plant at Moore Road. These changes, as well as other development pressures, have necessitated the Township's effort to update its Comprehensive Plan. The Zoning Commission recently presented an updated plan to the Concord Township

Trustees, recommending 2 units per gross acre, or densities similar to Scioto Reserve, which is 1.85 units per gross acre. This project indicates 1.93 units per acre. The plan could be adjusted down to the 1.85 units per acre, which would result in a density of 72 units, possibly allowing more flexibility in lot frontage.

As noted with previous reviews, the Zoning Resolution allows 1 ½ units per gross acre. The addition of “quality items” allows additional density up to a maximum of 3 units per gross acre. The two applicable quality items appear to be “usable parks or public open or recreational space” and “pedestrian or bike trails provided as part of the development,” each conceivably allowing an additional one-half unit per acre in density.

VI. Divergences

Many of the standards normally appearing in the Development Standards section of the zoning code are “per plan” in the Concord Resolution. Therefore, the divergences requested are minimal.

The application lists a divergences request to allow driveways to be constructed within 40 feet of intersections. This applies to two public roads.

Staff comment: This is appropriate, as long as the affected streets are local in nature, according to the findings of the Traffic Impact Study. If internal streets rate as Collector streets, this issue may need to be reviewed.

VII. Issues

A. Setbacks

Specific setback standards are “per plan” in the Concord Zoning Resolution. The application notes that the side-yard setback will be 5' with a building separation of 10'. Front yards will be 25' setback and rear yards will be 20'.

Staff comment: The five-foot side yard setback with ten-foot building separation is a concern, based on materials. Section 21.03 requires separation and fire resistance rating shall be in compliance with the Ohio Basic Building Code or the local code. Staff recommends confirming the separation and fire resistance rating.

B. Phasing

The proposal indicates that the site will start construction in fall, 2016 and be developed in two phases. The first phase of 32 lots will include the eastern access to Hyatts. The second phase of 43 lots will include the remainder of the site.

C. Road alignment

The plan includes a single access to Hyatts road with access to the proposal on the adjacent property in Liberty Township. The configuration of lots to the west suggest that a single western stub is sufficient. The road network may benefit from the two cul-de-sacs being joined, converting the road into a loop street. This would have an environmental impact, however, with a smaller amount of woods being preserved. Staff also recommends a pedestrian path extending from the end of the western cul-de-sac to the north, joining the two cul-de-sacs with a path.

D. Utilities

The application includes service letters from major utility providers. The letter from the Regional Sewer District states that sanitary sewer is available to the site. Development is permitted to connect to the County sewer system provided that there is sufficient capacity available for the development and all requirements of the Sanitary Engineer’s office can be met. Sanitary sewer is not currently located on the subject parcel and a sewer extension from the future O’Shaughnessy pump station is required to serve this area. This is one of several proposals, including the existing Scioto Reserve development that will be served by the pump station at Butts Road and by Lower Scioto plant in Concord Township.

There is no letter from the County Engineer’s office and no informal review with Regional Planning staff. A Traffic Impact Study will be required which will determined which streets many need to be built as collectors.

E. General

The plan includes sample deed restrictions and commits to standards for building appearance and architectural detail. The application also includes landscaping detail as noted, which buffers existing homes. The entry features do not indicate lighting, and staff recommends that they not be lit. If provided, any landscape lighting should be low-voltage, down lighting with cutoff fixtures.

VIII. Staff Recommendations

Staff recommends **Conditional Approval** of the rezoning 38.9-acre rezoning from FR-1 to PRD by Metro Development for Heather Ridge, to the DCRPC, Concord Twp. Zoning Commission and Concord Twp. Trustees, *subject to:*

1. *Consideration of lowering the density slightly to allow wider lots with larger building separation;*
2. *Any landscape lighting should be downlighting with cutoff fixtures;*
3. *Extending a pedestrian path between the two cul-de-sacs.*

Commission / Public Comments

Mr. Todd Faris of Faris Planning and Design was present to represent the applicant. He stated that he agreed with Mr. Sanders recommendations.

Mr. Hray questioned the appearance of a stream on the aerial. Mr. Faris stated it was a swale. Mr. Sanders stated any drainage through this site would have to be managed and would go through the County Engineer review.

Mr. Stites understands that sewer is not yet to this site but asked Mrs. Jenkins if there was capacity for this project and how it would work to get it there. Mrs. Jenkins confirmed there is capacity. There is a pump station being built at the end of Butts Rd. and is close to completion. There is a trunk sewer that will come out of that pump station and cut across to Scioto Meadows, up Hyatts Road then serve this development, Clarkshaw Moors and the next zoning on the agenda. It is all in the planning process now.

Mr. Heid asked if the applicant has considered lowering the density as in the staff recommendation. Mr. Sanders explained that the Zoning Commission would need to make the determination. It would most likely be very similar to this.

Mr. Price made a motion to recommend Conditional Approval of the rezoning for 38.9 acres, subject to staff recommendation. Mrs. Jenkins seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

33-15 ZON Metro Development – Liberty Twp. – 176.71 acres from FR-1 to PR

I. Request

Metro Development, on behalf of the owner, is requesting a 176 acre rezoning from FR-1 to PR to create a 283

lot single family subdivision, Woodcrest Crossing. The site is made up of three parcels owned by Roy Jackson Trustee (two parcels) and Mary Jo Lane Trustee (one parcel).

II. Conditions

Location: north side of Hyatts Rd., south of Clark Shaw Rd., west of future Sawmill Parkway

Present Zoning: Farm Residential (FR-1)

Proposed Zoning: Planned Residential (PR)

Present Use(s): one house, vacant, agricultural

Proposed Use(s): 283 lot single family residential, open space

Existing Density: 1 du / 5 acres

Proposed Density: 1.6 du / gross acre, 2.0 du/ n.d.a.

School District: Olentangy Local School District

Utilities Available: Del-Co Water and central sanitary sewer

Critical Resources: wetlands

Soils: BoA Blount Silt Loam 0-2% slope

BoB Blount Silt Loam 2-4% slope

GwB Glynwood Silt Loam 2-6% slope

PwA Pewamo Silty Clay Loam 0-1% slope

III. Proposal

This proposal, to be named Woodcrest Crossing, includes 283 single-family lots all roughly similar in size between Hyatts Road and Clark-Shaw Road. The site is currently in agriculture with a home fronting on Hyatts. It includes two significant wooded areas, one at roughly 6.25 acres and the other at roughly 7.4 acres. High-tension overhead power lines also cross the southern portion of the site.

The project is an extension of the Clark Shaw Moors project to the west, as well as the Heather Ridge development in Concord Township which is on this same RPC agenda. The design includes the extension of Steitz Road from its current terminus with Hyatts Road. This will be designed as an arterial road with limited access and no driveway connections. Approximately 2500 feet of Steitz will be built, extending it north and then east into undeveloped property. Two roads will access the Steitz Road extension, with an additional access from Clark Shaw Road. The project will also connect to three road stubs that are part of the design for the Moors project, as well as a third connection to the Heather Ridge proposal in Concord Township.

The 283 lots are designed at a minimum width and frontage of 80 with a depth of 150 feet. Minimum lot size is .275 acres, slightly larger than those to the west.

Open space of 60.1 acres, or 32%, is distributed through the site. Approximately 9 acres of open space is under the high-tension power lines, some of which will serve as a detention area. Another 9 acres is located in the southeast corner of the site, providing an organized and landscaped area surrounding a pond. Almost 12 acres of woods will be maintained on the western half of the project. Another wooded area measuring approximately 11 acres is located on the southeast side of the Steitz extension. Within the site, two formal areas of 1.6 acres and 2.2 acres are landscaped with active recreation features and two larger open space areas sit along Clark-Shaw Road.

Roads will include 34,500 feet of sidewalks, with 12,900 linear feet of additional asphalt paths through the open space connecting with proposed developments west of the site, as well as along Clark-Shaw Road, Hyatts Road, and Steitz Road.

IV. Comprehensive Plan

The 2006 Liberty Township Comprehensive Plan recommends this area be developed with residential uses at a density of 1.25 units per acre with sewer. At 283 lots, this proposal requests a density of 1.6 units per gross acre. This is further discussed in the divergences section. While the proposal conforms as to use (single-family), it does not conform to the density recommendations. It also extends Steitz Road as a no-load arterial road, a goal that appears on the Comprehensive Plan as a recommendation from the 2001 Thoroughfare Plan.

The Zoning Commission may also want to consider reviewing its Comprehensive Plan with regard to other land uses. The current plan does not recommend non-residential uses north of Hyatts Road. A small, neighborhood-scale service area would be beneficial in the area. Even when the commercial area at Golf Village North develops, it will be 2-3 miles from the residents in this cluster of subdivisions. With a combined 590 lots in these two proposals plus the Moors project, with an additional 80 undeveloped acres west of the Moors and additional acreage to the east, a local retail area would reduce trips on existing streets, including Sawmill Parkway.

V. Divergences

The applicant is requesting six divergences which are detailed in the application but summarized here:

1. Divergence requested from the Comprehensive Plan-recommended density of one unit per net developable acre to be increased to 1.6 dwelling units per gross acre. The applicant states that this variation is needed in response to the requirement to extend Steitz Road as a limited access arterial road as designated on the 2001 Thoroughfare Plan. The density reflects development patterns in the area that are two dwelling units per acre.
Staff comment: *Liberty Township's Comprehensive Plan is almost ten years old. While it did anticipate the extension of Sawmill Parkway, it did not anticipate the growth associated with the Moore Road wastewater treatment plant as it relates to the east side of the reservoir. The current plan calls for 1 dwelling unit per net developable acre. The Liberty Township Zoning Resolution does not include NDA in its Planned Residential language but does recommend using it in the Comprehensive Plan and defines it in the resolution. The current resolution uses 15% for streets, jurisdictional wetlands, floodplains, slopes greater than 20%, existing above-ground utilities, and existing bodies of water.*

Using existing GIS information, staff calculates the following for this group of parcels:

*15% for roads: 26.51 acres
AEP easement: 10.24 acres
NWI Wetlands: 4.43 acres
Remaining land (N.D.A.): 135.53 acres*

Given that rough calculation, the 135.53 acres would yield 135 lots using the strict definition within the Comprehensive Plan. The requested 283 lots is 1.6 units per net acre and 2 units per gross acre.

It should be noted that the applicant is providing a substantial amount of open space where the code does not specifically define an open space requirement. The applicant is also committing to investments within these open spaces including walking paths, a tot-lot playground, and landscape/hardscape features. Finally, the extension of Steitz Road is a significant expense as proposed. To the west, the Moors project is approved at roughly 2 units per gross acre. It should be noted that these lot sizes are comparable to many of the internal lots in Golf Village which do not back up to the golf course. These lots and homes are generally valued at ~\$350,000. Lots in Scioto Reserve are typically 70 feet wide, so these proposed lots are larger at 80 feet.

2. Divergence requested from the side yard setback requirement of 25 feet to be reduced to 8 feet for a separation of 16 feet.
Staff comment: *The PR language does not dictate a minimum lot width, so 25 feet has always seemed excessive when the goal is the most efficient use of land. This request has been made on other developments and a 25-foot separation is typically desired. The township should consult with the Fire Chief regarding this request. This request appears to be reasonable based on what has been approved in other developments.*

3. Divergence requested to allow the rear yard setback be reduced from 25 feet to 10 feet for structures other than the principal structure.
Staff comment: *This was a change recommended in the new Zoning Resolution and is appropriate. These lots are similar in depth to Scioto Reserve lots and 10 feet is a reasonable rear setback for accessory structures.*
4. Divergence requested to allow driveways to be located no closer than 30 feet from an intersection where the current code requires spacing of 100 feet. In situations where the intersection is designed as a three-way intersection, the request is for no limitation on driveway placement.
Staff comment: *Distance from an intersection is not a County Engineer standard. Based on the connectivity of this proposal, traffic will be more dispersed as it travels throughout the site, with fewer roads serving as collectors. However, as traffic enters the site, there will be points where traffic is greater. Staff does not support this divergence for lots that are located near the first few intersections after entering the site, especially the intersections in front of Lot 66, 237, 232, and 249. Proposals never include locations where traffic will be required to stop, so these issues are often difficult to judge. Staff recommends continuing to work as the traffic study is finalized and patterns are better understood. Driveways should avoid conflicts at intersections in areas with higher traffic.*
5. Divergence requested to allow the structure separation required be reduced from 25 feet to 16 feet. Applicant states that divergences of 6-foot separation has been granted by the township previously.
Staff comment: *This is a similar standard as the one noted under Item #3 above. Again, this is reasonable, if the local fire department is comfortable with this request.*
6. Divergence requested to allow entrance signs at each entry to be on both sides of the street. The total sign area will not exceed the total allowed if the signs were two-sided.
Staff comment: *This request seems reasonable.*
7. Divergence requested to allow temporary free-standing marketing signs to be placed upon the property and maintained until 100% of the units are sold where the code says 90%, and that three signs be allowed – one along Hyatts, one at Steitz, and one at Clark-Shaw.
Staff comment: *The requirement to remove the sign when 90% of the units are sold seems to be sufficient, but the code also has a limitation on the amount of time such signs can be in place. Perhaps a combination of time and units sold could be defined. Also, the language under 22.07(C) which regulates real estate signs allows additional signs when a parcel has frontage on an additional street, so a sign on each access road is reasonable.*
8. Divergence requested to allow a permanent subdivision sign on each side of the roadway at all three entries – one at Clark-Shaw and two at Steitz Road. Signage shall conform to setbacks and height requirements.
Staff comment: *This Section is related to Conditionally Permitted Signs that are presented to the BZA and is not intended for use in the initial approval of a Development Plan.*
9. Divergence requested to allow a temporary marketing sign allowed without platting where the code requires that a permit be granted when “all provisions of this Zoning Resolution” have been complied with.
Staff comment: *The reference to 25.02 may be incorrect, or may summarize other requirements. Please review and clarify that this divergence is correctly referenced and needed. This may need to refer to the PR section 10.06(F) which requires a plat before any permit can be granted. This is reasonable.*

VI. Roads and Circulation

The road network appears to be feasible for the site. The block-and-street pattern is a welcome departure from the typical curvilinear pattern that is sometimes difficult to find your way through. High connectivity decreases isolation and increases accessibility. An additional connection may be beneficial by extending the cul-de-sac

between lot 9 and 23 to the north, connecting roughly where lot 54 is located. These issues will continue to be discussed as this development proceeds through the subdivision phase.

Sidewalks are proposed on both sides of streets, which is supported by the Subdivision Regulations. Also, as noted above, wider multi-use paths will be located throughout the site as well as along existing streets and Steitz Road. Staff concurs with these features as they relate to the accessibility noted above, as they provide recreational benefits for the residents and adjacent properties and as a health benefit to the people who use the facilities.

VII. Utilities

The application includes service letters from major utility providers. The letter from the Regional Sewer District states that sanitary sewer is available to the site. Development is permitted to connect to the County sewer system provided that there is sufficient capacity available for the development and all requirements of the Sanitary Engineer's office can be met. Sanitary sewer is not currently located on the subject parcel and a sewer extension from the future O'Shaughnessy pump station is required to serve this area. This is one of several proposals, including the existing Scioto Reserve development that will be served by the pump station at Butts Road and by the new plant on Moore Road in Concord Township.

There is no letter from the County Engineer's office or prior informal discussion with Regional Planning staff, except as related to the extension of Steitz Road. The alignment shown fairly reflects those discussions. While Steitz was recommended in the Thoroughfare Plan to extend north and then east toward Sawmill Parkway, the parkway extension has been designed as a limited access road with no consideration given to a new intersection with Steitz. Further, if the further extension of Steitz forms an intersection with Clark-Shaw, it is unknown at this point where that intersection should be. The road as proposed allows for some flexibility when adjacent property is developed.

A Traffic Impact Study will be required which will determine which streets may serve as collectors.

VIII. Criteria for Approval

The Zoning Resolution requires that the reviewing authorities determine whether a proposal is consistent with the Zoning Resolution, whether it conforms to the Comprehensive Plan, and if it advances the general welfare of the Township and immediate vicinity.

***Staff response:** Based on the comments made within this report, and the considerations for the divergences as listed in the Conditions below, this plan is generally in conformance with the Comprehensive Plan, except as to density, and will potentially advance the general welfare of the immediate vicinity. Lowering the density will also reduce the need for dimensional and setback divergences.*

IX. Staff Recommendations

Staff recommends **Conditional Approval** of the rezoning by Metro Development for 176 acres from FR-1 to PR for Woodcrest Crossing, to the DCRPC, Liberty Twp. Zoning Commission and Liberty Twp. Trustees, *subject to:*

1. *Submission of a Net Developable Acreage calculation and reducing the lot count to a number closer to that recommended in the Comprehensive Plan;*
2. *Approval of setback divergences;*
3. *Review of the traffic patterns and stop locations before approving the divergence to allow driveways 30 feet from intersections;*
4. *Approval of the entrance sign divergence;*
5. *Further review of the divergence request for temporary marketing signs and consideration of establishing a time limit, or keeping the regulation at 90% of units sold;*
6. *Clarifying whether the divergences related to Conditionally-Permitted Signs and temporary marketing signs are applicable.*

Further, staff recommends that the Zoning Commission review the Comprehensive Plan and consider a location or locations for future

neighborhood service-oriented retail uses that would service this general area while adding to the tax base of the township.

Commission / Public Comments

Mr. Todd Faris with Faris Planning and Design was present to represent the applicant. He stated that they would work with the Township on Mr. Sanders’s recommendations.

Mr. Clase made a motion for Conditional Approval of the rezoning for 176 acres by Metro Development, subject to staff recommendations (1-6). Mr. George seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

IV. SUBDIVISION PROJECTS

Preliminary (none)

Preliminary/Final (none)

CONSENT AGENDA

Final

09-14 London Crossing – Genoa Twp. - 13 lots / 10.094 acres

I. Conditions

- Applicant:** Romanelli & Hughes
- Subdivision Type:** Single Family Residential
- Location:** North side of Freeman Rd., west of Blackhawk Forrest Drive
- Current Land Use:** Single-family home and barn
- Zoned:** Suburban Residential (SR)
- Preliminary Approval:** May 28, 2014
- Utilities:** Del-Co Water, on-site treatment
- School District:** Westerville
- Engineer:** Stantec Consulting

II. Staff Comments

London Crossing is a proposed 13-lot subdivision on Freeman Road. The plan utilizes a simple cul-de-sac design, named Dax Lane. The area is zoned Suburban Residential, requiring a minimum lot size of 20,000 s.f. with no open space requirement. Water detention facilities are located on the western edge of the property, extending across several lots. This drainage eventually outlets to two separate watersheds. No widening is required on Freeman Road. Sidewalks are provided within the subdivision.

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 **London Crossing** to the DCRPC.

Commission / Public Comments

Mr. George made a motion for Final Approval of London Crossing, seconded by Mr. Merrell. VOTE: Unanimously For, 0 Opposed. Motion carried.

11-15 **Nance Family CAD – Harlem Twp. - 02 lots / 12.17 acres**

I. Conditions

- Applicant:** Harold Nance
- Subdivision Type:** Single Family Residential, Common Access Driveway
- Location:** West side of Harlem Rd., north of Center Village Rd.
- Current Land Use:** Single-family home
- Zoned:** AR-1 (Agricultural Residential)
- Preliminary Approval:** July 29, 2015
- Utilities:** Del-Co Water, on-site treatment
- School District:** Big Walnut
- Engineer:** Patridge Surveying, Steve Fox

II. Staff Comments

The Nance Family CAD is a subdivision to allow an existing flag lot to serve an existing house as well as a new house site to the west. The CAD and utility easement will utilize the existing driveway which runs along the flag portion of the lot. Each lot will be larger than the 5-acre minimum per the zoning district. The second house lot has been reviewed by the various county agencies as well as the Harlem Township Fire Department, which concur with the plan.

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 **Nance Family CAD** to the DCRPC.

Commission / Public Comments

Mr. George made a motion for Final Approval of Nance Family CAD, seconded by Mr. Merrell. VOTE: Unanimously For, 0 Opposed. Motion carried.

12-13.1 **The Heathers at Golf Village, Section 1 – Liberty Twp. - 36 lots / 16.657 acres**

I. Conditions

- Applicant:** Pulte Homes of Ohio LLC
- Subdivision Type:** Single Family Residential
- Location:** East side of Sawmill Parkway, south of Hyatts Rd.
- Current Land Use:** Vacant
- Zoned:** PR (Planned Residential)

Preliminary Approval: July 24, 2013
Utilities: Del-Co Water, central sanitary sewer
School District: Olentangy
Engineer: EMH & T

II. Staff Comments

The Heathers is an overall 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. These accesses include a full access to the south and a right-in/right-out to the north. Section 1 includes both of these accesses and other roads serving 36 lots. There are 33 buildable lots and three open space areas. Two open space areas are located along Sawmill Parkway. A long, 1.28-acre area of open space is located as a central feature to the subdivision. One road, Timber Valley Drive, connects the two entrances while two roads (Pasture Ridge and Stoney Bluff) proceed east through the site. Five stubs are provided for future sections of The Heathers.

Lots are generally 65' x 110' (7,150 s.f.) in size. The Environmental Services office is requiring an appropriate area to extend a trunk line either through or adjacent to this site.

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 1** to the DCRPC.

Commission / Public Comments

Mr. George made a motion for Final Approval of The Heathers at Golf Village, Section 1, seconded by Mr. Merrell. VOTE: Unanimously For, 0 Opposed. Motion carried.

16-14 **Enclave at the Lakes – Orange Twp. - 44 lots / 24.6 acres**

I. Conditions

Applicant: M/I Homes
Subdivision Type: Single Family Residential
Location: East side of Africa Rd., north of Sanctuary Dr.
Current Land Use: vacant
Zoned: SF-PRD (Single Family Planned Residential District)
Preliminary Approval: July 30, 2014
Utilities: Del-Co Water, central sanitary sewer
School District: Olentangy
Engineer: Watcon Engineering

II. Staff Comments

Enclave at the Lakes was approved through the Orange Township zoning process as part of Sanctuary at the Lakes but did not proceed concurrently with the Preliminary approval of Sanctuary. It includes a single access point onto Sanctuary Drive, called Enclave Boulevard. A second road, McAlister Park Drive, circulates through the site, ending in a cul-de-sac to the east. Lots are smaller than typical single-family lots, at 65'x135' or 8,775 square feet. No connectivity is available as reviewed and approved through the zoning phase. Such

connections would have been difficult given the surrounding development and the topography of the site.

There are areas of floodplain located on this site. This issue was addressed during the construction phase, since Enclave Boulevard creates a crossing. Smaller areas of floodplain overlap slightly with several buildable lots. A Conditional Letter of Map Revision has been approved and reflected on the plat. The final LOMR-F has been filed with the case number added to the plat.

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 **Enclave at the Lakes** to the DCRPC.

Commission / Public Comments

Mr. George made a motion for Final Approval of Enclave at the Lakes, seconded by Mr. Merrell. VOTE: Unanimously For, 0 Opposed. Motion carried.

03-06.2 Meadows at Lewis Center, Section 2 – Orange Twp. - 37 lots / 15.80 acres

I. Conditions

Applicant: Jones/Lewis Center, LLC.
Subdivision Type: Single Family Residential
Location: North side of Lewis Center Rd., west of S. Old State Rd.
Current Land Use: Single-family home, barns
Zoned: SF-PRD (Single Family Planned Residential District)
Preliminary Approval: June 23, 2014
Utilities: Del-Co Water, central sanitary sewer
School District: Olentangy
Engineer: The Kleingers Group

II. Staff Comments

The first section of Meadows at Lewis Center was recorded in 2011 and was the site of the 2012 Parade of Homes. Two other plats were recorded, completing the original site plan for Section 1. First approved in 2006, several changes in ownership have taken place on the various subject parcels. Based on those changes and the fact that the remaining land to the north and west are currently in speculation for separate uses, the applicant received approval of a revised Preliminary in 2014 and withdrew any plans west of this site.

Koester Trace is being extended west and then turning north. A new road, Joab Street, travels north and extends to the northern property line. Woodstock Avenue travels east/west and stubs to the west. The stub represents an amendment from the approved preliminary, but the option to configure the road in this way was reflected in the approval. This section includes 37 buildable lots and 1.165 acres of open space.

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 **Meadows at Lewis Center, Section 2** to the DCRPC.

Commission / Public Comments

Mr. George made a motion for Final Approval of Meadows at Lewis Center, Section 2, seconded by Mr. Merrell. VOTE: Unanimously For, 0 Opposed. Motion carried.

V. EXTENSIONS *(none)*

VI. OTHER BUSINESS

- 2016 Budget – 1st Review

Mr. Sanders presented the first draft of the 2016 Budget. There are no major expenses anticipated. Traditional expenses include continuing education and related travel, unexpected building maintenance, general materials and supplies. This proposed budget continues to remain conservative in revenue estimates. The current projected carry forward into 2016 and anticipated continuance of steady platting allowed the Executive Committee to recommend a 30¢ credit on dues paid the previous year.

Mr. Stites credited the RPC staff for running a very efficient and effective office with three people. There was a time several years ago when the carry forward was enough to sustain the office. Since that time, platting has picked up and revenue has been generated. Staff does not want to continue to carry forward large amounts but does need to prepare for the possibility of additional staff, purchase of a car or office space. Eventually the lease for the building will end but we are hoping the Commissioners will continue to think highly of the value the Regional Planning provides for this County. But there needs to be money there to deal with those things as they come up. Any questions can be directed to himself for Mr. Sanders. The Commission will be asked to vote at the November meeting.

- Consideration for Approval: GIS computer purchase up to \$2,500.00

Mr. Merrell made a motion for Approval of up to \$2500 for a GIS computer. Mr. Fowler seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

VII. POLICY / EDUCATION DISCUSSION

- Delaware General Health District – presentation and discussion of proposed sewage rules (see attached Power point)
- The annual Demographic information has been updated on the website with population projections and updates from the most recent American Community Survey. It can be accessed from the website by clicking on **County demographic information** on the home page or directly at www.dcrpc.org/RESOURCES/demographics.htm.

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

Having no further business, Mr. Merrell made a motion to adjourn the meeting at 8:20 p.m. Mrs. Jenkins seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

The next meeting of the Delaware County Regional Planning Commission will be Thursday, November 19, 2015, 7:00 PM at the Willis Building, 2079 US 23 North, Conference Room, Delaware, Ohio 43015.

Dave Stites, Chairman

Stephanie Matlack, Executive Administrative Assistant