



Delaware County Regional Planning Commission

109 North Sandusky Street
P.O. Box 8006, Delaware, Ohio 43015
740-833-2260 fax 740-833-2259
www.dcrpc.org

Scott B. Sanders, AICP
Executive Director

MINUTES

Thursday, October 30, 2014 at 7:00 PM
Delaware County Commissioners' conference room,
101 N. Sandusky St., Delaware, Ohio 43015

I. ADMINISTRATIVE BUSINESS

- Call to order
- Roll Call
- Approval of September 25, 2014 RPC Minutes
- Executive Committee Minutes of October 22, 2014
- Statement of Policy

II. VARIANCES *(none)*

III. ZONING MAP/TEXT AMENDMENTS

20-14 ZON Tuller Square Northpointe LLC – Orange Twp. – 5.1 acres – zoned PC – development plan amendment
 21-14 ZON Project Sandstone – Orange Twp. – 74.1 acres – zoned PCD – development plan amendment
 22-14 ZON James Property Management Ltd. – Berlin Twp. – 21.34 acres from FR-1 to R-2 w/PRD overlay

IV. SUBDIVISION PROJECTS

Preliminary

			Township	Lots/Acres
22-14	T	Hawk's Nest	Genoa	13 lots / 31.54 acres
21-14		Creekside Industrial Park	Orange	08 lots / 92.55 acres

Preliminary/Final *(none)*

Final

03-13.1		Mirasol, Section 1	Genoa	32 lots / 17.04 acres
03-12.2.A		Trail's End, Section 2, Phase A	Liberty	29 lots / 28.72 acres
08-12.2.1	T	Sanctuary at the Lakes, Sec. 2, Pt. 1	Orange	35 lots / 22.79 acres

T=TABLED, W=WITHDRAWN

V. EXTENSIONS *(none)*

VI. OTHER BUSINESS

- 2015 Budget – 1st review

VII. POLICY / EDUCATION DISCUSSION *(none)*

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

I. ADMINISTRATIVE BUSINESS

▪ **Call to Order**

Chairman O'Brien called the meeting to order at 7:10 p.m.

▪ **Roll Call**

Representatives: Jeff George, Susan Kuba, Fred Fowler, Gary Merrell, Ken O'Brien, Steve Burke, Barb Lewis, Dave Stites, Matt Huffman, Bill Thurston, Bonnie Newland, and Mike Dattilo. *Alternates:* Doug Reidel and Larry Witt. *Staff:* Scott Sanders, Da-Wei Liou, and Stephanie Matlack.

Due to no quorum, Mr. O'Brien asked Mr. Sanders to present the proposed 2015 Budget and meeting schedule. He explained that the Commission should review the proposal for the November meeting and vote.

At 7:30 p.m., Mr. Farahay arrived which made quorum. Mr. O'Brien stated that without objection he would continue on with the meeting without a roll call. There were no objections.

▪ **Approval of the September 25, 2014 RPC Minutes**

Mr. George made a motion to Approve the minutes from September 25, 2014. Mrs. Kuba seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

▪ **October 22, 2014 Executive Committee Minutes**

1. Call to order

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

2. Approval of Executive Committee Minutes from September 17, 2014

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

3. New Business

- Financial / Activity Reports for September 2014

REGIONAL PLANNING RECEIPTS		SEPTEMBER	YTD TOTAL
General Fees (Lot Split)	(4201)	\$1,025.00	\$5,535.00
Fees A (Site Review)	(4202)	\$300.00	\$4,800.00
Insp. Fees (Lot Line Transfer)	(4203)	\$100.00	\$1,800.00
Membership Fees	(4204)		\$268,280.00
Planning Surcharge (Twp. Plan. Assist.)	(4205)		\$3,017.64
Assoc. Membership	(4206)		
General Sales	(4220)		\$10.00
Charges for Serv. A (Prel. Appl.)	(4230)	\$15,700.00	\$120,149.60
Charges for Serv. B (Final. Appl.)	(4231)	\$7,200.00	\$27,553.80
Charges for Serv. C (Ext. Fee)	(4232)	\$150.00	\$600.00
Charges for Serv. D (Table Fee)	(4233)		\$400.00

Charges for Serv. E (Appeal/Var.)	(4234)	\$300.00	\$1,325.00
Charges for Serv. F (Planned District Zoning)	(4235)	\$300.00	\$3,900.00
OTHER DEPT. RECEIPTS			
Health Dept. Fees	(4242)		\$7,665.00
Soil & Water Fees	(4243)	\$325.00	\$5,350.00
MISCELLANEOUS REVENUE			
Other Reimbursements	(4720)		\$207.64
Other Reimbursements A			
Other Misc. Revenue (GIS maps)	(4730)		\$1,354.28
Misc. Non-Revenue Receipts	(4733)		
Sale of Fixed Assets	(4804)		
TOTAL RECEIPTS		\$25,400.00	\$451,947.96

Balance after receipts	\$706,775.14
Expenditures	- \$ 21,839.09
End of September balance (carry forward)	\$ 684,936.05

After discussion of the financial reports, Mrs. Kuba made a motion to approve the financial reports as presented for audit. Mr. Stites seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

- Site Review: *(none)*
- October RPC Preliminary Agenda
 - 1.) Rezoning:
 - Tuller Square Northpointe LLC – Orange Twp. – 5.1 acres – zoned PC – development plan amendment
 - Project Sandstone – Orange Twp. – 74.1 acres – zoned PCD – development plan amendment
 - James Property Management Ltd. – Berlin Twp. – 21.34 acres from FR-1 to R-2 w/PRD overlay
 - 2.) Variance: *(none)*
 - 3.) Preliminary:
 - Hawk’s Nest – Genoa Twp. – 13 lots / 31.546 acres
 - Creekside Industrial Park – Orange Twp. – 08 lots / 92.55 acres
 - 4.) Preliminary/Final: *(none)*
 - 5.) Final:
 - Mirasol, Section 1 – Genoa Twp. – 32 lots / 17.044 acres
 - Trail’s End, Sec. 2, Ph. A – Liberty Twp. – 29 lots / 28.721 acres
 - Sanctuary at the Lakes, Section 2, Pt. 1 – Orange Twp. – 35 lots / 22.79 acres (Tabled)
 - 6.) Extension: *(none)*
- Director’s Report
 - 1.) Reformatted Demographics section on website. Da-Wei completed the annual update and those changes were made as well.
 - 2.) Updated the new web map under the “Development Trends” tab. Map shows zonings, active subdivisions, and proposed road alignments from all comprehensive plans, the Thoroughfare Plan,

and any internal discussion. Also added a table of all the Preliminary approvals for the previous 12 months.

- 3.) I have worked with Da-Wei to expand the Olentangy Schools project showing how different densities affect student generation – have doubled the number of projects, will provide later.
 - 4.) Reformatted website to a larger window size.
 - 5.) Oxford Zoning Code: reformatted, made internal updates similar to the County code and delivered to township for discussion.
 - 6.) Convention and Visitors' Bureau: President resigned to return to law firm, I am president-elect.
 - 7.) Attended final Health Impact Assessment meeting with Health District hosting regarding the Outlet Mall.
 - 8.) County Planning Directors (officers) meeting with CCAO regarding proposed agritainment language on 10/29.
 - 9.) Approached about additional office space for the IT department – couldn't give up the other room on the second floor – if they need it, they may put someone on the top floor.
 - 10.) MORPC would like to make a presentation regarding the Sustaining Scioto project at the November 20th RPC meeting.
 - 11.) Looking at resumes for potential intern for GIS/ planning work.
- 2015 Budget – First review

Mr. Sanders reviewed the proposed 2015 Budget. The Committee agreed to increase staff's proposed expenses in Materials & Supplies to \$8,300 and Services and Charges to \$53,310. Staff will make those changes and present to the Commission

Projected carry forward to 2015	\$589,043
Projected 2015 Revenues	\$349,528
Projected 2015 Expenses	\$350,186
Carry forward to 2016	\$588,385

Mr. Stites made a motion to recommend Approval of the revised proposed 2015 Budget, seconded by Mr. George. VOTE: Unanimously For, 0 Opposed. Motion carried.

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

Having no further business, Mrs. Jenkins made a motion to adjourn the meeting at 11:15 a.m. Mrs. Kuba seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

The next regular Executive Committee meeting will be Wednesday, November 12, 2014 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

20-14 ZON Tuller Square Northpointe LLC – 5.1 acres – zoned PC – development plan amendment

I. Request

The applicant Tuller Square Northpointe LLC, is requesting a development plan amendment for 5.1 acres zoned Planned Commercial for the Northpointe Plaza Outparcels.

II. Conditions

Location: north side of Meadow Park Ave., east of US 23 and west of Highfield Dr.

Present Zoning: Planned Commercial (PC)

Proposed Zoning: Planned Commercial (PC)

Present Use(s): parking lot and green space

Proposed Use(s): out parcels and green space

School District: Olentangy Local School District

Utilities Available: Del-Co Water and public sanitary sewer

Critical Resources: none

Soils: UdB Udorthents, Clayey-Urban Land Complex

III. Current Site and History

Tuller Square Northpointe LLC and Casto intend to take an existing commercial development and amend the development plan to allow four additional outlots. The development currently houses a Wal-Mart and Kohl's as major anchors. Numerous in-line retailers are located between the anchors, as well as along the northern edge of the site. Outlots include Buffalo Wings and Rings, Burger King, Arby's, Chase Bank, and McDonald's.

The zoning for this property predates the digital records of the RPC. The platting and lot data in the Auditor's information indicates a two-lot subdivision from 1979 that was vacated. There was also a plat recorded in January, 1988, for the northern half of the site which dedicated Highfield Drive, Meadow Park Avenue, and portions of U.S. Route 23. However, all the parcels that appear today have frontage on either U.S. 23 or Highfield Drive and were created using a metes and bounds description for each.

Access is provided through two full accesses on U.S. 23 and two right-in/right-outs there as well. Two full accesses are provided on Meadow Park Avenue and three full accesses serve the rear of the development from Highfield Drive.

The applicant plans to use an area of green space along U.S. 23 as an outlot as well as develop three outlots interior to the site. This will utilize currently underused parking areas generally in front of Kohl's. Internal circulation will remain largely the same, with no indication of changes to the north-south shared drive that

currently runs behind the existing outlots.

IV. Issues

Staff supports the plan as it increases the value of existing, currently underutilized commercial land.

Access and circulation – This is the main issue, given the current development of the site. The access to Meadow Park Drive is currently 300’ from U.S. 23. Aligned with the Giant Eagle access to the south, this intersection can be difficult to use. Ideally, this access would be shifted farther east, a change that would be unlikely, given the existing access to Giant Eagle. Access to individual lots will need to be reviewed as well. Ideally, these would align with existing drives to the west, thus decreasing the number of conflict points. Some improvements to the north/south private drive should be considered by the applicant. This drive may need turn lanes, particularly at the southern end, given the increase in interior traffic. This is a private drive, so these details are up to the applicant.

Green Space – the new outlots will each include some green space. This will bring natural areas into the current parking lot while mitigating the loss of the existing open space which is being developed as the outlet on 23. The 2010 Comprehensive Plan anticipated that redevelopment would be ideal within the interior of the site, but recommended that the buildings be closer to the east/west drive through the site. The plan shows green space adjacent to that driveway. Either would work, and staff recommends leaving flexibility in the development plan so that the end user could choose where to place the required open space for the individual lot.

Parking – Parking is not specifically indicated on each of the new lots, but each development plan will need to be reviewed by the township to ensure the parking standards are met. The township notes that there was more parking than required when this site was originally developed. However, the number of remaining lots in front of Kohl’s and the attached inline stores should be reviewed for compliance with the current regulations. Some shared parking should be anticipated as different uses will likely have different peak needs.

Sanitary Service – Applicant should ensure that the existing sanitary infrastructure can accommodate the proposed increase in development.

Platting – although the existing lots were created by description, these interior lots must be platted, since they will involve “easements of access” and do not have direct frontage on a public street.

V. Staff Recommendations

Staff recommends **Conditional Approval** of the development plan amendment for Tuller Square Northpointe LLC to the DCRPC, Orange Twp. Zoning Commission, and Orange Twp. Trustees, *subject to:*

1. *Recommendation of improvements to the private drive east of the existing outlots;*
2. *Leaving flexibility in the development plan regarding the location of green space for individual lots – encourage the interior lots to pull their buildings toward the east/west drive; and*
3. *Ensuring the remaining parking is sufficient for the existing buildings.*

Commission / Public Comments

Mr. Lou Visco with Casto was present to answer questions from the Commission.

Mr. George made a motion for Conditional Approval for Tuller Square Northpointe LLC, subject to staff recommendations #1-3. Mr. Gunderman seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Orange Twp.). Motion carried.

21-14 ZON Project Sandstone – Orange Twp. – 74.1 acres – PC & MFPRD to PC

I. Request

The applicant, ICSP, is requesting a rezoning of 74.1 acres zoned Planned Commercial and Multi-Family Planned Residential District to Planned Commercial for Project Sandstone.

II. Conditions

Location: southwest corner of Home Rd. and US 23

Present Zoning: Planned Commercial (PC) and Multi Family Planned Residential District (MFPRD)

Proposed Zoning: Planned Commercial (PC)

Present Use(s): vacant

Proposed Use(s): Data and Technology Facilities

School District: Olentangy Local School District

Utilities Available: Del-Co Water and public sanitary sewer

Critical Resources: streams/drainage course, wetlands, slopes $\geq 20\%$

Soils: GwB Glynwood Silt Loam 2-6% slopes

GwC2 Glynwood Silt Loam 6-12% slopes

PwA Pewamo Silty Clay Loam 0-1% slopes

LyD2 Lybrand Silt Loam 12-18% slopes

BoA Blount Silt Loam 0-2% slopes

III. History of the Site

Located on the corner of Home Road and U.S. 23, the current zoning and development plan was reviewed by the Regional Planning Commission in January of 2004. That plan included 68 acres of Commercial, Retail, and Office and 14.33 acres of Multi-Family condos at 45 housing units. The Multi-Family area was proposed along the south side of the property, west of the proposed extension of Gooding Boulevard.

The site proceeded to the subdivision phase, where the RPC approved a Preliminary Plan in December, 2009. That plan was extended to January, 2013, at which point the subdivision was no longer “active.” However, that plan showed the extension of Gooding Boulevard to Home Road, an extension shown on the township’s Comprehensive Plan and anticipated in the platting of North Orange to the south. It also showed the relocation of Home Road toward the south, to a new intersection with U.S. 23, an improvement planned for in the 2001 Thoroughfare Plan. This relocation has since become a County project and is in the design phase with the project expected to be bid in 2015.

IV. Proposal

The current proposal is to rezone the area south of the relocated Home Road to Planned Commercial and Office for the purpose of allowing, specifically, Data and Technology Facilities, as well as the other uses typically allowed in Orange Township’s PCD zoning designation. The plan indicates five large buildings and an office facility, as well as an electrical substation and significant detention areas.

The facility takes primary access from the relocated Home Road. The plan shows a gate beyond the office access, leading to an internal private driveway network throughout the site. There is a second access at the northern terminus of Gooding Blvd, first providing access to the substation and then a gated access to the internal driveway network.

Based on the security needs of the site, mounding and landscaping are provided along U.S. 23 and Home Road. Steel palisade fencing is provided on the inside of the mounding and a 12-foot vinyl fence will be located between the existing condos to the south and the substation. Development will be phased, with the first phase including

the substation to the south and Building 1 in the northwest corner of the site.

V. Issues

This has been communicated as an important project with the potential to stimulate other activity and be a long-term benefit to Orange Township and Delaware County.

Gooding Blvd. – as noted elsewhere in the report the Gooding Boulevard connection has appeared in the township's Comprehensive Plan and has been anticipated with the North Orange plat as an important northern connection to this backage road that takes access to U.S. 23 across from at Orange Point Drive. Based on the need to eventually develop facilities throughout the site and the security related to the development, no public connection is anticipated. Letters are included that indicate ODOT and the County Engineer have accepted that there will be no extension of Gooding Blvd. However, staff feels strongly that it should at least extend into the site, turn east and provide a right-in/right-out across from the proposed right-in/right-out at the Mt. Carmel site. If no through connection is made, the Township should ensure that if, for some reason this project is not built, any future development of the site adds the Gooding Boulevard connection as planned.

Buffering – as noted, buffering is substantial and includes mounding, landscaping, and three types of fencing. That plans shows a 45-foot parking setback and an 80-foot building setback. The proposed buildings are actually farther from the property line than required and the parking is as well. Within that setback, the plan shows landscaping, mounding, a crossbuck fence, a 10-foot bike path, as well as existing telephone and gas line. The applicant should ensure that the improvements can fit within the space provided.

Buffering along the southern edge is intended to create a visual barrier between The Village at North Falls condos to the south and the utility substation. This area was previously approved as 45 units of multi-family units, similar in style to the North Falls development, providing a similar use before transitioning to commercial and office on the other side of the stream and ravine within this site.

Some mounding is shown between North Falls and the site as a 4-foot to 8-foot mound shown on the east and west of the substation. However, most of the buffering is via a 12-foot fence which takes advantage of an existing treeline, the majority of which is located on the parcel being rezoned. A cross-section indicates that this fence will shield the neighboring condos from the substation, but the fence itself is a solid, vinyl, simulated stone fence. In addition, this area indicates a significant sewer easement which could impact the existing trees, removing part of the natural buffer and making the fence more visible, particularly in winter months. The applicant should seek a buffering configuration that is more natural in appearance while leaving space for the future sewer line.

The buffering between the Phase 1 building and the existing homes along Home Road indicates a double row of trees and no mounding. Staff recommends more attention paid to this area of the development plan.

VI. Staff Recommendations

Staff recommends **Conditional Approval** of the rezoning of 74.1 acres for Project Sandstone to the DCRPC, Orange Twp. Zoning Commission, and Orange Twp. Trustees, *subject to:*

1. *Consideration of extending Gooding Boulevard within the site and immediately turning east for access to U.S. 23.*
2. *Improving the buffering between the utility substation and the condos to the south, as well as between Building #1 and the existing residences along Home Road.*

Commission / Public Comments

Mr. Mark Ford with Ford Architects was present.

Mr. Farahay stated that there will need to be a lot of cooperation regarding the buffering along the southern

border due to the sewer line. He believes the Township is in favor of securing a right-in/right-out access. As for the Home Road residents, believes this project would generate significantly less traffic than retail.

Mr. Ford mentioned that they have met with the Township and the County Engineer, along with ODOT. ODOT prefers no additional curb cuts along US 23. This is a low traffic generated use.

Mr. O'Brien expressed his concern with buffering. He feels that there are significant issues there but thinks they can be accommodated. Mr. Ford stated they are working with AEP on the design of the substation. They have met with the Sanitary Engineer to determine what all needs to be in that easement area. They understand they might have to compromise some of the existing trees but it is their intent to replace them with some type of additional buffering.

Mr. Stites made a motion to recommend Conditional Approval of Project Standstone, subject to staff recommendations #1-2. Mr. George seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Orange Twp.). Motion carried.

22-14 ZON James Property Management Ltd. – Berlin Twp. – 21.34 acres from FR-1 to R-2 w/PRD overlay

I. Request

The applicant, Charlie Vince, is requesting a rezoning of 21.34 acres from FR-1 to R-2 with PRD overlay for a 20-lot single family residential subdivision called Sycamore Trail.

II. Conditions

Location: west side of Africa Rd., south of SR 37 east

Present Zoning: Farm Residential (FR-1)

Proposed Zoning: R-2 with PRD overlay

Present Use(s): vacant, pond

Proposed Use(s): 20-lot single-family residential subdivision

Existing Density: 1 du/2 acres or 1 du/acre with sewer

Proposed Density: .9 du/acre

School District: Olentangy Local School District

Utilities Available: Del-Co Water and public sanitary sewer

Critical Resources: streams/drainage course, wetlands, slopes \geq 20%, 100-year flood plain

Soils: CaB Cardington Silt Loam 2-6% slopes

 BeA Bennington Silt Loam 0-2% slopes

 BeB Bennington Silt Loam 2-4% slopes

 LbF Latham-Brecksville Complex 25-70% slopes

III. Process

This is a rezoning to a PRD overlay on an R-2 district. Berlin Township has three zoning districts which define the density and open space requirements. Each district sets the lot size, which in turn establishes the maximum density for a site. The PRD then allows flexibility in layout and provides other Development Plan requirements similar to Planned Residential district language throughout the county. In the Berlin Township Zoning Code, the R-2 district requires a minimum lot size of 29,600 square feet (0.68 acres). It allows a maximum density of 1.25 units per Net Developable Acre.

IV. Proposal

The Development Plan shows a single entrance at Africa Road which will align with the Brookview Manor subdivision which has Preliminary approval. A single road provides frontage for the 20 lots. No access was provided from Sherman Lakes to the south and the land to the north is Corps of Engineer property around Alum Creek Reservoir.

Open space of 20% is required in the R-2/PRD designation. This would result in 4.268 acres where the plan proposes 4.38 acres, or 20.5%. This open space is located along Africa Road and as a buffer to the south. This southwestern open space preserves an existing treeline and extends to the USA lands to the west.

Sidewalks are provided throughout the site, with walking paths connecting to Sherman Lakes along Africa Road, as well as accessing the open space to the west.

V. Comprehensive Plan

The proposal complies with the R-2 density of 1.25 units per net developable acre. However, the 2011 Berlin Township Comprehensive Plan recommends that the area on the east side of the reservoir be developed with residential uses at a density of 1 unit per net developable acre. If developed as FR-1, the proposed density would conform but lots would need to be an acre in size and the development of the right-of-way would reduce the number of units below 20. If only the typical 15% for roads was removed, the result is 18.139 acres, which results in a maximum density of 18 lots. The aerial and plan indicate an existing pond on the site, preserved in open space. The RPC's calculation of other items for subtraction, which only utilizes GIS information and not field research, indicates a number closer to 17 units. Berlin Township recently clarified language in its Comprehensive Plan to be consistent in referencing that Net Developable Acreage is to be used in all subareas.

VI. Divergences

The applicant has asked for several divergences which are summarized here:

1. Divergence requested to reduce the frontage from 100 feet to a minimum of 50 feet for ten specific lots on the north side of the road, although some indicate frontage between 50 and 100 feet.
Staff comment: *This request is based on the unusual shape of the tract and the fact that only a single road is proposed. It should be noted that all the lots do have a width of 100 feet at the building setback line. This is typical for PRDs, particularly where lots are "pie shaped" around a cul-de-sac, for example. However, there are not typically so many in a row. The request applies to all the lots that touch the western property line, potentially creating an awkward row of long driveways on a rather flat site. As noted throughout the report, the density is driving this divergence which likely would not be needed if the number of lots was reduced.*
2. Divergence requested to reduce the side yard setback from 20 feet to 15 feet for four specific lots and to 10 feet for the two lots adjacent to the pond.
Staff comment: *Again, this affects the lots on the western end of the subdivision. It is somewhat odd that the code allows 100-foot-wide lots and then requires 20-foot setbacks, leaving a 60-foot buildable width. This request may be reasonable in a few of the cases, especially when the lots are adjacent to open space, such as the pond and the southern-most lot. In Sherman Lakes to the south, where the lot widths are 80 feet, the average house width is approximately 60 feet. Lots across Africa Road are slightly wider, but most homes average a 60-foot width. The township may deny this divergence, but it may result in more front-loaded garages than if the divergence were approved. Again, reducing the number of lots would reduce the need for this divergence.*
3. Divergence requested to reduce the rear setback from 50 feet to 25 feet for all lots along the western and northern property line. This is based on the adjacent land around Alum Creek Reservoir.
Staff comment: *The lots appear to be large enough to allow for the setbacks as defined in the Zoning Resolution,*

particularly for the lots with detention areas along the western border. Not only is this a divergence from the R-2 standards, but it is also noted in the PRD standards for perimeter setbacks. Again, if the density was exactly as defined in the Net Developable calculation, this may be a reasonable request, but it would then be unnecessary.

4. Divergence requested to allow the existing pond to remain in open space B (should reference Section 24.08). The code requires a 25-foot setback from the right-of-way where the pond will be 5-feet away.
Staff comment: *Since the pond is existing, this is appropriate. The applicant should commit to erecting an appropriate barrier as approved by the County Engineer for such a configuration.*
5. Divergence requested from the requirement that the landscaping plan provide for a buffer along an arterial street of the following: a continuous 6 foot-high planting, hedge, wall, fence or earth mound (should reference 26.03.A.1).
Staff comment: *The site includes a powerline crossing the northeastern corner of the site. The utility will not allow mounding or planting. The plan shows mounding/ planting to the north of this easement and to the south, suggesting a natural change in the landscape. This is a reasonable request.*
6. Divergence requested to provide landscape plans as each individual home site is submitted rather than landscaping all lots with the development plan.
Staff comment: *This is the current practice, and typically the development plan simply states that “all lots shall be landscaped...” This is a reasonable request.*

VII. Access and Circulation

Access is appropriate to Africa Road. If the cul-de-sac length does not exceed the County Engineer’s standards, this is an appropriate layout. Sidewalks are indicated, which complies with the Subdivision Regulations.

VIII. Staff Recommendations

Staff recommends **Conditional Approval** of the rezoning of 21.34 acres for James Property Management Ltd. to the DCRPC, Berlin Twp. Zoning Commission, and Berlin Twp. Trustees, *subject to:*

1. *Reduce the density in accordance with the Comprehensive Plan. Based on GIS data, this number would be 17 units, although field research (particularly a wetland study) could reduce or increase this number.*
2. *Recommended denial of divergences 1 through 3 as they unnecessary and are generated by the number of lots. If some of those divergences were still needed with the reduced density, staff recommends approval.*
3. *Recommended approval of divergences 4 through 6; the pond to remain with appropriate safety measures, no mounding under the powerline easement as indicated, and individual landscape plans per lot.*

Commission / Public Comments

Mr. Todd Faris, Faris Planning and Design was present to represent the applicant.

Mr. Rick Gemienhardt, a property owner north east of this property, was present. He stated that since 1999, the Comprehensive Plan indicated that lands west on Africa Road should be developed at a density of 1 unit per two acres. Mr. Gemienhardt presented Mr. Sanders with a copy of the section. Mr. Gemeinhardt agreed with Mr. Sanders’ suggestion of 16-17 units/acre is a good compromise. If the applicant was held to the Comp. Plan and only allowed 11, they would most likely apply for the straight FR-1 and get 15-16 units. He stated the residents would want a planned district as opposed to FR-1. Mr. Sanders stated that the last update made sure all the areas referred to “net” developable. He said there was a discussion at the Township where he said using net under FR-1 is penalizing and prevents someone from rezoning at all. Mr. Sanders stated that he did not dispute what Mr. Gemienhardt presented and would look into it. Mr. Gemienhardt asked Mr. Sanders

his opinion if in fact that is the language. Mr. Sanders said that the Comprehensive Plan is a guide and you still have to take into consideration what is around the use. The Sherman Lakes lots are fairly small, so does it make more sense to have a transition here from that density to the park, to the other large lots. FR-1 allows one-acre lots, especially with sewer. It's something the Zoning Commission should consider.

Mrs. Kuba made a motion to recommend Conditional Approval for the James Property Management, subject to staff recommendations #1-3. Mr. Farahay seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Mr. O'Brien). Motion carried.

IV. SUBDIVISION PROJECTS

Preliminary

22-14 Hawk's Nest – Genoa Twp. - 13 lots / 31.54 acres

Applicant: GSCS Holdings LLC
Engineer: Advanced Civil Design

I. Staff Comments

The applicant has requested a 30-day tabling of Hawk's Nest subdivision in order to address lot configuration issues raised at the Technical Review meeting.

II. Staff Recommendation

Staff recommends a *30-day Tabling* of **Hawk's Nest** to the DCRPC.

Commission / Public Comments

No one was present to represent the applicant.

Mr. Gunderman made a motion to Approve the 30-day tabling for Hawk's Nest subdivision, seconded by Mr. George. VOTE: Unanimously For, 0 Opposed. Motion carried.

21-14 Creekside Industrial Park – Orange Twp. - 08 lots / 92.55 acres

I. Conditions

Applicant: Highdev II, LLC.
Subdivision Type: commercial
Location: US 23, behind Menards
Current Land Use: Vacant, former agricultural
Zoned: Planned Industrial (PI)
Utilities: Del-Co water and public sanitary sewer
School District: Olentangy
Engineer: Kleingers Group

II. Staff Comments

This is a large area of Industrial property located between Menards and the railroad. There is no end user

identified, so the applicant is splitting this into a number of speculative lots for future use. Development will include the extension of both Green Meadows Drive from the south and Corduroy Drive from the west. Corduroy is currently built to the property line and Green Meadows is being paved as part of a County project to the southern property line. This will complete Green Meadows through to Orange Road. When this subdivision is platted, future changes can take place as either lot combinations or with adjacent property transfers. Any future division of lots will require a platted “Division #1” type process.

A technical review was held on October 21, 2014, after which the applicant has addressed all of the required changes.

III. Staff Recommendation

Staff recommends *Preliminary Approval* of **Creekside Industrial Park** to the DCRPC.

Commission / Public Comments

Ms. Jennifer Knittle with Kleinger’s Group was present to represent the applicant.

Mr. Stites made a motion to Preliminary Approve Creekside Industrial Park, seconded by Mr. Farahay. VOTE: Unanimously For, 0 Opposed. Motion carried.

Preliminary/Final (*none*)

CONSENT AGENDA

Final

03-13.1 Mirasol, Section 1 – Genoa Twp. - 32 lots / 17.04 acres

I. Conditions

- Applicant:** Romanelli & Hughes
- Subdivision Type:** Single Family Residential
- Location:** south side of Lewis Center Rd., west of Worthington Rd.
- Current Land Use:** Single family home with several out-buildings
- Zoned:** Planned Residential District (PRD)
- Preliminary Approval:** February 28, 2013
- Utilities:** Del-Co water and public sanitary sewer
- School District:** Olentangy
- Engineer:** Stantec Consulting Service, Inc., Kevin Kershner

II. Staff Comments

Mirasol, Section 1 consists of the first 32 single-family lots of an overall subdivision of 82 lots. Building sites include between 85 and 100 feet of frontage. Lots are between 15,000 square feet and 12,750 square feet. Section 1 includes the entrance from Worthington Road “Via Florenza Drive” and connection to Rammelsberg Drive to the south. This plat includes 4.910 acres dedicated as 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 **Mirasol, Section 1** to the DCRPC.

Commission / Public Comments

Mr. Gunderman made a motion for Final Approval of Mirasol, Section 1. Ms. Lewis seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

03-12.2.A Trail’s End, Section 2, Phase A – Liberty Twp. - 29 lots / 28.72 acres

I. Conditions

- Applicant:** Edwards Land Development Co.
- Subdivision Type:** Single Family Residential
- Location:** south of Home Road, east and west sides of SR 315
- Current Land Use:** one single family residence surrounded by vacant land
- Zoned:** Planned Residential (PR)
- Preliminary Approval:** June 28, 2012
- Utilities:** Del-Co water and public sanitary sewer
- School District:** Olentangy
- Engineer:** EMH&T

II. Staff Comments

Section 2, Phase A includes a slight extension of Kearney Way along the southern border. At the intersection with a new stub road, Harper Lane, the road becomes Dartmoor Lane as it turns north. A new cul-de-sac, “Dickerson Place” provides frontage for 18 of the 29 new lots. Open space comprises 15.161 acres in four parcels. This open space will preserve existing woods, an identified area of karst, and a small valley between building lots.

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 **Trail’s End, Section 2, Phase A** to the DCRPC.

Commission / Public Comments

Mr. Gunderman made a motion for Final Approval of Trail’s End, Section 2, Phase A. Ms. Lewis seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

08-12.2.1 T Sanctuary at the Lakes, Sec. 2, Pt. 1 – Orange Twp. - 35 lots / 22.79 acres

Applicant: M/I Homes

Engineer: Watcon

Preliminary approval: 02/28/13

Previous Tables: 09/25/14 to 10/30/14

I. Staff Comments

The applicant is requesting a 90-day tabling for the Sanctuary at the Lakes, Section 2, Part 1, in order to resolve issues regarding the conservation easement.

II. Staff Recommendation

Staff recommends *Approval* of a 90-day tabling for the Sanctuary at the Lakes, Section 2, Part 1 to the RPC.

Commission / Public Comments

Mr. Gunderman made a motion for the 90-day tabling for the Sanctuary at the Lakes, Section 2, Part 1.

Ms. Lewis seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

V. EXTENSIONS *(none)*

VI. OTHER BUSINESS

- 2015 Budget – 1st review

Mr. Sanders explained that the Executive Committee had reviewed the draft that was presented tonight. This draft contains conservative revenue estimates including dues with a 12¢ credit from 2014 paid dues. Expenses remain low but include money for continuing education and related travel, software/hardware needs, and unexpected building maintenance.

The proposed 2015 meeting schedule was presented. Mr. Sanders noted that 2 dates and possible 2 additional dates would require the meeting to be held at the Commissioners meeting room. Those dates are noted on the schedule.

Mr. O'Brien said that if there are any questions or concerns about the proposed budget, members can speak to any Executive Committee member or Mr. Sanders. The vote will take place at the November meeting.

VII. POLICY / EDUCATION DISCUSSION *(none)*

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

At 8:18 p.m., Mr. Thurston made a motion to adjourn the meeting, seconded by Mr. Gunderman. VOTE:

Unanimously For, 0 Opposed. Motion carried.

The next meeting of the Delaware County Regional Planning Commission will be Thursday, November 20, 2014, 7:00 PM at the Willis Building, 2079 US 23 North, Conference Room, Delaware, Ohio 43015.

Ken O'Brien, Chairman

Stephanie Matlack, Executive Administrative Assistant