



Delaware County Regional Planning Commission

109 North Sandusky Street
P.O. Box 8006, Delaware, Ohio 43015
740-833-2260 www.dcrpc.org
Scott B. Sanders, AICP Executive Director



MINUTES

Thursday, May 31, 2018 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 April 26, 2018 RPC Minutes
- Executive Committee Minutes of May 23, 2018
- Statement of Policy

II. VARIANCES *(none)*

III. ZONING MAP/TEXT AMENDMENTS

12-18 ZON	The Toy Box of Columbus, LLC - Orange Twp. - 4.72 acres from FR-1 to PC
13-18 ZON	Liberty Twp. Zoning Commission - Zoning Resolution amendments
14-18 ZON	Romanelli & Hughes - Genoa Twp. - 9.54 acres from SR to PRD
15-18 ZON	Pulte Homes - Liberty Twp. - 13.70 acres from FR-1 to PMFR
16-18 ZON	28 LLC - Liberty Twp. - 13.949 acres from FR-1 to PC

IV. SUBDIVISION PROJECTS

Preliminary

		Township	Lots/Acres
16-17	Four Doctors Drive	Brown	04 lots / 28.17 acres
14-18	The Cottages at Hyatts (Scioto Reserve Expansion, Lot 6798, Div. #1)	Concord	57 lots / 23.2 acres

Preliminary/Final

12-18	T-F Cottages at Northlake Woods South (Fourwinds Drive, Sec. 2, Lot 1219, Div. #1)	Berlin/Berk.	57 lots / 16.518 acres
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Final *(none)*

T=TABLED, W=WITHDRAWN

V. EXTENSIONS *(none)*

VI. OTHER BUSINESS *(none)*

VII. POLICY / EDUCATION DISCUSSION *(none)*

VIII. RPC STAFF AND MEMBER NEWS

- Former Berlin Twp. Zoning Officer - Rick Sedlacek

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, Ric Irvine, Fred Fowler, Steve Burke, Tom Hopper, Joe Shafer, Jon Trainer, Dave Stites, Tracey Mullenhour, Hal Clase, Michelle Boni, Joe Proemm, Bill Thurston, Ed Snodgrass, Dan Boysel, Dan Quick, Josh Vidor, Tim Gose, Bonnie Newland, and Mike Dattilo. Alternates: Cheryl Friend, Tiffany Jenkins, and Bill Piper. Arrived after roll call: Gary Merrell and Barb Lewis (Representatives). Staff: Scott Sanders, Phil Bennetch, Da-Wei Liou and Stephanie Matlack.

▪ **Approval of the April 26, 2018 RPC Minutes**

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

▪ **May 23, 2018 Executive Committee Minutes**

1. **Call to order**

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

2. **Approval of Executive Committee Minutes from April 18, 2018**

Mr. Merrell made a motion to Approve the minutes from the previous meeting, seconded by Mr. George. VOTE: Unanimously For, 0 Opposed. Motion carried.

3. **New Business**

- Financial / Activity Reports for April 2018

REGIONAL PLANNING RECEIPTS		APRIL	YTD TOTAL
General Fees (Lot Split)	(4201)	\$1,230.00	\$2,765.00
Fees A (Site Review)	(4202)	\$600.00	\$2,699.00
Insp. Fees (Lot Line Transfer)	(4203)	\$100.00	\$900.00
Membership Fees	(4204)	\$156,442.00	\$231,715.00
Planning Surcharge (Twp. Plan. Assist.)	(4205)		\$0.00
Assoc. Membership	(4206)		\$0.00
General Sales	(4220)		\$0.00
Charges for Serv. A (Prel. Appl.)	(4230)	\$7,500.00	\$33,870.00
Charges for Serv. B (Final. Appl.)	(4231)	\$9,948.60	\$20,580.60
Charges for Serv. C (Ext. Fee)	(4232)	\$150.00	\$150.00
Charges for Serv. D (Table Fee)	(4233)		\$600.00
Charges for Serv. E (Appeal/Var.)	(4234)	\$300.00	\$900.00
Charges for Serv. F (Planned District	(4235)	\$600.00	\$2,700.00

Zoning)			
OTHER DEPT. RECEIPTS			
Health Dept. Fees	(4242)	\$100.00	\$5,060.00
Soil & Water Fees	(4243)	\$525.00	\$2,600.00
Commissioner’s fees	(4244)		\$0.00
MISCELLANEOUS REVENUE			
Other Reimbursements	(4720)		
Other Reimbursements A			\$0.00
Other Misc. Revenue (GIS maps)	(4730)		\$0.00
Misc. Non-Revenue Receipts	(4733)	\$83.00	\$113.00
Sale of Fixed Assets	(4804)		\$0.00
TOTAL RECEIPTS		\$177,578.60	\$304,652.60

Balance after receipts	\$1,047,969.02
Expenditures	- \$ 31,330.45
End of March balance (carry forward)	\$1,016,638.57

Mr. George made a motion to Approve the Financial report as presented subject to Audit. Mr. Merrell seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

- Site Review
 - 1.) Kipling Knoll – Liberty Twp. – 6 lots / 10 acres
 - 2.) Duncan Run CAD – Harlem Twp. – 4 lots / 27.282 acres

- May RPC Preliminary Agenda
 - 1.) Rezoning:
 - The Toy Box of Columbus LLC – Orange Twp. – 4.72 acres from FR-1 to PC
 - Liberty Twp. Zoning Commission – zoning resolution amendments
 - Romanelli & Hughes – Genoa Twp. – 9.54 acres from SR to PRD
 - Pulte Homes – Liberty Twp. – 13.70 acres from FR-1 to PMFR
 - 28 LLC – Liberty Twp. – 13.949 acres from FR-1 to PC
 - 2.) Preliminary:
 - Four Doctors Drive – Brown Twp. – 4 lots / 28.17 acres
 - The Cottages at Hyatts – Concord Twp. – 57 lots / 23.2 acres
 - 3.) Preliminary/Final:
 - Cottage at Northlake Woods South – Berlin & Berkshire Twps. – 57 lots / 16.518 acres
 - 4.) Final: *(none)*

- Director’s Report
 - 1.) **Audit Engagement Letter** – received, signed and faxed back;

- 2.) **Berlin Township Comp Plan** - first meeting two weeks ago, immediately discussed 36/37. Pausing while Zoning Inspector position is filled and other projects taken care of by BZC. Will continue with sub areas;
- 3.) **Website migration** - Continuing to update current and new site. Scheduled to switch over on June 4;
- 4.) **Brown Township comp plan** - scheduled first meeting for early June;
- 5.) **Orange Township, incorporate comp plan student project** - met with Michele at the Township to discuss final steps;
- 6.) **Phil and I both** attended the Mid-America Trail and Greenways Conference in Columbus last Monday and Tuesday. Some good sessions and contacts for ODNR, state-wide trail organizations;
- 7.) **Phil and I both** also attended the one-day Central Ohio APA Planning and Zoning Workshop;
- 8.) **Participated in the ranking** of the first round of architecture firms for the Career Center North project;
- 9.) **Troy Township** submitted a number of items related to their Zoning Resolution for discussion and possible work.
- 10.) **GIS Intern:** sifting through resumes
- 11.) **NBBJ Corridor Study** – was discussed. The Executive Committee discussed asking for a formal presentation at some point.

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 10:15 a.m. Mrs. Kuba seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

The next regular Executive Committee meeting will be Wednesday, June 20, 2018 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 comment followed by questions from 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

12-18 ZON The Toy Box of Columbus, LLC – Orange Twp. – 4.72 acres – FR-1 to PC

I. Request

The applicant, The Toy Box of Columbus, LLC., is requesting a 4.72-acre rezoning from FR-1 to PC to allow the development of a commercial condominium complex.

II. Conditions

Location: south side of Orange Rd., between Orange Centre Dr. and Highfield Dr.

Present Zoning: Farm Residential (FR-1)

Proposed Zoning: Planned Commercial (PC)

Present Use(s): One single-family house

Proposed Use(s): 40 unit commercial condominiums

Existing Density: 1 du /acre

School District: Olentangy Local School District

Utilities Available: Del-Co Water and central sanitary sewer

Critical Resources: none

Soils: BoA Blount Silt Loam 0-2% slope

PwA Pewamo Silty Clay Loam 0-1% slope

GwB Glynwood Silt Loam 2-6% slope

III. Introduction

The Toy Box of Columbus, LLC., on behalf of the owner, Broadley and Gott, is requesting a 4.72-acre rezoning to Planned Commercial to allow the development of a commercial condominium building for multiple tenants. The Development Plan text limits the uses to businesses and retail, professional offices, educational establishments, Neighborhood Commercial (C-2) items, and exercise-oriented establishments. A number of other uses normally permitted within the PC district are being voluntarily restricted by the applicant.

The Development Plan shows a single access to East Orange Road, directly across from its current intersection with North Central Drive. A proposed access easement is provided to the west so that the adjacent property may use the same access point. That access easement is not extended to the east property line. Right-of-way will be dedicated in accordance with the proposed County Engineer's project to widen Orange Road.

A 51,000 square foot building dominates the site, with parking located along the perimeter. A total of 128

parking spaces are provided. With roughly 76,000 square feet of pavement in the parking area, the total impervious area is 127,028 square feet, or 67% of the site. A detention basin is proposed along the southern edge of the site. A landscaped buffer at a minimum width of 25 feet is proposed along the eastern and western boundary.

The building indicates that it will be constructed in two phases, each having ten units per side, for an overall total of 40 units. Each unit is 50' x 25' with bathroom, stairs, and loft area, served with a roll-up door. The overall height of the structure will not exceed 35 feet, which conforms to the zoning code.

IV. Comprehensive Plan

Orange Township's 2010 Comprehensive Plan and current update indicate this parcel and the one west are appropriate for rezoning to Planned Commercial and Office. Land to the east is zoned PC but undeveloped. Land immediately west is FR-1 with a home-based business. Land farther west and across Orange Road is all commercial or industrially zoned. This is an appropriate use for this Orange Road corridor.

V. Issues

Traffic and access: Access at the entrance is appropriate, but the drive around the southern end of the building appears to be tight for larger delivery vehicles and firetrucks. There is a letter from Orange Township Fire Department stating that they can service the site, but it does not detail whether their personnel have reviewed the turning geometry around the southern end of the site.

Lighting: A uniform system of wall-mounted, full cut-off lighting fixtures is proposed on the exterior of the building. An exhibit is included with the fixture to be used. However, the lighting plan gives no consideration to the code's Section 21.12(d)(6), a requirement to provide exterior lighting for all vehicular use areas, including entrance/exit access drives.

Drainage: Drainage appears reasonable and will be calculated during the development phase through the County Engineer's office. As noted elsewhere in the report, the building and other improvements may need to be reduced, allowing more flexibility for stormwater management and buffering to the south.

Sanitary Treatment: Service letter is included (as well as all other utilities). GIS data indicates a service line running along the northern and eastern edge of the site.

VI. Divergences

Due to the size and shape of the site, five divergences are requested:

1. Requested divergence to develop the site in two phases, each of which is less than 5 acres.
Staff Comment: The purpose of this requirement is typically related to larger sites that are being developed with roads and other improvements. Since the phasing request is for the building and parking only, as long as the drainage pond is calculated for the fully-developed site, this request is reasonable.
2. Requested divergence to waive the requirement to file a subdivision plat:
Staff Comment: For smaller sites that do not require further subdivision, this is appropriate. The cross

easement should be created early in the development process.

3. Requested divergence from the parking requirements specifically noted in the Resolution (Section 21.01):

Staff Comment: For a 51,000 s.f. building, the proposed 128 parking spaces would provide 1 space for every 400 (gross) square feet, or 3.2 spaces for each of the maximum 40 units. This generally meets the standard for Office use, which is 1 per 400 square feet plus 1 per employee. However, individual Retail uses require 5 plus 1 per 400 square feet. As designed, the parking area may be problematic, since there is no separate service and delivery area. As noted within the report, the turning radius at the southern end of the building is questionable for firetrucks and other large delivery vehicles. The Zoning Commission may need to consider whether the building is too large for the small site.

4. Requested divergence from the required setback from residential use, reducing the 100' requirement to 84':

Staff Comment: This is often requested in commercial areas where the adjacent property might eventually develop commercially. In this case, it is against a recently-built single-family condominium project. The drawings suggest that by removing the four units on the southern end of the building, this divergence would not be needed and the other geometric problems with turning and the limited space for stormwater management could all be solved.

5. Requested divergence to allow a monument-style sign to be placed within 1.2 feet of the future Orange Road right-of-way. The sign is 7'5" high with a sign width of 5'4":

Staff Comment: This is probably reasonable. Check with the County Engineer to ensure the location of the sign does not interfere with the access point's sight distance and to ensure it will not be in the proposed sight triangle once the right-of-way is dedicated and the Orange Road improvements are complete.

VII. Staff Recommendations

Staff recommends **Conditional Approval** of the rezoning request by The Toy Box of Columbus, LLC. from FR-1 to PC to the DCRPC, Orange Twp. Zoning Commission and Orange Twp. Trustees, subject to:

- 1.) Recommended approval of the first two divergence requests;
- 2.) Related to the third and fourth divergence, recommended reduction in the size of the building to remove two to four units from the southern end of the structure, allowing improved geometry in the driveway around the building, flexibility in stormwater management and buffering, and improving the parking per unit;
- 3.) Checking with the County Engineer to ensure the location of the sign does not interfere with the access point's sight distance and to ensure it will not be in the proposed sight triangle once the right-of-way is dedicated and the Orange Road improvements are complete;
- 4.) Extend the access easement to the east;
- 5.) Ensuring that the lighting plan does not negatively impact residential properties to the south and providing additional lighting detail at the entrance in accordance with the zoning code.

Commission / Public Comments

Mr. Jack Reynolds, Attorney with Smith and Hale, was present along with Mr. Ryan Mierau, principal

with The Toy Box LLC. This project includes 40 25'x50' air conditioned/heated units with flexibility for uses. A similar project was done in the Toledo area with spaces rented for car collections, startup office space for inventory, storage and shipping space for supplies, etc. Mr. Reynolds stated that with regards to staff recommendation #2, they can move the setback up to 89' (which would modify their request to an 11' setback reduction) and increase the pavement area to the south to address the concern with maneuverability around the building. Increasing the underground detention to a 48" pipe (increased from a 24" pipe) and the smaller detention pond to the south should provide room for the increased pavement for fire truck maneuverability. Screening will be provided with a 4' mound with evergreens on top.

Mrs. Kuba made a motion to recommend Conditional Approval of the rezoning, as reviewed by staff, by The Toy Box of Columbus, LLC., subject to staff recommendations #1-#5. Mrs. Jenkins seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Orange Twp.). Motion carried.

13-18 ZON Liberty Twp. Zoning Commission – Zoning Resolution amendments

I. Introduction

The Liberty Township Zoning Commission on May 3, 2018, initiated a number of small amendments to its zoning code, most of which are related to sign definitions and other sign regulations. The amendments do the following:

- New definitions for signage terms like Awning, Banner, Changeable Copy, Flag, Flashing, Illumination, Menu, LED, Monument, Pennant, Preview, etc.
- Definitions and amendments for other terms like Parking Garage, Principal Use, Principal Structure, and Vinyl.
- New introductory language in the Sign Regulations which includes language noting that the intent is not to limit free speech.
- Unattended signs on public property will be considered abandoned.
- “Political Sign” section streamlined and simplified.
- Removal of a requirement that businesses use their name “as registered with the Ohio Secretary of State.”
- Clarifications to the sections related to bulletin boards and menu boards.
- Additional language prohibiting signs in the right-of-way (clarification), changeable copy except as specifically permitted in the bulletin board and menu board section, and Electronic Message Center signs, animated signs, and mechanical changeable copy signs.

II. Description

Sign code changes: In 2015 the U.S. Supreme Court ruled in a case that challenged the sign code of the Town of Gilbert, Arizona. The town sign code had established rules that were applicable to different categories of signs: campaign signs during election season, temporary event signs, and ideological signs allowed at any time. A summary of the case noted that despite the seemingly reasonable balance of allowing

all types of signs but limiting them to their relevant time-frame, the Court essentially said that such distinctions are unconstitutional because they are a content-based regulation of free speech.

The case was a complicated one with multiple opinions as to the details. Based on the summary, it is clear that governments still have an array of content-neutral regulations to apply to signs (size, location, lighted/unlighted, fixed messages/electronic, public/private, commercial/residential, number of signs per mile of roadway, and some restrictions on sign advertising a one-time event). However, content-based distinctions such as the ones in the Town of Gilbert's code must survive strict scrutiny to stand.

Liberty Township is adding definitions to its code to better describe various parts of its code, and is removing several references that could be construed as content-based.

III. Staff Recommendations

Staff recommends **Conditional Approval** of the following requests by the Liberty Township Zoning Commission to the DCRPC, Liberty Zoning Commission and Liberty Twp. Trustees, *subject to consultation with private counsel or the Prosecutor's office.*

Commission / Public Comments

Mr. Clase made a motion to recommend Conditional Approval of the Liberty Township Zoning Commission, subject to staff recommendation. Mr. Merrell seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Liberty Twp.). Motion carried.

14-18 ZON Romanelli & Hughes – Genoa Twp. – 9.54 acres from SR to PRD

I. Request

The applicant, Romanelli & Hughes, is requesting a 9.54-acre rezoning from SR to PRD for Grace's Place, a 21-lot detached condominium project.

II. Conditions

Location: east side of South Old 3 C Hwy., south of Charles Rd.

Present Zoning: Suburban Residential (SR)

Proposed Zoning: Planned Residential (PRD)

Present Use(s): One single-family house

Proposed Use(s): 21 detached condominiums

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

Proposed Density: 2.86 units / net acre

School District: Westerville School District

Utilities Available: Del-Co Water and central sanitary sewer

Critical Resources: none

Soils: BeA Bennington Silt Loam 0-2% slope

PwA Pewamo Silty Clay Loam 0-1% slope

III. Introduction

In August, 2016 the DCRPC reviewed a rezoning request for this site, which included 27 single-family condominium units on 9.78 acres. The developer later applied for and received Preliminary Approval for a subdivision of fee simple lots on this same site, proposing 14 lots on 9.548 acres. The current request is essentially the original request, but with 21 units on 9.54 acres, for a detached single-family style condominium development.

The site plan shows a single access to South Old 3C Highway, approximately 1,400 feet north of Mount Royal Avenue and 460 feet south of Charles Road. The road enters the site heading east and ends in a loop. This site was the subject of a Sketch Plan review in April, 2016. Internal sidewalks are indicated on the plan, which will connect to future sidewalks along South Old 3C.

Although open space is not usually platted as individual parcels in a condominium development, the plan indicates 4.71 acres (52%) of open space outside what would be considered “yard” areas. This meets the required 40% of the gross site area and is an increase from the previous proposal. Common open space (15% of the gross area) totals 3.96 acres where 1.34 acres is required (also an increase over the previous proposal).

IV. Comprehensive Plan

The 2016 Genoa Township Comprehensive Plan recommends this area for residential use at a maximum density up to 2.2 units per net developable acre. The application notes that the gross density calculation is 2.34 units per acre while the Net Developable Acreage calculation is 2.86 units per net acre. 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 slight 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.

V. Issues

Utilities: Sewer is available through a 12" sanitary sewer located on the east side of South Old 3C.

Drainage: During the site review, it was noted that the site was in a generally poor-draining area. A wetlands and drainage study are included. A pond will be located along Old 3C in the southwest corner of the site.

Traffic study: The applicant submitted a Traffic Memo, which was approved by the County Engineer. The development will be required to dedicate right-of-way based on the proposed CIP project in the area. A sidewalk along this side of S. Old 3C will be constructed by the developer as part of that project, unless they choose to contribute an equal dollar amount so that the County could include the work in their project.

VI. Divergences

The applicant is requesting several divergences for this project:

1. 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.*
2. 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 2.86 units per acre.
Staff Comment: *The proposal states that this development will clean up some poorly-maintained structures, and 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.*
3. 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 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).*

VII. Staff Recommendations

Staff recommends **Conditional Approval** of the rezoning request by Vince Romanelli for 9.54 acres to the DCRPC, Genoa Twp. Zoning Commission and Genoa Twp. Trustees, subject to:

- 1) Ensuring appropriate buffering where adjacent to existing single-family homes;
- 2) Ensuring that proper drainage related to this site and adjacent development is provided;
- 3) Divergence from the 25-acre minimum PRD size is recommended since the proposal is adjacent to other Planned Residential Developments;
- 4) Density divergence is recommended for the proposed density, based on the impact of these units and the additional buffering provided. As a standalone project, the third divergence is also reasonable.

Commission / Public Comments

Mr. Kevin Kershner with Stantec was present to answer questions from the Commission. He stated that they would work with the Township on the density issue.

Mr. Clase made a motion to recommend Conditional Approval of the rezoning request by Vince Romanelli, subject to staff recommendations #1-4. Mrs. Kuba seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Genoa Twp.). Motion carried.

15-18 ZON Pulte Homes – Liberty Twp. – 13.7 acres from FR-1 to PMFR

I. Request

The applicant, Pulte Homes, on behalf of various owners, is requesting a 13.7-acre rezoning from FR-1 to PMFR for the development of Hyatts Crossing, a detached single-family condominium project of 64 units.

II. Conditions

Location: South side of Hyatts Rd., west of Sawmill Parkway

Present Zoning: Farm Residential (FR-1)

Proposed Zoning: Planned Multi Family Residential (PMFR)

Present Use(s): single-family house lot

Proposed Use(s): 64 detached single-family residences

Existing Density: 1 du / acre

Proposed Density: 5.49 du / net developable acre

School District: Olentangy Local School District

Utilities Available: Del-Co Water and central sanitary sewer

Critical Resources: none

Soils: BoA Blount Silt Loam 0-2% slope

PwA Pewamo Silty Clay Loam 0-1% slope

III. Introduction

This is the residential portion of a larger project that includes an area of commercial along Sawmill Parkway. For the residential area, Pulte is proposing 64 units of its “Active Adult” product, which is marketed as Low Maintenance, Empty Nester, Ranch-Style homes at a minimum 1,450 square feet per unit.

The Development Plan indicates access from a private drive that will serve both the residential area to its west and the commercial area to the east of the road. That private road will access Hyatts Road at a point just west of the median that was constructed as part of the Sawmill Parkway roundabout. Two entrances are provided to the development, with internal streets forming a square to provide access for the units and appropriate turnarounds for emergency vehicles. A small community gathering space with landscaping, sidewalks, and benches is located in the center. Sidewalks are located along at least one side of internal streets and along a portion of the external private street. Street trees are located in front of all units.

Open space of 3.66 acres is proposed and includes a 50' buffer from Hyatts Road with a 4' high mound, as well as a 25' setback for buildings around the perimeter of the site.

IV. Comprehensive Plan

Liberty Township’s 2018 Comprehensive Plan places this site in Sub Area 6, noting that annexation was a possibility with development coming from the south. The northeast corner of the site was assumed to be Utility use, since it is a remnant of the larger Columbus and Southern Ohio Electric property to the east. The overall density recommendation for this Subarea is 1.85 units per net developable acre, assuming traditional single-family subdivision development. With Retail/Commercial uses proposed on a large portion of the Utility-owned property, the proposed single-family condominium use creates a proper buffer to potential future residential uses to the west of the site.

Multi-Family details

Previously, staff has noted the different impacts related to single-family versus multi-family.

Traffic: If developed as a single-family development, the recommended density would be 22 homes. This density would generate 210 trip ends per day. Detached condos at 64 units are calculated at 375 trip ends per day. (source: Institute of Transportation Engineers: single-family at 9.57 trips per day, multi-family at 5.86 trips per day).

Sewage: Delaware County calculates one-bedroom facilities at 60% per unit versus that of a single-family home.

School impact: RPC staff performed a Multi-Family study in 2015 and found that multi-family units generate much less than one student per unit at any one time. Number can fluctuate based on unit type and age of the project, but the study resulted in an average of 0.15 students per multi-family unit. Single-family subdivisions developed with a typical quarter-acre lot size average 1 student per unit at any one time. Again, this number fluctuates, particularly with the age of the development. This project could generate 10 students while single-family at the same density could generate 22.

V. Issues

Traffic and access: Applicant notes that a draft MOU has been submitted to the Engineer's office and that design is based on guidance and direction from that office. Access appears to be appropriate, and the letter in the commercial application seems to be related to that case and the drainage. A Traffic Study would indicate if a turn lane would be necessary at Hyatts Road, which may impact the roundabout and could shift the access farther to the west. Internal geometry of the private roads should be reviewed by the Liberty Fire Department for appropriateness. A letter from the Fire Department is included in the application, but it only addresses an environmental assessment.

Full access to Sawmill Parkway will be permitted directly across from the existing point of access to the County's maintenance facility. **Staff Comment:** *In reference to the private street being shared by both the commercial development and the condominium project, staff has recommended public streets in the past, based on the difficulty of maintenance for two entities. Also, this private street connects two public streets. If the Township concurs, this road should be public.*

Drainage: The site appears to flow to the southeast toward Sawmill Parkway. Drainage is handled in conjunction with the proposed commercial site to the east, utilizing a 2-acre basin at the south end of the site.

Signage: The main identification signs are located along the two entrances along the private street and three samples include a post and mast arm design, as well as two types of stone columns. **Staff Comment:** *Development Plan should indicate dimensions and choose a sign type.*

Lighting: No separate lighting information is included, suggesting minimal lighting that will follow the requirement for down-cast cut-off fixtures.

Sanitary Treatment: Typical service letter is included, which notes that capacity is available to both these sites. As of the date of the letter earlier this month, downstream sanitary sewer is under construction and is planned to terminate at the southeast corner of the commercial site.

VI. Divergences

Three divergences are requested:

1. Requested divergence from the setback requirements. Front setback of 30 feet is requested to be reduced to 27.5 feet with sidewalk or 23.5 feet without sidewalk as depicted on the plans.
Staff Comment: Based on the size and shape of the site, this is reasonable as long as a car can still fit in the driveway between the sidewalk and the garage.
2. Structure separation of 10 feet is requested where 15 is the requirement in the code.
Staff Comment: The density is driving the minimal rear setback as well as the reduction in building spacing. A reduction in the overall density would decrease the traffic as noted previously in the report as well as reducing the need for this divergence. Staff recommends that the developer work with the Township to reduce the density and reduce the need for this divergence. Regardless, the Fire Department should be consulted regarding the building spacing regulations in the Zoning Resolution.
3. Requested divergence for sales signage: Request is for 2 temporary, free-standing signs until 95% of the units are sold. One sign of 32 square feet will be located at the northern entrance as well as one of the same size closer to Hyatts Road.
Staff Comment: Based on their location, two signs seem redundant and unnecessary, assuming the actual entry features are built with the initial phase.

VII. Staff Recommendations

Staff recommends **Conditional Approval** of the rezoning request by Pulte Homes from FR-1 to PMFR to the DCRPC, Liberty Twp. Zoning Commission and Liberty Twp. Trustees, *subject to:*

- 1.) Reduction of density based on traffic and setback issues;
- 2.) Recommended approval of the first divergence but further discussion is needed with the Township on the second and third divergences;
- 3.) Confirmation with the Fire Department that the private roads can accommodate proper emergency access;
- 4.) Clarification of lighting plans;
- 5.) Connection of the north-south sidewalk along the private street that extends from Hyatts Road;
- 6.) Confirmation that the access location on Hyatts is approved by the County Engineer; and
- 7.) Consider making the north-south private street a public street, based on the difficulty of having two maintenance entities as currently proposed.

Commission / Public Comments

Mr. Matt Callahan with Pulte Homes was present along with Mr. Kevin Kershner with Stantec. Mr. Callahan stated they would work with the Township and Fire Department on concerns raised by staff.

Mr. Irvine questioned the buffer behind lots 47-57. Mr. Callahan stated that there is a buffer along the commercial side (adjacent project) including fencing and landscape buffer. [on the condominium side]

Mrs. Kuba made a motion to recommend Conditional Approval of the rezoning request by Pulte Homes, subject to staff recommendations #1-7. Ms. Boni, seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Liberty Twp.). Motion carried.

16-18 ZON 28 LLC – Liberty Twp. – 13.949 acres from FR-1 to PC

I. Request

The applicant, 28 LLC, on behalf of various owners, is requesting a 13.949-acre rezoning from FR-1 to PC to allow the development of a retail area along Sawmill Parkway.

II. Conditions

Location: South side of Hyatts Rd., west of Sawmill Parkway

Present Zoning: Farm Residential (FR-1)

Proposed Zoning: Planned Commercial (PC)

Present Use(s): vacant, former agricultural

Proposed Use(s): commercial

Existing Density: 1 du / acre

School District: Olentangy Local School District

Utilities Available: Del-Co Water and central sanitary sewer

Critical Resources: none

Soils: BoA Blount Silt Loam 0-2% slope

PwA Pewamo Silty Clay Loam 0-1% slope

III. Introduction

This is the commercial portion of a larger project that includes an area of 64 single-detached condominium units to the west.

The Development Plan indicates access from a private drive that will serve both the residential area to the west and this commercial area to the east. That private road will access Hyatts Road at a point just west of the median which was constructed as part of the Sawmill Parkway roundabout. A multi-use path is shown along Sawmill Parkway detailed as an 8' wide "compacted gravel" path. A public street with a full access is shown approximately 1,300 feet south of the Hyatts-Sawmill roundabout. This street provides a public connection to adjacent land to the west.

The large lot north of the public street is a 7.85-acre site. The text notes that no fewer than 2 lots would be platted in this area. The land south of the street measures as a 4.04-acre lot with a water impoundment area noted as larger than 2 acres and will be used for stormwater generated by both this site and the residential project to the west.

IV. Comprehensive Plan

Liberty Township's 2018 Comprehensive Plan places this site in Sub Area 6, noting that annexation was a possibility with development coming from the south. The northeast corner of the site was assumed to be Utility use, since it is a remnant of the larger Columbus and Southern Ohio Electric property to the east. Therefore, there was no specific use related to this corner site. However, since the Comprehensive Plan does not anticipate other commercial uses north of Hyatts Road, this is an appropriate use for this site.

V. Issues

Traffic, access, and drainage: A letter was added to the application dated May 21 from the County Engineer's office that states that the conceptual layout, including stormwater management, appears to be feasible. Full access to Sawmill Parkway will be permitted directly across from the existing point of access to the County's maintenance facility. *Staff Comment:* The location cannot be determined from the drawings in the application. In reference to the private street being shared by both the commercial development and the condominium project, staff has recommended public streets in the past, based on the difficulty of maintenance for two entities. Also, this private street connects two public streets. If the Township concurs, this road should be public.

Building/Site Design: The applicant is committing to a number of positive building design standards in text form. These include requiring architectural features that provide visual interest, offsets, windows, repeating patterns, and reveals and recesses. Variations in roof lines shall be used to reduce the mass and add interest to the buildings. Natural materials are noted, with rear façades given similar detail as the fronts of buildings. These are all recommended in the Comprehensive Plan.

At this time, no other detail as to the lot layout is provided. The large lot is shown with a 35' pavement setback from Sawmill Parkway and Hyatts, a 130' building setback from those two roads, a 100' building setback from residential uses to the west, and a 15' wide greenbelt between the private north-south road and parking area. At 287' of depth, the site mirrors other outlots along Sawmill Parkway to the south. Compared to those outlots, this large lot could accommodate 6 or 7 individual outlots, or several multi-tenant buildings. No single building shall exceed 35,000 square feet. *Staff Recommends:* Requiring cross easements between the lots when they are ultimately developed, and pedestrian connections between uses where possible.

Signage: As this application utilizes the two-step rezoning process, signs are not proposed at this time. The text notes that signage shall meet Article 20 and shall be identified on the Final Development Plan details as users are identified.

Lighting: Shall conform to the standards in the code.

Sanitary Treatment: Typical service letter is included, which notes that capacity is available to both these sites. As of the date of the letter earlier this month, downstream sanitary sewer is under construction and is planned to terminate at the southeast corner of this site.

VI. Divergences

Three divergences are requested:

1. A divergence is requested for the Preliminary Development Plan to be in effect for 4 years instead of 1 year in order to allow for preparation of Final Plan or Plans. Staff assumes market conditions

also will dictate timing of this.

Staff Comment: This seems like a reasonable request. The site will need to be platted when the initial infrastructure is created.

2. A divergence is requested to allow the impoundment area to be larger than 2 acres to comply with the County Engineer's requirements. The location of the pond might be considered a front yard by the Township. If so, a divergence is requested for that prohibition as well.

Staff Comment: The location of the basin is dictated by the slope of the site. As long as appropriate fencing and/or mounding can be located to prevent accidental entry, this is reasonable. Care should be taken to ensure an appropriate setback from the south and west. Based on its visibility from Sawmill Parkway, consider designing the pond as a feature similar to ponds along Sawmill south of Home Road.

VII. Staff Recommendations

Staff recommends **Conditional Approval** of the rezoning request by 28 LLC from FR-1 to PC to the DCRPC, Liberty Twp. Zoning Commission and Liberty Twp. Trustees, *subject to:*

- 1.) Recommended approval of the requested divergences;
- 2.) Multi-use path should be paved to the same standard as the path located farther south along the Olentangy schools property;
- 3.) Sidewalks shall be added to the east/west public street in accordance with the Subdivision Regulations;
- 4.) Commit to cross easements between the commercial areas to ensure proper circulation and provide pedestrian connections as appropriate;
- 5.) Consider making the north-south private street a public street, based on the difficulty of two maintenance entities as currently proposed.

Commission / Public Comments

Mr. Kevin Kershner with Stantec was present to represent the applicant. He stated that this project includes fencing on the west side of the North/South private street with shrubs on the commercial side. They agree with Mr. Irvine's concern of buffering and would revise the plan prior to Township review to include buffering for the residential area also.

Mr. Shafer made a motion to recommend Conditional Approval of the rezoning request by 28 LLC, subject to staff recommendations #1-5. Mr. Vidor seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Liberty Twp.). Motion carried.

IV. SUBDIVISION PROJECTS

Preliminary

16-17 **Four Doctors Drive – Brown Twp. - 04 lots / 28.17 acres**

I. Conditions

Applicant: Greg and Kathy Holland
Subdivision Type: 4-lot Common Access Driveway subdivision
Location: West side of North 3 B's & K Rd.
Current Land Use: Single family house
Zoned: Farm Residential (FR-1)
Utilities: Del-Co water and private on-lot treatment systems
School District: Buckeye Valley Local School District
Engineer: Terrain Evolution

II. Staff Comments

Four Doctors Drive is a 4-lot Common Access Driveway subdivision located on North 3 B's and K Road in Brown Township. The CAD and utility easement will utilize the existing driveway, which enters the site heading west, extend it, and adding a T-turnaround. Each lot will be larger than 5 acres, whereas the minimum of the current zoning is 2 acres, and will utilize on-site waste treatment.

A technical review was held on May 22, 2018, after which the applicant has addressed all of the required changes.

III. Staff Recommendation

Staff recommends *Preliminary Approval* of **Four Doctors Drive** to the DCRPC.

Commission / Public Comments

Mr. Mike Williamson with Terrain Evolution was present to represent the applicant.

*Mr. Vidor made a motion for Preliminary Approval of Four Doctors Drive, seconded by Mr. Gose.
VOTE: Majority For, 0 Opposed, 1 Abstained (Brown Twp.) Motion carried.*

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14-18 **The Cottages at Hyatts (Scioto Reserve Expansion, Lot 6798, Div. #1) - Concord Twp. -
57 lots / 23.2 acres**

I. Conditions

Applicant: Schottenstein Homes LLC
Subdivision Type: Single-lot condominium homes
Location: North side of Hyatts Rd., east of S. Section line Rd.
Current Land Use: Vacant, former agricultural
Zoned: Planned Residential District (PRD)
Zoning Approval: 3/21/18
Utilities: Del-Co water and central sanitary sewer
School District: Buckeye Valley Local School District
Engineer: Kimley-Horn

II. Staff Comments

The Cottages at Hyatts is a 57-unit single-detached condominium project that is part of the Scioto Reserve Expansion. Although condos are exempt from the platting process, the developer is seeking to use a plat for this project to simplify the development and financing process. Its main access is on the north side of Hyatts Road and all roads are private. A single road enters the site heading north and curves west into a large loop. An emergency access connects the loop on the west end back to Hyatts Road. Sidewalks are provided on one side of every street.

One reserve area is being created, which completely surrounds the neighborhood, totaling approx. 12.3 acres or 53% of the site area. This area includes four detention basins, an existing stream, mounding, a pavilion, a 10' wide asphalt path along Hyatts, and a 4' wide sidewalk connecting the neighborhood to the multi-use path.

A technical review was held on May 22, 2018, after which the applicant has addressed the required changes.

III. Staff Recommendation

Staff recommends *Conditional Preliminary Approval* of **The Cottages at Hyatts** to the DCRPC, *subject to continuing to work with the County Engineer on the design of the private drives for platting purposes.*

Commission / Public Comments

Mr. Mike Reeves with Kimley-Horn was present to represent the applicant.

Ms. Boni made a motion for Conditional Preliminary Approval of The Cottages at Hyatts, subject to staff recommendations. Mr. Merrell seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Concord Twp.). Motion carried.

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## Preliminary/Final

12-18 T=F Cottages at Northlake Woods South (Fourwinds Drive, Sec. 2, Lot 1219, Div. #1) – Berlin and Berkshire Townships - 57 lots / 16.518 acres

### I. Conditions

**Applicant:** Schottenstein Homes

**Subdivision Type:** Single-lot condominium homes

**Location:** East side of 3 B's & K Rd., west of Fourwinds Drive

**Current Land Use:** Vacant

**Zoned:** Berlin: Transitional Planned Unit Development (TPUD), Berkshire: Planned Multi Unit Development

**Zoning Approval:** 4/10/17

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

**School District:** Olentangy Local School District

**Engineer:** CEC

### II. Staff Comments

Cottages at Northlake Woods South is a 57-unit single-detached condominium project that is part of the Fourwinds Drive extension near the I-71 interchange. Although condos are exempt from the platting process, the developer is seeking to use a plat for this project to simplify the development and financing process. It has frontage on N. 3 B's & K Road, but its main entrance will be on the west side of Fourwinds Drive. A single road enters the site heading west and connects to a main loop. All roads are private and sidewalks are provided on one side of the street.

Two reserve areas are being created. One is a 6.115-acre parcel to the west and north of the neighborhood, which includes a detention basin and an 8' wide asphalt path that connects to the future Cottages "North" section. The other is a 0.504-acre strip to the east adjacent to Fourwinds Drive. Open space composes 40% of the site area.

*A technical review was held on May 22, 2018, after which the applicant has addressed the required changes.*

### III. Staff Recommendation

Staff recommends *Conditional Preliminary Approval* of Cottages at Northlake Woods South (Fourwinds Drive, Sec. 2, Lot 1219, Div. #1) to the DCRPC, *subject to continuing to work with the County Engineer on the design of the private drives for platting purposes.*

Staff recommends *Approval* of a 90-day tabling of the Final Plat for Cottages at Northlake Woods South (Fourwinds Drive, Sec. 2, Lot 1219, Div. #1) to the DCRPC.

Commission / Public Comments

Mr. Mark Smith with CEC was present to represent the applicant.

*Mr. Clase made a motion for Conditional Preliminary Approval of the Cottages at Northlake Woods South (Fourwinds Drive, Sec. 2, Lot 1219, Div. #1), subject to staff recommendation and Approval of the 90-day table request. Mr. Gose seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

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CONSENT AGENDA

Final (none)

V. EXTENSIONS (none)

VI. OTHER BUSINESS (none)

VII. POLICY / EDUCATION DISCUSSION (none)

VIII. RPC STAFF AND MEMBER NEWS

- Former Berlin Twp. Zoning Officer – Rick Sedlacek passed away May 23, 2018

*Having no further business, Mr. Irvine made a motion to adjourn the meeting at 7:30 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, June 28, 2018, 6:30 PM at the Frank B. Willis Building, 2079 US 23 North, Conference Room, Delaware, Ohio 43015.*