



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, December 20, 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 November 29, 2018 RPC Minutes
- Executive Committee Minutes of December 12, 2018
- Statement of Policy

II. CONSENT AGENDA

		Township	Lots/Acres
09-15	Sycamore Trail	Berlin	18 lots / 21.294 acres
14-18	The Cottages at Hyatts	Concord	57 lots / 23.2 acres
16-18	Duncan Run CAD	Harlem	04 lots / 27.282 acres
26-18	T The Shoppes at Liberty Crossings, Sec. 1, Lot 5150, Div. #1	Liberty	02 lots / 01.395 acres

III. VARIANCES *(none)*

IV. ZONING MAP/TEXT AMENDMENTS

- 35-18 ZON Longhill Ltd. Partnership II, RDRG Farms Inc & Steve Spangler Sr. - Berlin Twp. - 301.944 acres from FR-1 to R-3 w/PRD overlay
- 36-18 ZON BrightPath Active Learning LLC - Genoa Twp. - 1.077 acres from PI to PCF

V. SUBDIVISION PROJECTS

Township

Lots/Acres

Preliminary *(none)*

Preliminary/Final *(none)*

T=TABLED, W=WITHDRAWN

VI. EXTENSIONS *(none)*

VII. OTHER BUSINESS

- Consideration for Approval: Deseret II, Lot 4174, Division #1 final plat

VIII. POLICY / EDUCATION DISCUSSION

- Consideration for Approval: 4 hours paid time off for Christmas Eve

IX. RPC STAFF AND MEMBER NEWS

- Member recognition

I. ADMINISTRATIVE BUSINESS

▪ **Call to Order**

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

▪ **Roll Call**

Representatives: Jeff George, David Loveless, Susan Kuba, Fred Fowler, Gary Merrell, Tom Hopper, Jon Trainer, Dave Stites, Bill Thurston, Josh Vidor, Mike Dattilo, and Doug Price. *Alternates:* Robert Lamb, Dustin Kent, Doug Riedel, Bill Piper, Claudia Husak, Charles Hurt, Ed Reely, Jeff Beard, and Allen Rothermel. *Staff:* Scott Sanders, Phil Bennetch, Da-Wei Liou and Stephanie Matlack.

▪ **Approval of the November 29, 2018 RPC Minutes**

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

▪ **December 12, 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, and Jeff George. Susan Kuba was absent. Staff: Scott Sanders and Stephanie Matlack.

2. Approval of Executive Committee Minutes from November 21, 2018

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

3. New Business

- Financial / Activity Reports for November 2018

REGIONAL PLANNING RECEIPTS		NOVEMBER	YTD TOTAL
General Fees (Lot Split)	(4201)	\$1,025.00	\$12,605.00
Fees A (Site Review)	(4202)	\$900.00	\$6,300.00
Insp. Fees (Lot Line Transfer)	(4203)	\$300.00	\$3,600.00
Membership Fees	(4204)		\$232,404.00
Planning Surcharge (Twp. Plan. Assist.)	(4205)	\$1,851.65	\$5,000.00
Assoc. Membership	(4206)		\$0.00
General Sales	(4220)		\$15.00
Charges for Serv. A (Prel. Appl.)	(4230)	\$36,000.00	\$109,647.00
Charges for Serv. B (Final. Appl.)	(4231)	\$15,500.00	\$94,585.60
Charges for Serv. C (Ext. Fee)	(4232)	\$150.00	\$900.00
Charges for Serv. D (Table Fee)	(4233)	\$200.00	\$2,400.00
Charges for Serv. E (Appeal/Var.)	(4234)		\$2,700.00
Charges for Serv. F (Planned District Zoning)	(4235)	\$600.00	\$7,200.00
OTHER DEPT. RECEIPTS			

Health Dept. Fees	(4242)	\$2,260.00	\$12,040.00
Soil & Water Fees	(4243)	\$1,175.00	\$7,175.00
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)		\$244.00
Sale of Fixed Assets	(4804)		\$0.00
TOTAL RECEIPTS		\$59,961.65	\$496,815.60

Balance after receipts	\$993,167.96
Expenditures	- \$ 34,148.26
End of November balance (carry forward)	\$959,019.70

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.) The Reserve at Scioto Bluff – Concord Twp. – 18 lots / 12.02 acres
 - 2.) Garrabrant Property – Harlem Twp. – 28 lots / 75.353 acres

- December RPC Preliminary Agenda
 - 1.) Rezoning:
 - Longhill Ltd. Partnership II, RDRG Farms Inc. & Steve Spangler Sr. – Berlin Twp. – 301.944 acres from FR-1 to R-3 w/PRD overlay
 - 2.) Preliminary: none
 - 3.) Preliminary/Final: none
 - 4.) Final:
 - Sycamore Trail – Berlin Twp. - 18 lots / 21.294 acres
 - The Cottages at Hyatts - Concord Twp. - 57 lots / 23.2 acres
 - Duncan Run CAD – Harlem Twp. - 04 lots / 27.282 acres
 - The Shoppes at Liberty Crossings, Sec. 1, Lot 5150, Div. #1 – Liberty Twp. – Tabled - 02 lots / 01.395 acres
 - 5.) Extension: none

- Director’s Report
 - CCAO – Hosted meeting of County Planning Directors at CCAO on the 10th, moved to Secretary after 3 years as President;
 - **Brown Comp Plan** – final changes being made on complete first draft for meeting in January;
 - **Shawnee Hills** – general visit with Council, presented updated Community Profiles, found out that was their administrator’s final meeting before retirement – have named a new administrator;
 - **Berlin Township Comp Plan** - reformatting book and updating chapters;

- **Monthly Development Meeting** – participated on November 28;
- **DACC remodel** – participated in visioning session on Nov 27;
- **Transportation Improvement District:** attended monthly meeting;
- **BIA Housing Report** – just received an embargoed copy yesterday, will review
- **Equipment** – purchased new monitors for Phil, Da-Wei and myself.

GIS 2018 activity:

Ongoing activity

- DCRPC GIS data creation and updating
- Development Review tracking web map
- Web Maps updates
- DCRPC web site updates
- Update of sidewalk, trail, mountain-bike and equestrian trail data
- GIS conversion from ArcView 3.2 to ArcGIS (ArcMap) 10.6 (intern project)

Annual projects

- Demographic Information updating
- Development Trend (and Pipe Line) information updating
- All townships' zoning map update

Internal project support

- Berlin Comp Plan background maps update
- Berlin Comp Plan map with PRD labeling
- Brown Comp Plan background maps update
- Brown Comp Plan map update
- Liberty Comp Plan background maps update

Member/External Project support

- Galena Comp Plan Map update
 - Galena Zoning Map update
 - Berkshire JEDD map
 - Berkshire TIF map
 - Genoa Comp Plan Map and background maps update
 - Genoa Neighborhood Map
 - Base Map for Genoa Fire Department
 - Orange Comp Plan Map update
 - Parcel based zoning map for Liberty Township
 - NBBJ Corridor study support
 - FLOW mitigation, greenspace study
- Consideration for Approval: retaining Brosius, Johnson & Griggs as legal counsel for 2019

Mr. Merrell made a motion to recommend retaining the legal firm of Brosius, Johnson & Griggs for 2019. Mr. George seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

4. Old Business (none)

5. Other Business (none)

6. Personnel

- **Consideration for Approval: 4 hours paid time off for Christmas Eve (8am-12pm)**

Mr. Sanders explained that as a gesture of goodwill for employees under the Commissioners, the Delaware County Commissioners approved paying 4 hours of paid time off for all non-essential staff for Monday, December 24, 2018, Christmas Eve. Employees currently receive 4 hours of paid holiday hours from 1:00 pm – 5:00 p.m. Mr. Sanders proposed that the DCRPC follow.

Mr. George made a motion to recommend Approval of the 4 additional hours of paid time off for Christmas Eve for all DCRPC staff. Mr. Stites seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

7. Adjourn

Having no further business, Mr. Merrell made a motion to adjourn the meeting at 10:15 a.m. Mr. George seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

The next regular Executive Committee meeting will be Wednesday, January 23, 2019 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. CONSENT AGENDA

09-15 Sycamore Trail – Berlin Twp. - 18 lots / 21.294 acres

I. Conditions

Applicant: James Property Management

Subdivision Type: Single Family Residential

Location: West side of Africa Rd., north of Cheshire Rd.

Zoned: Planned Residential with R-2 overlay

Preliminary Approval: 06/25/15

Utilities: Del-Co Water, central sanitary sewer

School District: Olentangy
Engineer: Terrain Evolution

II. Staff Comments

Sycamore Trail is an 18-lot subdivision located on Africa Road in Berlin Township. The entrance aligns with the entrance of Brookview Manor to the east. Lots are roughly 22,000 s.f., or half-acre in size. It includes a single entrance and single road extended toward the west. Improvements to Africa Road will be required, but will be combined into a larger project with adjacent development. The site will dedicate 7.137 acres of open space. Walking paths have been designed through the open space areas.

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 **Sycamore Trail** to the DCRPC.

Commission / Public Comments

Mr. Price made a motion for Final Approval of Sycamore Trail. Mr. Merrell seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

14-18 The Cottages at Hyatts (Scioto Reserve Expansion, Sec. 1, Ph. B, 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.
Zoned: Planned Residential District (PRD)
Preliminary Approval: 05/31/18
Utilities: Del-Co Water, central sanitary sewer
School District: Buckeye Valley
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.

Two reserve areas are being created, totaling 12.935 (55.8% of the site). One completely surrounds the neighborhood, while the other is in the center. These include cluster box units, 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.

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 Cottages at Hyatts (Scioto Reserve Expansion, Sec. 1, Ph. B, Lot 6798, Div. #1) to the DCRPC.

Commission / Public Comments

Mr. Price made a motion for Final Approval of The Cottages at Hyatts (Scioto Reserve Expansion, Sec. 1, Ph. B, Lot 6798, Div. #1). Mr. Merrell seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

16-18 Duncan Run CAD – Harlem Twp. - 04 lots / 27.282 acres

I. Conditions

- Applicant:** DNJS Investments LLC
- Subdivision Type:** 4 lot CAD subdivision
- Location:** South side of Center Village Rd., east of Duncan Run Rd.
- Zoned:** Agricultural Residential (AR-1)
- Preliminary Approval:** 08/30/18
- Utilities:** Del-Co Water, private on-lot treatment systems
- School District:** Big Walnut
- Engineer:** Geo-Graphics

II. Staff Comments

Duncan Run CAD is a 4-lot Common Access Driveway Subdivision located on the south side of Center Village Road in Harlem Township. The CAD enters the site heading south and ends in a cul-de-sac turnaround. All lots are larger than 5 acres per zoning and will utilize on-site waste treatment systems. The project received a Variance in June, 2018 for a fourth lot to be created where the existing frontage would have limited the project to three lots based on the Subdivision Regulations.

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 Duncan Run CAD to the DCRPC.

Commission / Public Comments

Mr. Price made a motion for Final Approval of Duncan Run CAD. Mr. Merrell seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

26-18 T The Shoppes at Liberty Crossings, Sec. 1, Lot 5150, Div. #1 – Liberty Twp. - 02 lots /
01.395 acres

I. Conditions

Applicant: BSM Powell LLC

Engineer: CESO Inc.

II. Staff Comments

The applicant has requested a second 90-day tabling in order to work out agreements between all parties.

III. Staff Recommendation

Staff recommends *Approval* of a 90-day tabling of **The Shoppes at Liberty Crossings, Section 1, Lot 5150, Div. #1** to the DCRPC.

Commission / Public Comments

Mrs. Kuba made a motion to Approve the 90-day Tabling of The Shoppes at Liberty Crossings, Section 1, Lot 5150, Division #1. Mr. Vidor seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

III. VARIANCES (none)

IV. ZONING MAP/TEXT AMENDMENTS

35-18 ZON Longhill Ltd. Partnership II, RDRG Farms Inc., & Steve Spangler Sr. – Berlin Twp. –
301.944 acres from FR-1 to R-3 w/PRD overlay

I. Request

The applicants, Longhill Ltd. Partnership II, RDRG Farms Inc., and Steve Spangler Sr., are requesting a 301.944-acre rezoning from FR-1 to R-3 with PRD overlay on a number of parcels for the development of a 531-lot single-family subdivision, proposed to be called “Longhill.”

II. Conditions

Location: North side of Berlin Station Rd., east of the R/R and west of future Piatt Rd. extension

Present Zoning: Farm Residential (FR-1)

Proposed Zoning: R-3 with PRD overlay

Present Use(s): One single-family house, agricultural

Proposed Use(s): 531 single-family house lots

Existing Density: 1 du / acre

Proposed Density: 1.85 du / acre

School District: Big Walnut Local School District

Utilities Available: Del-Co Water and central sanitary sewer

Critical Resources: none

Soils: GwB Glynwood Silt Loam 2-6% slope
BoA Blount Silt Loam 0-2% slope
BoB Blount Silt Loam 2-4% slope
PwA Pewamo Silty Clay Loam 0-1% slope

III. Introduction

The Development Plan indicates two entrances from Berlin Station Road – one is directly across from the new entrance to Olentangy Berlin High School while the other is 800' east of Gregory Road. A stub is provided to the north, with eventual connection to Curve Road. The plan also shows approximately 1400' of Piatt Road providing access to the site. The plan indicates that the segment of Piatt to Berlin Station Road would be built by the adjacent development.

The neighborhood will feature a number of open spaces through neighborhood parks within the development and other open spaces around the periphery, along powerline easements, and in other areas allowing lots to have a standard shape. Of the total open space, 15.43 acres are located in 7 Neighborhood Park areas, 68.34 acres are in other areas which include detention basins, and 23.13 acres are located in a parcel west of the railroad which will continue its use as agricultural.

The site will have sidewalks throughout, “public” multi-use paths along Berlin Station Road, and “private” multi-use paths circulating through the open spaces. While the proposed open space is abundant, there is no detail provided as to any park improvements. Given the density and the number of requested divergences, the developer should commit to improvements that will benefit the residential mix of the development.

Lots are generally arranged in three lot sizes and grouped into neighborhoods.

There are a total of 103 “A” lots with a minimum frontage of 70' and lot size of 8,750 s.f., or .20 acres. These are located in the southwestern portion of the site, closest to the railroad.

There are 327 “B” lots with a minimum frontage of 80' and lot size of 10,800 s.f., or .248 acres. These are located along the southeast area and the northwestern area.

The proposal indicates 101 “C” lots with a minimum frontage of 90' and lot size of 10,890 s.f., or .25 acres. These are located in the northeast portion of the site, adjacent to existing large-lot development. This section also takes direct access from the extension of Piatt Road.

Staff comment: Development text consistently numbers 105 Type A lots, while the development plans list the number as 103.

IV. Comprehensive Plan

Berlin Township’s 2010 Comprehensive Plan recommends this area for Single-Family residential development at 1 unit/ac west of the railroad and 1.85 units per net developable acre east of the railroad. The proposal applies the 1.85 units per NDA to the entire acreage, but preserves the 21 acres east of the railroad as agriculture and/or future open space. The Plan also indicates the extension of Piatt Road from Berlin Station Road to Curve Road through the east boundary of this project. With the commitment to build part of Piatt Road and the additional open space proposed beyond the minimum required, the proposal generally conforms to the

recommendations.

V. Issues

Traffic and access: The letter from DCEO notes that a traffic impact study is required, and states that the project layout, including stormwater management, appears feasible, with recommended modifications as follows:

- 1) Coordinating the location of Piatt Road with the adjacent development to the east;
- 2) The entry streets are required to be 3 lanes wide with limited driveways.
(An additional comment regarding the removal of a road stub was addressed with the proposed layout.)

Piatt Road: In 2014, Prior to the development of the Olentangy Berlin High School and extension of Piatt Road to Berlin Station, a project known as Stablewood was proposed on the 63 acres immediately east of this site. That project included on-site waste treatment and proposed a segment of Piatt Road. The proposal ultimately became inactive in 2016 but the property is owned by Trinity Home Builders LLC. This developer will need to work closely with the adjacent owner and the County Engineer on the timing and design of that roadway. Developing from the south to the north, the plan includes the road in Phase 3 with a timetable of 5-7 years. The location of the western access to Berlin Station will require continued conversation with the County Engineer's office as the entrance will require a turn lane and additional right-of-way.

The application does not specify the width of public and private multi-use paths. Staff recommends 10' width for both, the standard currently recommended throughout the County.

Utilities and Services: The typical letters of serviceability confirm capacity, including Berlin Fire Department and the Sheriff's Office. Regional Sewer states conditional capacity to the site, subject to extensions from the sanitary sewer under construction within The Pines subdivision to Berlin Station Road.

Signage: Along with the two advertising signs (subject to approval of divergence #6), the project includes two entry feature signs, which the applicant commits to meeting the standards.

Lighting: The application states that "street lighting is not anticipated for internal streets at this time." Lighting at entrances from county roads may be required by the County Engineer, and is committed to meet the standards.

VI. Divergences

Six divergences are requested:

1. To reduce the minimum side yard setback from 12.5' to 6', 8', and 10' for respective Lot Types A, B, and C.

Staff Comment: This reduces the building spacing from 25' to 12', 16', and 20' based on lot type. The current market supports these smaller cluster-style lots which are created with tighter spacing. As always, drainage improvements and access for service vehicles must be maintained. Staff recommends working with the Fire Department to ensure proper access.

2. To reduce the minimum lot area from 10,890 s.f. to 8,750 s.f. and 10,800 s.f. for respective Lot Types A and B. (see next item)

3. To reduce the minimum lot frontage from 80' to 70' for Type A lots.

Staff Comment: Staff does not generally oppose smaller lots if certain conditions are met. As the width of the lot is reduced, the quality of the design and materials must be increased. Divergences have been granted in other projects for a variety of reasons, including mix of uses and walkability. Sidewalks and open space make this project walkable, but it is single use. Similar projects have provided a book of potential house styles indicating a commitment to architectural details and additional guidance as to the placement of garages. Many of the narrower lots in areas adjacent to this proposal are designed with alleys to reduce the “snout house” effect of front-projecting garages. Similar documentation is provided in this proposal.

	Proposal	R-3
Density	1.85 N.D.A.	1.85 N.D.A.
Side Yard Setback	6', 8', 10'	12.5'
Min. Lot Size (w/PRD)	8,750 s.f. for 103 units, 10,800 s.f. for 327 units, 10,890 s.f. for 101 units	10,890 s.f.
Frontage	70' for 103 lots, 80' for others	80'
Open Space	35% (105 acres)	20% (60 acres)

Given the commitment to open space, the building of a portion of Piatt Road, and the impact of the railroad, these requests are reasonable and are not being requested to achieve a higher density than recommended in the Comprehensive Plan.

4. To allow the lot frontage to be measured along the building line instead of the road right-of-way.
Staff Comment: This is reasonable, but the Development Plan should indicate which lots reflect this divergence and care should be taken to allow appropriate on-street parking areas where lots are more narrow.
5. To allow the existing vegetation along the railroad to meet the perimeter requirements, which otherwise require 1 tree/30 feet plus continuous 6-foot high planting, hedge, wall, fence, or mound.
Staff Comment: This is reasonable, assuming the existing vegetation can be maintained. The topographic information shows a difference of approximately 6 feet from the top of the railroad berm to the surrounding land. Some infill areas may need to be planted.
6. To allow two (2) advertising signs instead of one (1) to remain in place until 90% of the homes are built or the permanent entryway features are installed.
Staff Comment: This is reasonable, given the size of the site, assuming the signs conform to the individual sign’s size limitations.

VII. Staff Recommendations

Staff recommends Conditional Approval of the rezoning request by **Longhill Ltd. Partnership II, RDRG Farms Inc., & Steve Spangler Sr.** from FR-1 to R-3 with PRD overlay to the DCRPC, Berlin Twp. Zoning Commission and Berlin Twp. Trustees, subject to:

- 1.) Coordinating the location of Piatt Road with the adjacent development to the east and clarifying the commitment to build it with Phase 3;
- 2.) Clarifying the number of Type A lots;

- 3.) Multi-use paths being 10 feet wide;
- 4.) Providing additional detail related to any park improvements;
- 5.) Additional buffer may be appropriate adjacent to the church;
- 6.) Ensure Fire Department is comfortable with the building spacing.

Commission / Public Comments

Mr. Jack Reynolds and Mr. Dave Shade were present to represent the applicant. Mr. Reynolds explained that they had met with Township officials and neighbors early on for guidance. The Berlin Twp. Planning Commission meeting is scheduled for January 8th. They have reached out to the neighboring landowner to the east regarding the installation of the road. They have also received a letter from the Fire Department and have begun addressing those issues.

Ms. Husak questioned the buffering and distance from the railroad for the lots on the west side. Mr. Bennetch stated that there was a 50' buffer (100' from the railroad). Ms. Husak recommended that in areas of no vegetation, the developer should ensure enhancement for those lots on the west side and to ensure there was adequate spacing from the railroad to decrease the impact.

Mr. Price made a motion for Conditional Approval of the rezoning request by Longhill Ltd. Partnership II, RDRG Farms Inc., & Steve Spangler Sr., subject to staff recommendations:

- 1.) Coordinating the location of Piatt Road with the adjacent development to the east and clarifying the commitment to build it with Phase 3;*
- 2.) Clarifying the number of Type A lots;*
- 3.) Multi-use paths being 10 feet wide;*
- 4.) Providing additional detail related to any park improvements;*
- 5.) Additional buffer may be appropriate adjacent to the church;*
- 6.) Ensure Fire Department is comfortable with the building spacing.*

Mr. Vidor seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

36-18 ZON BrightPath Active Learning LLC – Genoa Twp. – 1.077 acres from PI to PCF

I. Request

The applicant, BrightPath Active Learning, LLC, is requesting a 1.077-acre rezoning from PI to PCF for the development of a child care facility.

II. Conditions

Location: 5940 Chandler Court, Westerville

Present Zoning: Planned Industrial & Warehouse District (PI)

Proposed Zoning: Planned Community Facilities District (PCF)

Present Use(s): Vacant

Proposed Use(s): Child Care center

School District: Westerville City

Utilities Available: Del-Co Water and central sanitary sewer

Critical Resources: none

Soils: BeB Bennington Silt Loam 2-4% slope
PwA Pewamo Silty Clay Loam 0-1% slope

III. Introduction

The applicant proposes to develop the site for a 6,225 s.f. childcare center divided into 3,040 s.f. to be initially developed with an additional 1,960 s.f. shell only. The plan also shows a 10,300 s.f. fenced natural play area. Covered porches along the southern and eastern edge of the building border the outdoor area.

The site is located on the south side of Chandler Court west of State Route 3 in the Chandler Corporate Park subdivision. The site plan shows two accesses proposed off Chandler Court, with 19 parking spaces fronting the building. The plan includes 30,457 s.f. of open space (65% of the site), which meets the minimum requirement.

The current PI zoning classification does not include the proposed use. The PCF Permitted Principle Uses includes “Primary and secondary public, private, or parochial schools; Nursery schools and other educational facilities.” Online NAICS directories list BrightPath Active Learning as #624410 – Child Day Care Services, which includes “nursery schools.”

IV. Comprehensive Plan

Genoa Township’s 2016 Comprehensive Plan indicates this area as Planned Industrial within Planning Area 6, with no changes proposed to existing zoning. Staff acknowledges the current variety of uses in the immediate vicinity, including a restaurant to the east, offices and commercial warehouses to the north, offices to the west, and a cemetery to the south. The proposed use is consistent with the intent of the District and the Planning Area. With limited non-residential areas in Genoa Township, this proposal represents a positive use for a commercial district. The Auditor’s site indicates the vacant parcel currently pays approximately \$4,000 in property taxes whereas a similar day care facility recently developed in the County pays \$44,000.

V. Issues

Circulation: Chandler Court is a dead-end commercial street. One of the two accesses aligns with an existing access to the site to the north. A letter from the County Engineer should be included addressing the accesses and preliminary drainage.

Landscaping: No landscaping plan has been submitted. The site plan indicates the continuation of the sidewalk that is currently along Chandler at the Giammarco’s restaurant but there is no commitment to doing so. Staff concurs with building the facility but it needs to be mentioned in the text.

Drainage: Stormwater management includes a detention basin and sub-surface drainage, as needed.

Signage: No signage has been proposed nor any signage detail provided.

Lighting: No lighting plan was included, although the code requires the parking area to be lit.

Fire Department: No letter was submitted by the Genoa Township Fire Chief was submitted, certifying maneuverability and that all applicable fire codes have been met.

Development Plan: Since Planned districts are specifically related to individual properties, applications include

in text form a response to each item in the applicable district. This proposal lists a number of items, but not with the typical detail provided with a Planned district rezoning application.

VI. Divergences

No divergences are specifically requested although the application asks whether the 6' setback of the fence requires a divergence.

VII. Staff Recommendations

Staff recommends **Conditional Approval** of the rezoning request by BrightPath Active Learning LLC. from PI to PCF to the DCRPC, Genoa Twp. Zoning Commission and Genoa Twp. Trustees, *subject to*:

- 1.) *Preparation of a Development Plan in text form that lists landscaping, signage, lighting, architectural detail, and materials; and*
- 2.) *Inclusion of letters from the County Engineer, Sanitary Engineer, and local Fire Department related to serviceability.*

Commission / Public Comments

The applicant, Ms. Erica Wares was present. She stated that they currently operate a facility on Shrock Rd. in Westerville and want to make sure this property is appropriate for this use.

Mrs. Kuba made a motion to recommend Conditional Approval of the request by BrightPath Active Learning LLC, based on staff recommendations:

- 1.) *Preparation of a Development Plan in text form that lists landscaping, signage, lighting, architectural detail, and materials; and*
- 2.) *Inclusion of letters from the County Engineer, Sanitary Engineer, and local Fire Department related to serviceability.*

Mr. Merrell seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

IV. SUBDIVISION PROJECTS

Preliminary (none)

Preliminary/Final (none)

V. EXTENSIONS (none)

VI. OTHER BUSINESS

- **Consideration for Approval: Deseret II, Lot 4174, Division #1 final plat**

Mr. Sanders explained that Deseret is a gated, private development (with private streets) in Liberty Twp. Originally it was a family compound. Now there are different owners and the open space is more than they need or want to maintain. The owners want to convert part of one of the open space areas into a building lot. The RPC approved the preliminary plan in August 2018. The plat was circulated and on the RPC agenda last month but lacked the County Engineer's signature. No improvements needed to be made. The project was tabled at the November RPC meeting for 90 days. They were able to secure the County Engineer's signature in the last couple days (but not by the agenda deadline). Mr. Kershner with Stantec called and asked if the Commission would consider approving the plat. Mr. Sanders stated that he does not have a problem with the plat, it is a matter of whether the Commission deems it appropriate to vote without it being listed on the agenda. He said the plat creates only one lot and is signed and in our office. Mr. Sanders further stated that the December meeting is moved back a week due to the holidays and if they were to wait, the plat couldn't be approved at RPC until the last week of January and then on the County Commissioners agenda until the second week of February.

Mr. Kevin Kershner with Stantec was present to represent the applicant. He understands it is a unique request and appreciated the Commission's consideration.

Mr. Brian Lorenz, 4111 Village Club Drive, Powell, Ohio, stated that he supported the recommendation.

Mrs. Kuba questioned whether the Commission was denying the public a chance to comment with it not being listed on the agenda. Mr. Sanders stated that it was on the November agenda and which would have allowed the public to comment.

Mr. Merrell made a motion for Final Approval of Deseret II, Lot 4174, Division #1. Mr. George seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

VII. POLICY / EDUCATION DISCUSSION

- **Consideration for Approval: 4 hours paid time off for Christmas Eve**

As a gesture of goodwill for employees under the Commissioners, the Delaware County Commissioners approved paying 4 hours of paid time off for all non-essential staff for Monday, December 24, 2018, Christmas Eve. Employees would receive 4 hours of paid time off hours from 1:00 pm – 5:00 p.m. The Executive Committee recommended that the DCRPC follow this policy.

Mr. Vidor made a motion to Approve the 4 hours paid time off for DCRPC staff for Christmas Eve. Mr. Thurston seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

VIII. RPC STAFF AND MEMBER NEWS

- **Member Recognition** – recognizing Representatives and Alternates that have served on the DCRPC for 10 years or more with a certificate.

First Name	Last Name	Title	Representing	YOS
William	Thurston	Representative	Oxford Twp.	45
Bonnie	Newland	Representative	Thompson Twp.	31
Chris	Bauserman	Representative	Delaware County	28
Fred	Fowler	Representative	Code Compliance	27
Tom	Hopper	Representative	Village of Galena	23
Steve	Burke, RS	Representative	Health Dist.	19
Doug	Riedel	Alternate	Del. County Engineer	16
Mike	Dattilo	Representative	Trenton Township	15
Doug	Price	Representative	Troy Twp.	15
Dave	Jackson	Alternate	Harlem Twp.	14
Bob	Talbott	Alternate	Kingston Twp.	12
Sharon	Hough	Representative	Delaware Township	11
Dave	Stites	Representative	Kingston Twp.	11
Jeff	George	Representative	Berkshire Twp.	10
Hal	Clase	Representative	Marlboro Twp.	10
James	Hatten	Alternate	Oxford Twp.	10

- **Bill Thurston, Oxford Twp. Representative** – retiring

Mr. Thurston was presented a clock as a token of appreciation for his 45 years of service to the DCRPC.

Mr. Stites made a motion to Approve Resolution #01-18. Mr. Merrell seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

**Delaware County
 REGIONAL PLANNING COMMISSION**

RESOLUTION 01-18

WHEREAS, William Thurston, has given selflessly of his time as Representative for Oxford Township at the Delaware County Regional Planning Commission, and

WHEREAS, his dedication has benefited the residents of Delaware County, the Delaware County Regional Planning Commission and the DCRPC staff, and

WHEREAS, his service to his community, his soft voice and selflessness will be missed as he passes the baton to a new representative for Oxford Township.

NOW, THEREFORE, be it known that the Delaware County Regional Planning Commission acknowledges his exemplary service as Vice Chairman of the Delaware County Regional Planning Commission, 1989, and Chairman of the Delaware County Regional Planning Commission, 1990 and 1991, and Representative over the last 45 years, appreciates his continued service and presence on the Commission, and thanks him for his tireless efforts on behalf of good planning for all in Delaware County.

Duly adopted this 20th day of December 2018.

DELAWARE COUNTY REGIONAL PLANNING COMMISSION

Having no further business, Mr. Price made a motion to Adjourn the meeting at 7:15 p.m. Mr. Merrell seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

The next meeting of the Delaware County Regional Planning Commission will be Thursday, January 31 2019, 6:30 PM at the Frank B. Willis Building, 2079 US 23 North, Conference Room, Delaware, Ohio 43015.

Dave Stites, Chairman

Stephanie Matlack, Executive Administrative Assistant