



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, January 31, 2019 at 6:30 PM

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

ADMINISTRATIVE BUSINESS

- Call to order
- Roll Call
- Approval of December 20, 2018 RPC Minutes
- Executive Committee Minutes of January 23, 2019
- Statement of Policy

CONSENT AGENDA

none

TOWNSHIP

LOTS/ACRES

VARIANCES

03-19.V Metro Dvlpt. LLC. – request for overall preliminary of Steitz Rd.-Hyatts to Clark-Shaw, Section 1

ZONING MAP/TEXT AMENDMENTS

01-19 ZON Brown Township Zoning Commission – Comprehensive Plan update
 02-19 ZON Horace & Tina Henriot – Harlem Twp. – 2.156 acres from AR-1 to FR-1
 03-19 ZON David & Brenda Frecka – Liberty Twp. – 39.270 acres from PR to FR-1
 04-19 ZON Starfall LLC – Harlem Twp. – 11.131 acres from AR-1 to FR-1
 05-19 ZON Starfall LLC – Harlem Twp. – 11.064 acres from AR-1 to FR-1
 06-19 ZON Starfall LLC – Harlem Twp. – 10.838 acres from AR-1 to FR-1
 07-19 ZON Starfall LLC – Harlem Twp. – 12.501 acres from AR-1 to FR-1
 08-19 ZON Metro Development – Berlin Twp. – 183.81 acres from FR-1 to R-3 /PRD overlay
 09-19 ZON Metro Development – Berlin Twp. – 20.85 acres from FR-1 & PID to PCD
 10-19 ZON Porshi LLC – Orange Twp. – 11.249 acres from FR-1 to SFPRD

SUBDIVISION PROJECTS

TOWNSHIP

LOTS/ACRES

Preliminary

01-19	T	Northstar, Section 1, Ph. E, Pt. I (Honey Grove)	Berkshire	21 lots / 10.236 acres
02-19		The Reserve at Scioto Bluff	Concord	18 lots / 12.02 acres
28-18	T	Grand Pointe at North Orange	Orange	35 lots / 21.36 acres

Preliminary/Final

03-19		Steitz Road-Hyatts to Clark-Shaw, Sec. 1	Liberty	04 lots / 119.015 acres
04-19	F=T	Northpointe Hotel & Conference Center Southeast	Orange	01 lot / 08.233 acres

EXTENSIONS

TOWNSHIP

LOTS/ACRES

02-17		Northstar, Section 1, Phase B	Berkshire	52 lots / 20.98 acres
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OTHER BUSINESS

- Consideration for Approval: Legal services retention, Brosius, Johnson & Griggs
- Consideration for Approval: Liability Insurance and Director's Bond: \$7,462.00

POLICY / EDUCATION DISCUSSION (none)

RPC STAFF AND MEMBER NEWS (none)

ADMINISTRATIVE BUSINESS

▪ **Call to Order**

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

▪ **Roll Call**

Representatives: Jim Nelson, David Loveless, Susan Kuba, Fred Fowler, Gary Merrell, Barb Lewis, Steve Burke, Mike Frommer, Tom Hopper, Dave Stites, Hal Clase, James Hatten, Ed Snodgrass, Josh Vidor, Time Gose, and Mike Dattilo. Alternates: John Piccin, Paul Benson, Bob Singer, Charles Hurt, Jeff Beard, and Richard Lehner. Staff: Scott Sanders, Phil Bennetch, Da-Wei Liou and Stephanie Matlack.

▪ **Approval of the December 20, 2018 RPC Minutes**

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

▪ **January 23, 2019 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, Susan Kuba and Jeff George. Staff: Scott Sanders and Stephanie Matlack.

2. At 8:47 a.m., Mr. Stites made a motion to go into Executive Session per ORC 121.22 (G) (1) for the consideration of employment of a public employee. Mr. Merrell seconded the motion.

Roll call vote: Mr. Merrell, Aye, Mr. Frommer, Aye, Mr. George, Aye, Mrs. Kuba, Aye, Mr. Stites, Aye. Motion carried.

At 9:37 a.m. Mr. George made a motion to return to regular session, seconded by Mrs. Merrell.

Roll call vote: Mr. Merrell, Aye, Mr. Frommer, Aye, Mr. George, Aye, Mrs. Kuba, Aye, Mr. Stites, Aye. Motion carried.

3. Approval of Executive Committee Minutes from December 12, 2018

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

4. New Business

- Financial / Activity Reports for December 2018

REGIONAL PLANNING RECEIPTS		DECEMBER	YTD TOTAL
General Fees (Lot Split)	(4201)	\$2,050.00	\$14,655.00
Fees A (Site Review)	(4202)		\$6,300.00
Insp. Fees (Lot Line Transfer)	(4203)	\$200.00	\$3,800.00

Membership Fees	(4204)		\$232,404.00
Planning Surcharge (Twp. Plan. Assist.)	(4205)		\$5,000.00
Assoc. Membership	(4206)		\$0.00
General Sales	(4220)		\$15.00
Charges for Serv. A (Prel. Appl.)	(4230)	\$2,500.00	\$112,147.00
Charges for Serv. B (Final. Appl.)	(4231)		\$94,585.60
Charges for Serv. C (Ext. Fee)	(4232)		\$900.00
Charges for Serv. D (Table Fee)	(4233)	\$400.00	\$2,800.00
Charges for Serv. E (Appeal/Var.)	(4234)		\$2,700.00
Charges for Serv. F (Planned District Zoning)	(4235)	\$600.00	\$7,800.00
OTHER DEPT. RECEIPTS			
Health Dept. Fees	(4242)		\$12,040.00
Soil & Water Fees	(4243)	\$200.00	\$7,375.00
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		\$5,950.00	\$502,765.60

Balance after receipts	\$964,969.70
Expenditures	- \$ 53,164.90
End of December balance (carry forward)	\$911,804.80

Mrs. Kuba 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 Project
 - 1.) *Mechenbier Project – Brown Twp. - 13 lots / 36.458 acres*
 - 2.) *Hemsoth CAD – Concord Twp. - 02 lots / 08.60 acres*
 - 3.) *Ironwood – Porter Twp. - 08 lots / 56.62 acres*
 - 4.) *Williams CAD – Trenton Twp. - 02 lots / 08.00 acres*
 - 5.) *Hyatts Crossing – Liberty Twp. - 02 lots / 27.89 acres*

- January RPC Preliminary Agenda
 - 1.) Rezoning:
 - Brown Township Zoning Commission – Comprehensive Plan update
 - Horace & Tina Henriot – Harlem Twp. – 2.156 acres from AR-1 to FR-1
 - David & Brenda Frecka – Liberty Twp. – 39.270 acres from PR to FR-1
 - Starfall LLC – Harlem Twp. – 11.131 acres from AR-1 to FR-1
 - Starfall LLC – Harlem Twp. – 11.064 acres from AR-1 to FR-1

- Starfall LLC - Harlem Twp. - 10.838 acres from AR-1 to FR-1
- Starfall LLC - Harlem Twp. - 12.501 acres from AR-1 to FR-1
- Metro Development - Berlin Twp. - 183.81 acres from FR-1 to PRD
- Metro Development - Berlin Twp. - 20.85 acres from FR-1 & PID to PCD
- Porshi LLC - Orange Twp. - 11.249 acres from FR-1 to SFPRD

2.) Preliminary:

- Northstar, Section 1, Ph. E (Honey Grove) - Berkshire Twp. - 21 lots / 10.236 acres
- The Reserve at Scioto Bluff - Concord Twp. - 18 lots / 12.02 acres
- Grand Pointe at North Orange - Orange Twp. - 35 lots / 21.36 acres (TABLED)

3.) Preliminary/Final:

- Steitz Road-Hyatts to Clark Shaw, Sec. 1 - Liberty Twp. - 04 lots / 119.015 acres
- Green Meadows Business Center Extension - Orange Twp. - 01 lot / 08.233 acres (Final is tabled.)

4.) Final: none

5.) Extension:

- Northstar, Section 1, Ph. B - Berkshire Twp. 52 lots / 20.98 acres

- Director's Report

1.) End-of-Year Report - January 2019

Financial

2018 Dues income: \$232,404

Projected 2018 development and contract income: \$105,000 (no pass-through fees)

Actual 2018 development and contract income: \$250,687 (no pass-through fees)

Projected 2018 expenses: \$473,912

Actual 2018 expenses: \$447,536

2.) Zoning Reviews

	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
Zoning Cases	13	8	16	19	33	27	29	43	41	30
Acres Reviewed	256	96	235	439	1,396	879	1,103	2,627	912	1,056

3.) Subdivision Activity

	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
Preliminary Non-Res.	21	1	21	7	12	14	7	10	3	13
Preliminary Residential	43	5	12	264	791	1176	478	642	720	915
Final Non-Residential	20	0	1	4	32	2	3	18	11	20
Final Residential	56	152	101	142	240	277	627	468	682	682
Total lots reviewed	140	158	135	417	1,075	1,469	1,112	1,138	1,416	1,630

4.) NPA Splits and Transfers

	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
Transfers reviewed	21	29	18	32	21	26	35	46	39	37
Transfer acres	84	62	40	80	35	94	67	82	124	64
Splits (new lots)	9	8	11	16	24	25	25	27	48	61
Splits (existing)	7	1	4	10	8	7	6	20	13	11
Total Splits	16	9	15	26	32	32	31	47	61	72

5.) Building Permits (includes multi-family)

	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
Res. Building Permits (twp.)	358	404	472	593	655	502	616	824	800	997
Res. Building Permits (muni.)	264	519	261	685	1450	811	983	1272	542	786
Commercial Building Permits (twp.)	27	36	16	24	20	26	65	21	20	35

Continuing Activity in 2019

- Working on wall maps with community features for each jurisdiction;
- GIS Project for development tracking;
- County permitting and project tracking software;
- County Trail Group;
- MORPC Data Group;
- 2020 Census preparation;
- Aging study with Health District;
- Greenspace project by Friends of the Lower Olentangy and Franklin SWCD support;
- Agricultural Preservation easement project support;
- Office space planning.

Activity since last Executive Committee Meeting

- Completed draft of Brown Township, ready to present to DCRPC;
- Participated in the Regional Data Advisory Committee call-in meeting;
- December monthly Development meeting;
- EMA Mitigation Plan meeting, January 9;
- Hosted a GIS users meeting of county agencies, will continue to assemble a listing of layers and continue future group meetings;
- Trakit training and first testing delivery took place - now starting to test the data and processes;
- Attended cellular development kickoff meeting;
- Began NACo Leadership Institute virtual training - daily readings/videos, small-group conference calls and full-group webinar each week.

5. Old Business (none)

6. Other Business

- Consideration for Approval: Liability Insurance and Director's Bond: \$7,462.00
Mr. George made a motion to recommend Approval of the Liability Insurance expenditure for \$7,462.00. Mrs. Kuba seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

7. Personnel (none)

8. Adjourn

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

The next regular Executive Committee meeting will be Wednesday, February 20, 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.

CONSENT AGENDA (none)

VARIANCES

03-19.V Metro Dvlpt. LLC. – request for overall preliminary of Steitz Rd.–Hyatts to Clark-Shaw, Section 1

Applicant: Metro Development, LLC.

Engineer: IBI Group

Request

The applicant is requesting a variance from **Section 204.02 Preliminary Plan Submission** of the Delaware County Subdivision Regulations in order to receive overall Preliminary approval of Steitz Road – Hyatts to Clark-Shaw, Section 1.

Facts

1. The applicant provided the required base fee for Preliminary submissions and included the developable areas as “lots”;
2. This type of variance has been used previously on Golf Village (formerly Liberty Twp.), Scioto Reserve

- (Concord Twp.), and Glen Oak (Orange Twp.);
3. The intent is to construct the extension of Steitz Road through the future Woodcrest Crossing subdivision as an independent project. Future development will then be accomplished by taking access to this new road.

Criteria For a Variance

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

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

Applicant's Response: "The variance requests subdividing the 119.015 acre parcel into four parcels and right-of-way to be dedicated to Delaware County for the purpose of extending Steitz Road. Of the four new parcels, three are considered buildable lots, and will be transferred to another party for additional subdividing of land for residential subdivision. The future subdivision will follow the procedures outlined in the Subdivision Regulations of Delaware County, Ohio (2016) and submit a Sketch Plan, Preliminary Plan, and Final Plat for the Subdivision.

The granting of the variance will not be detrimental to the public health, safety and welfare and not injurious to other parties. The condition of this variance is unique to this property as the variance will create three parcels for future development by another party. If the Delaware County Subdivision Regulations were exactly followed, the Developer would end up preparing two Preliminary Plans for the same property. The granting of this variance will meet the application zoning regulations and comprehensive plan for the area."

Staff comments: This is a reasonable use of the Variance procedure. Future development will require new Preliminary Plans and Final Plats of development areas.

Staff recommendations

DCRPC staff recommends *Approval* of the variance request from Sec. 204.02 for **Metro Development LLC.**, based on the findings of fact.

Commission / Public Comments

Mr. Eric Chenevey with IBI Group was present.

Mr. Piccin made a motion for Approval of the variance request for Metro Development LLC. Mr. Frommer seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

ZONING MAP/TEXT AMENDMENTS

01-19 ZON Brown Township Zoning Commission – Comprehensive Plan update

Request

Brown Township used the Regional Planning Commission staff to create a Comprehensive Plan in 2002 and was one of the first townships to use our planning process. Despite being located with access to the US 36/SR 37 corridor, the Township has seen limited services, especially when it comes to sewer service. Some land has been annexed into the City of Delaware for this purpose, but that growth has been limited.

Since the mid-2000s, the County's Sewer Master Plan has identified a desire to service the 36/37 corridor. Until recently, that was a long-term goal. However, recent planning has moved that potential service into the near term, in an effort to take advantage of well-planned and thoughtful development along the corridor that would increase the tax base of the County and local jurisdictions. A recent corridor study recommended several details that overlapped with this planning process and were incorporated into the vision.

The goal is to allow development near the corridor, when service is available, while preserving the agricultural heritage and the high-yield soils in the central part of Delaware County.

The update to the Plan began in the late spring of 2018, when staff began working with a small group of interested citizens, the Zoning Commission and Board of Zoning Appeals. A survey was mailed to residents, and results were collated and reported in the plan. Staff made significant updates to the chapters of the plan, streamlining language and modernizing the format. The plan added a list and map of Centennial Farms and farms of local significance, as well as current environmental, infrastructure, and development updates.

Changes were minimal in the plan. Language recommending the redevelopment within and around the Village of Kilbourne were already in place and were updated. There is interest in accomplishing some of that now. Many of the other recommended changes to the zoning code and other standards were completed after the original plan was adopted.

The main difference in the plan was an increase in the size of Subarea 1, which was previously limited to the area west of the railroad. That has now been extended to the area between 36/37 and Bowtown Road. The area allows residential growth of up to 1.25 units per acre if services can be provided. Non-residential uses are also recommended, particularly along an area within 600 feet of the highway. Typical language is included that is in alignment with ODOT's standards for limited access, backage road, and cross-access. Since there is little direct frontage in the Township, development would need to be coordinated with Berlin Township to the south.

Other subarea recommendations do not assume sewer treatment in the near term. Land close to the reservoir is desired to be developed with sensitivity to the unique environmental characteristics of the area.

Staff Recommendations

Staff recommends Approval of the amendments to the Brown Township Comprehensive Plan to the DCRPC, Brown Twp. Zoning Commission and Brown Twp. Trustees.

Commission / Public Comments

Mr. Clase made a motion to recommend Approval of the amendments to the Brown Township Comprehensive Plan. Mr. Merrell seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

02-19 ZON Horace & Tina Henriot – Harlem Twp. – 2.156 acres from AR-1 to FR-1

Request

The applicants, Horace and Tina Henriot, are requesting a 2.156-acre rezoning from AR-1 to FR-1 to allow the lot to be split into two residential lots.

Conditions

Location: 6351 Harlem Road, south of Gorsuch Rd.

Present Zoning: Agricultural (AR-1)

Proposed Zoning: Farm Residential (FR-1)

Present Use(s): One single-family house

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

Existing Density: 1 du / 5 acres

Proposed Density: 1 du / 2 acres

School District: Big Walnut Local School District

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

Critical Resources: none

Soils: BeA Bennington Silt Loam 0-2% slope

 PwA Pewamo Silty Clay Loam 0-1% slope

Introduction

This is a straight rezoning and does not require a development plan. However, based on the plan submitted, only a 2.156-acre area that excludes the existing home is being rezoned. This will result in a split of two lots in the future. According to the lot split survey exhibit, the parcel has 216 feet of frontage on Harlem Road, which meets the zoning resolution's 175' minimum for lots between 2 and 3 acres in size, exclusive of all easements and rights-of-way.

Further subdivision of this lot (unless combined with other land) will be accomplished through the No-Plat lot split process, allowing township and county agencies the opportunity to review and approve the proposed lots. Staff has generally supported rezoning requests from 5 acres to 2 as land is utilized in a more efficient manner. Staff also recommends that the applicant consult with the Delaware General Health District to determine on-site waste treatment feasibility.

Comprehensive Plan

Harlem Township's 2007 Comprehensive Plan indicates this area would be single-family residential at 0.5 units per acre without centralized sewer. Developing this parcel would be consistent with this recommendation.

Staff Recommendations

Staff recommends **Approval** of the rezoning request by Horace and Tina Henroit from AR-1 to FR-1 to the DCRPC, Harlem Twp. Zoning Commission and Harlem Twp. Trustees.

Commission / Public Comments

No one was present to represent the applicant.

Mrs. Kuba made a motion to recommend Approval of the rezoning by Horace and Tina Henriot. Mr. Clase seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Harlem Twp.). Motion carried.

03-19 ZON David & Brenda Frecka – Liberty Twp. – 39.270 acres from PR to FR-1

Request

The applicants, David and Brenda Frecka, are requesting a 39.270-acre rezoning from PR to FR-1 for a single family residence.

Conditions

Location: West side of SR 315, south of Rissler Lane

Proposed Zoning: Farm Residential (FR-1)

Present Use(s): Barn, former agriculture/grazing

Proposed Use(s): One single-family house

Existing Density: 2 du / acre

Proposed Density: 1 du /acre

School District: Olentangy

Utilities Available: Del-Co Water and central sanitary sewer

Critical Resources: slope \geq 20%, streams/drainage course, Heritage site buffer ½ mile by ODNR

Soils: GwB Glynwood Silt Loam 2-6% Slope

 GwC2 Glynwood Silt Loam 6-12 % slope

 LyD2 Lybrand Silt Loam 12-18% slope

 ScB Scioto Silt Loam 2-6% slope

 SdC2 Scioto Silty Clay Loam 6-12% slopes

Introduction

This site had been most recently rezoned to Planned Residence in 2014 for the development of Allington Place, which included the parcels to the west and east. The project then came in as a Preliminary Plan called Allington Estates with 25 lots on 102.86 acres, and was approved in July, 2016. The Preliminary Plan expired in August, 2018 after development of the site was no longer being pursued.

By rezoning these 39 acres, the 49.923-acre tract to the west will continue to be zoned PRD with a no longer valid Development Plan through zoning and an expired Preliminary Plan through the RPC. This does not necessarily present a problem, but any use or alteration of that property will require either rezoning or the submission of a new Development Plan for that parcel. This issue also applies to the 12-acre parcel on the east side of 315 retained by developer Peter Marks.

The applicant is proposing a single-family residence and drive on the 39.27 acres, set back from the road approximately 1,000 feet. The site plan indicates a brown horse fence along the frontage of S.R. 315. There is an existing barn which will remain, along with an existing driveway and easement used by the adjacent property to the south. Architectural detail has been provided for the residence and the entry gates.

Comprehensive Plan

Liberty Township's 2018 Comprehensive Plan indicates this site is located in Sub Area 1 – The Olentangy Heritage Corridor, which recommends a maximum residential density of 1 unit per acre. The proposal is well within the recommendation and will not contribute to the traffic issues on S.R. 315. Since Allington was approved to take access from Trail's End to the north, a new curb-cut will be required from ODOT.

Staff Recommendations

Staff recommends **Conditional Approval** of the rezoning request by David and Brenda Frecka from PR to FR-1 to the DCRPC, Liberty Twp. Zoning Commission and Liberty Twp. Trustees, subject to:

1. Ensuring a new curb-cut from State Route 315 can be acquired from ODOT; and
2. Considering the impact this rezoning will have on the parcels that remain PRD to the west and east.

Commission / Public Comments

Mr. Ralph Fallon was present on behalf of the applicants.

Mr. Vidor made a motion to recommend Conditional Approval of the rezoning request by David and Brenda Frecka, subject to staff recommendation. Mr. Fowler seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

04-19 ZON Starfall LLC – Harlem Twp. – 11.131 acres from AR-1 to FR-1

Request

The applicant, Starfall LLC, is requesting an 11.131-acre rezoning from AR-1 to FR-1 to allow a future lot split.

Conditions

Location: south side of Fancher Rd., east of SR 605

Present Zoning: Agricultural (A-1)

Proposed Zoning: Farm Residential (FR-1)

Present Use(s): Vacant, agriculture

Proposed Use(s): Future lot split

Existing Density: 1 du / 5 acres

Proposed Density: 1 du / 2 acres

School District: Big Walnut Local School District

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

Critical Resources: Streams/drainage course

Soils: BeA Bennington Silt Loam 0-2% slope

CeB Centerburg Silt Loam 2-6% slope

PwA Pewamo Silty Clay Loam 0-1% slope

Introduction

This is a straight rezoning and does not require a development plan. The assumption is that the lot is being rezoned for future subdivision into additional lots.

The parcel is one of a set of 12 parcels that were created on October 15, 2018 (tracts 1-4) and November 20, 2018 (tracts 5-12) from an original 102-acre tract. The lots are all larger than 5 acres and were therefore exempt from the subdivision process or any other review. The applicant is proposing to rezone the four parcels (tracts 5-8) with frontage on Fancher Road.

According to the survey, Tract 5 has 487.83 feet of frontage on Fancher Road, which is a county road. Harlem Township's zoning resolution requires 2 acres exclusive of all easements and rights-of-way, and frontage of 175 feet for 2-3 acres, with increasing frontage as acreage increases. Flag lots, or lots with less than the required frontage, are allowed on county roads if separated by a lot with full frontage. Frontage and acreage could provide for no more than 4 lots.

Further subdivision of this lot (unless combined with other land) will be accomplished through the No-Plat lot split process, allowing township and county agencies the opportunity to review and approve the proposed lots. Staff has generally supported rezoning requests from 5 acres to 2 as land is utilized in a more efficient manner. Staff also recommends that the applicant consult with the Delaware General Health District to determine on-site waste treatment feasibility.

Comprehensive Plan

Harlem Township's 2007 Comprehensive Plan indicates this area would be single-family residential at 0.5 units per acre without centralized sewer. Developing this parcel would be consistent with this recommendation.

Staff Recommendations

Staff recommends **Approval** of the rezoning request by Starfall LLC Tract 5 from AR-1 to FR-1 to the DCRPC, Harlem Twp. Zoning Commission and Harlem Twp. Trustees.

Commission / Public Comments

No one was present to represent the applicant.

Mr. Clase made a motion to recommend Approval of the rezoning for Starfall LLC Tract 5. Mr. Frommer seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Harlem Twp.). Motion carried.

05-19 ZON Starfall LLC – Harlem Twp. – 11.064 acres from AR-1 to FR-1

Request

The applicant, Starfall LLC, is requesting an 11.064-acre rezoning from AR-1 to FR-1 to allow a future lot split.

Conditions

Location: south side of Fancher Rd., east of SR 605

Present Zoning: Agricultural (A-1)

Proposed Zoning: Farm Residential (FR-1)

Present Use(s): Vacant, agriculture

Proposed Use(s): Future lot split

Existing Density: 1 du / 5 acres

Proposed Density: 1 du / 2 acres

School District: Big Walnut Local School District

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

Critical Resources: Streams/drainage course

Soils: BeA Bennington Silt Loam 0-2% slope

 CeB Centerburg Silt Loam 2-6% slope

 PwA Pewamo Silty Clay Loam 0-1% slope

Introduction

This is a straight rezoning and does not require a development plan. The assumption is that the lot is being rezoned for future subdivision into additional lots.

The parcel is one of a set of 12 parcels that were created on October 15, 2018 (tracts 1-4) and November 20, 2018 (tracts 5-12) from an original 102-acre tract. The lots are all larger than 5 acres and were therefore exempt from the subdivision process or any other review. The applicant is proposing to rezone the four parcels (tracts 5-8) with frontage on Fancher Road.

According to the survey, Tract 6 has 647.87 feet of frontage on Fancher Road, which is a county road. Harlem Township's zoning resolution requires 2 acres exclusive of all easements and rights-of-way, and frontage of 175 feet for 2-3 acres, with increasing frontage as acreage increases. Flag lots, or lots with less than the required frontage, are allowed on county roads if separated by a lot with full frontage. Frontage and acreage could provide for no more than 5 lots.

Further subdivision of this lot (unless combined with other land) will be accomplished through the No-Plat lot split process, allowing township and county agencies the opportunity to review and approve the proposed lots. Staff has generally supported rezoning requests from 5 acres to 2 as land is utilized in a more efficient manner. Staff also recommends that the applicant consult with the Delaware General Health District to determine on-site waste treatment feasibility.

Comprehensive Plan

Harlem Township's 2007 Comprehensive Plan indicates this area would be single-family residential at 0.5 units per acre without centralized sewer. Developing this parcel would be consistent with this recommendation.

Staff Recommendations

Staff recommends **Approval** of the rezoning request by Starfall LLC Tract 6 from AR-1 to FR-1 to the DCRPC, Harlem Twp. Zoning Commission and Harlem Twp. Trustees.

Commission / Public Comments

No one was present to represent the applicant.

Mr. Clase made a motion to recommend Approval of the rezoning for Starfall LLC Tract 6. Mr. Frommer seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Harlem Twp.). Motion carried.

06-19 ZON Starfall LLC – Harlem Twp. – 10.838 acres from AR-1 to FR-1

Request

The applicant, Starfall LLC, is requesting a 10.838-acre rezoning from AR-1 to FR-1 to allow a future lot split.

Conditions

Location: south side of Fancher Rd., east of SR 605

Present Zoning: Agricultural (A-1)

Proposed Zoning: Farm Residential (FR-1)

Present Use(s): Vacant, agriculture

Proposed Use(s): Future lot split

Existing Density: 1 du / 5 acres

Proposed Density: 1 du / 2 acres

School District: Big Walnut Local School District

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

Critical Resources: None

Soils: BeA Bennington Silt Loam 0-2% slope

 CeB Centerburg Silt Loam 2-6% slope

 PwA Pewamo Silty Clay Loam 0-1% slope

Introduction

This is a straight rezoning and does not require a development plan. The assumption is that the lot is being rezoned for future subdivision into additional lots.

The parcel is one of a set of 12 parcels that were created on October 15, 2018 (tracts 1-4) and November 20, 2018 (tracts 5-12) from an original 102-acre tract. The lots are all larger than 5 acres and were therefore exempt from the subdivision process or any other review. The applicant is proposing to rezone the four parcels (tracts 5-8) with frontage on Fancher Road.

According to the survey, Tract 7 has 532.36 feet of frontage on Fancher Road, which is a county road. Harlem Township's zoning resolution requires 2 acres exclusive of all easements and rights-of-way, and frontage of 175 feet for 2-3 acres, with increasing frontage as acreage increases. Flag lots, or lots with less than the required

frontage, are allowed on county roads if separated by a lot with full frontage. Frontage and acreage could provide for no more than 5 lots.

Further subdivision of this lot (unless combined with other land) will be accomplished through the No-Plat lot split process, allowing township and county agencies the opportunity to review and approve the proposed lots. Staff has generally supported rezoning requests from 5 acres to 2 as land is utilized in a more efficient manner. Staff also recommends that the applicant consult with the Delaware General Health District to determine on-site waste treatment feasibility.

Comprehensive Plan

Harlem Township's 2007 Comprehensive Plan indicates this area would be single-family residential at 0.5 units per acre without centralized sewer. Developing this parcel would be consistent with this recommendation.

Staff Recommendations

Staff recommends **Approval** of the rezoning request by Starfall LLC Tract 7 from AR-1 to FR-1 to the DCRPC, Harlem Twp. Zoning Commission and Harlem Twp. Trustees.

Commission / Public Comments

No one was present to represent the applicant.

Mr. Clase made a motion to recommend Approval of the rezoning for Starfall LLC Tract 7. Mr. Frommer seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Harlem Twp.). Motion carried.

07-19 ZON Starfall LLC – Harlem Twp. – 12.501 acres from AR-1 to FR-1

Request

The applicant, Starfall LLC, is requesting a 12.501-acre rezoning from AR-1 to FR-1 to allow a future lot split.

Conditions

Location: south side of Fancher Rd., east side of SR 605

Present Zoning: Agricultural (A-1)

Proposed Zoning: Farm Residential (FR-1)

Present Use(s): Vacant, agriculture

Proposed Use(s): Future lot split

Existing Density: 1 du / 5 acres

Proposed Density: 1 du / 2 acres

School District: Big Walnut Local School District

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

Critical Resources: None

Soils: BeA Bennington Silt Loam 0-2% slope

 CeB Centerburg Silt Loam 2-6% slope

 PwA Pewamo Silty Clay Loam 0-1% slope

Introduction

This is a straight rezoning and does not require a development plan. The assumption is that the lot is being rezoned for future subdivision into additional lots.

The parcel is one of a set of 12 parcels that were created on October 15, 2018 (tracts 1-4) and November 20, 2018 (tracts 5-12) from an original 102-acre tract. The lots are all larger than 5 acres and were therefore exempt from the subdivision process or any other review. The applicant is proposing to rezone the four parcels (tracts 5-8) with frontage on Fancher Road.

According to the survey, Tract 8 has 998.18 feet of frontage on Fancher Road, which is a county road, and 369.84 feet of frontage on State Route 605. Harlem Township's zoning resolution requires 2 acres exclusive of all easements and rights-of-way, and frontage of 175 feet for 2-3 acres, with increasing frontage as acreage increases. Flag lots, or lots with less than the required frontage, are allowed on county roads if separated by a lot with full frontage. Frontage and acreage could provide for no more than 6 lots.

Further subdivision of this lot (unless combined with other land) will be accomplished through the No-Plat lot split process, allowing township and county agencies the opportunity to review and approve the proposed lots. Staff has generally supported rezoning requests from 5 acres to 2 as land is utilized in a more efficient manner. Staff also recommends that the applicant consult with the Delaware General Health District to determine on-site waste treatment feasibility.

Comprehensive Plan

Harlem Township's 2007 Comprehensive Plan indicates this area would be single-family residential at 0.5 units per acre without centralized sewer. Developing this parcel would be consistent with this recommendation.

Staff Recommendations

Staff recommends **Approval** of the rezoning request by Starfall LLC Tract 8 from AR-1 to FR-1 to the DCRPC, Harlem Twp. Zoning Commission and Harlem Twp. Trustees.

Commission / Public Comments

No one was present to represent the applicant.

Mr. Clase made a motion to recommend Approval of the rezoning for Starfall LLC Tract 8. Mr. Frommer seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Harlem Twp.). Motion carried.

08-19 ZON Metro Development – Berlin Twp. – 183.81 acres from FR-1 to R-3 with PRD overlay

Request

The applicants, Metro Development are requesting a 183.81-acre rezoning from FR-1 to R-3 with PRD overlay for the development of Berlin Meadows.

Conditions

Location: north side of Shanahan Rd., south side of Peachblow Rd.

Present Zoning: Farm Residential (FR-1)

Proposed Zoning: R-3 with PRD overlay

Present Use(s): vacant

Proposed Use(s): 384 single-family house lots

Existing Density: 1 du/ac

Proposed Density: 2.09 du/ac (gross), 2.56 du/ac (net)

School District: Olentangy Local School District

Utilities Available: Del-Co Water and central sanitary sewer

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

Soils: GwB Glynwood Silt Loam 2-6% slope

GwC2 Glynwood Silt Loam 6-12% slope

PwA Pewamo Silty Clay Loam 0-1% slope

BoA Blount Silt Loam 0-2% slope

Introduction

This project was initiated in Berlin Township and reviewed by the Regional Planning Commission in September, 2017, with revisions reviewed by RPC in April 2018. This review updates information that has changed from the previous staff report.

Berlin Meadows is a proposed single-family development of 384 lots on 183.81 acres between Peachblow and Shanahan Roads west of proposed Evans Farm. (The previous application sought 425 units on 193.3 acres.) The site is relatively flat and currently in agriculture. A large wooded area is in the center of the site, with the headwaters of Big Run heading southwest from the woods and out of the site. High-tension powerlines cross the site.

Three accesses are proposed, one via Shanahan Road and two via an extension of North Road from Peachblow Road. The road layout combines curvilinear and grid patterns.

The North Road extension from Peachblow is an unloaded arterial street that also provides access to a commercial zoning related to this project and was added at the request of the County Engineer. This will continue east into Evans Farm and will form an important north/south connection from Lewis Center Road/Home Road in Orange Township all the way to the City of Delaware north of Peachblow.

Six future connections are made via road stubs for future development to surrounding land. Two of these stubs are provided for a future section of the Evans Farm development, which has Preliminary Zoning approval but has not entered the subdivision process.

According to the site and landscape plans, sidewalks and street trees are provided throughout on both sides of the streets. There are two lot sizes distributed through the development. The smallest lots are 56' x 130' or 7,280 square feet, and the larger are 62' x 130' or 8,060. Of the total, 243 have the smaller frontage and 141 are the larger configuration.

Open space totaling 83.32 acres (45.33% of total area) is more than the previous application and exceeds the required 20%. This open space includes detention basins, 8' wide (10' preferred) asphalt paths throughout, and 10' wide asphalt paths on Peachblow and Shanahan Roads. Pedestrian and bike facilities are indicated on a detailed drawing to show connections to Evans Farm and the surrounding area.

A large central wooded area of 14 acres is proposed as a preservation area. Approximately 15 acres are located under the powerlines that cross diagonally across the western portion of the site. Other open space areas are provided as a buffer adjacent to the Worthington Arms manufactured home park, a gazebo, a tot lot, and a community green with benches. Brick entry features are shown along Shanahan Road and Peachblow Road. Open space has been distributed through the site as recommended after the first review. Significant detail is provided as to the development of the active recreation areas.

Process

Berlin Township utilizes a two-step process with the zoning map amendment and Preliminary Development Plan taking place now and additional information provided at the Final Development Plan phase.

Comprehensive Plan

Berlin Township's 2010 Comprehensive Plan indicates that part of this area is recommended for single-family residential use at 1.85 units per net developable acre to the northeast and planned industrial or commercial to the south and west. The plan also indicates that a road extending east from the U.S. 23 intersection with Greif Parkway will be continued to the east. The density of the proposal does not conform to the recommendations of the Comprehensive Plan. Although not recommended for residential use in the current plan, previous discussions with the Township suggest that it is not a viable option to hold this property for future commercial or industrial use. Based on approved developments to the east of the site, the residential use is appropriate for this area. Based on the commitment to build a portion of the no-load arterial extension of North Road through a portion of the site and the dedication of a site for a new elementary school, this applicant may be provided additional density beyond that recommended in the Sub Area language.

Issues

Traffic and access: A letter from Smart Services, Inc. is included noting that upon successful rezoning, the developer will need to perform a traffic impact study at the final development plan stage.

Staff has a letter from the County Engineer's office. The reconfiguration of North Road as an unloaded road through the site conforms to requests by staff and the County Engineer. This road will continue to the parcel to the east and be continued by development there. The exact location of the intersection of North Road and Peachblow is a subject of continuing discussion between the County Engineer, this developer, and the developer of land to the north in the City of Delaware. This may become a complex project that is planned and executed as a separate project. Because the exact location and related geometry is not yet established, flexibility needs to be allowed in the development plan for potentially significant changes during the Final Development Plan phase.

Lighting: No separate lighting plan was provided, but the proposal commits to conform to the zoning resolution.

Sanitary Treatment: A service letter is included stating conditional capacity to the site because “construction of regional offsite improvements is necessary to provide sanitary service to the development and construction sequencing might impact the proposed development.” The utility plan shows that initial sanitary access would likely come from the west down the north side of Shanahan Road.

Divergences

Six divergences are requested:

1. To allow the reduction of the minimum lot area from 10,890 square feet to 7,280 square feet, noting that a divergence was granted for Evans Farm.

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 were granted for Evans Farm for several reasons. The chief reason was the mix of uses and walkability of the site. The addition of the small neighborhood-based commercial area at the north end of the site and the location of an elementary school add to the mix of uses for the site. Sidewalks and open space also make this project walkable. Architectural samples are included which should reduce the “snout house” effect of front-projecting garages.

	Proposal	R-3
Density	2.56 N.D.A. (2.09 gross)	1.85 N.D.A.
Min. Lot Size (w/PRD)	7,280 and 8,060 s.f.	10,890 s.f.
Frontage	56' and 62'	80'
Open Space	45.33%	20%

2. To allow the reduction of the minimum lot frontage from 80 feet to 40'-11".
Staff Comment: This appears to only apply to a few lots and only at frontage – otherwise, the lots meet the dimensions of 56' and 62'. Comments under #1 above regarding the overall design of the proposal apply here as well.
3. To allow a reduction in the minimum side yard setback from 12.5 feet to 6 feet.
Staff Comment: This reduces the building spacing to 12 feet between buildings. The application notes the cluster-style new urbanist development that can be created with tighter spacing and that the request will comply with the provisions and requirements of the Ohio Residential Building Code. This is an increase after consultation with the Township.
4. To allow the rear yard setback to be reduced from 50 feet to 25 feet on all lots adjacent project boundaries.
Staff Comment: This is probably reasonable, given the adjacent use of the properties, but is being driven by the higher densities and is not necessarily justified by the fact that Evans Farm received a similar divergence.
5. To allow the density to exceed 1.85 du/n.d.a. up to 2.56 du/n.d.a.
Staff Comment: The application notes that this density divergence was recently approved for Evans Farm. As noted previously, it is unlikely that significant non-residential development would be viable this far from the

highway, so residential is appropriate. Access from U.S. 23 is limited for commercial development at this eastern location. Based on comments within this report, additional open space, school site commitment, and North Road extension, this density is a reasonable request for this location.

6. To allow two marketing signs to be posted instead of one.

Staff Comment: The site has frontage on two different roads as noted in the application. This request is reasonable.

Staff Recommendations

Staff recommends **Conditional Approval** of the rezoning request by Metro Development from FR-1 to R-3/PRD to the DCRPC, Berlin Twp. Zoning Commission and Berlin Twp. Trustees, *subject to:*

- 1.) Continue to work with the County Engineer's office regarding the placement and construction of the North Road extension and intersection with Peachblow. The location shown on the Development Plan will likely not work due to the overhead powerlines and the possible need for a signalized intersection or roundabout; and
- 2.) Divergences are appropriate as noted in the report.

Commission / Public Comments

Mr. Todd Faris with Faris Planning and Design was present to answer questions from the Commission.

Mr. George made a motion to recommend Conditional Approval of the rezoning request by Metro Development from FR-1 to R-3/PRD, subject to staff recommendations. Mr. Frommer seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

09-19 ZON Metro Development – Berlin Twp. – 20.85 acres from FR-1 & PID to PCD

Request

The applicant, Metro Development, is requesting a 20.85-acre rezoning from FR-1 and PID to PCD to allow a number of commercial lots.

Conditions

Location: south side of Peachblow Rd., north of Shanahan Rd.

Present Zoning: Farm Residential (FR-1) and Planned Industrial (PID)

Proposed Zoning: Planned Commercial (PCD)

Present Use(s): Commercial site, vacant

Proposed Use(s): commercial

School District: Olentangy Local School District

Utilities Available: Del-Co Water and central sanitary sewer

Critical Resources: none

Soils: GwB Glynwood Silt Loam 2-6% slope

 PwA Pewamo Silty Clay Loam 0-1% slope

 BoA Blount Silt Loam 0-2% slope

Introduction

This proposal is for a small neighborhood-based commercial area that relates to the 183-acre residential proposal to the south. The site would allow a number of retail uses, defined by specific NAICS codes, to be located on a maximum of eight lots. Although detail will be provided during the Final Development phase, a concept plan indicates minimal access points and shared access between lots. Some space could be designed as open space and sidewalks connect to the proposed subdivision to the south. The design incorporates the current industrially-zoned site of the former V & P Hydraulics and adjacent site to the west. Access to the site will be limited, with existing buildings proposed to be maintained.

Except for the industrial site, the land is relatively flat and currently in agriculture. A high-tension powerline crosses the site and the proposed intersection of North and Peachblow Roads.

Process

Berlin Township utilizes a two-step process with the zoning map amendment and Preliminary Development Plan taking place now and additional information provided at the Final Development Plan phase.

Comprehensive Plan

Berlin Township's 2010 Comprehensive Plan acknowledges the existing industrial use and indicates this specific area is recommended for single-family residential use at 1.85 units per NDA planned industrial or commercial to the south and west. Based on approved developments to the east of the larger project, industrial uses are no longer expected to the south. Previous reviews of the residential development have strongly recommended a neighborhood commercial use related to the site, to provide services to area residents, encourage a mix of uses, and add to the tax base of the township. Based on the commitment to build a portion of the no-load arterial extension of North Road through the site, this slight change from the Comprehensive Plan is supported by staff.

Issues

Traffic and access:

Traffic and access: A letter from Smart Services, Inc. is included noting that upon successful rezoning, the developer will need to perform a traffic impact study at the final development plan stage.

Staff has a letter from the County Engineer's office. As noted in the other review, the reconfiguration of North Road as an unloaded road through the site conforms to requests by staff and the County Engineer. This road will continue to the parcel to the east and be continued by development there. The exact location of the intersection of North Road and Peachblow is a subject of continuing discussion between the County Engineer, this developer, and the developer of land to the north in the City of Delaware. The intersection location is impacted by the overhead powerlines and the eventual need for a signalized intersection.

This is a complex project that may require planning and execution as a separate project. Because the exact location and related geometry is not yet established, flexibility needs to be allowed in the development plan for potentially significant changes during the Final Development Plan phase.

Drainage: The development plan indicates some stormwater management areas, but it is assumed that most of the detention would be handled through the residential development to the south. This is reasonable, but drainage will be reviewed as part of the development process through the County Engineer's office.

Signage, Lighting: No specific plans are submitted, but the text notes the plans will be submitted with Final Development Plan and comply. Based on the location, care will need to be taken to ensure the lighting is sufficient while not impacting the residential development around the project. Signage should be minimal and fit with the residential character of the area.

Sanitary Treatment: A service letter is included stating conditional capacity to the site because “construction of regional offsite improvements is necessary to provide sanitary service to the development and construction sequencing might impact the proposed development.” The utility plan shows that initial sanitary access would likely come from the west down the north side of Shanahan Road. To reach the commercial

Divergences

One divergence is requested:

1. Requested divergence from the requirement that a 6-foot hedge, fence or mound and one tree per 30 feet along the frontage of an arterial street be installed.

Staff Comment: The applicant notes that such screening would make the commercial area unfeasible based on a lack of visibility. Headlight-screening landscape and lower-level plantings will be utilized. This is reasonable, given the site.

Side yards are required to be 1/3 the height and width of the structure. The application requests a 10' setback for buildings and 0' setback for parking within adjacent internal lots. Staff concurs with this proposal, based on the concept plan provided, showing the overall area developed as a unified project. Developer is also asking that the approved development plan be valid for 5 years instead of the one-year defined in the code. Staff concurs.

Staff Recommendations

Staff recommends **Conditional Approval** of the rezoning request by Metro Development from FR-1 and PID to PCD to the DCRPC, Berlin Twp. Zoning Commission and Berlin Twp. Trustees, *subject to:*

- 1.) Signage and lighting should be minimal and fit with the residential character of the area;
- 2.) Recommended approval of the divergence request from the mounding and specific screening requirements;
- 3.) Continue to work with the County Engineer's office regarding the placement and construction of the North Road extension and intersection with Peachblow. The location shown on the Development Plan will likely not work due to the overhead powerlines and the possible need for a signalized intersection or roundabout.

Commission / Public Comments

Mr. Todd Faris with Faris Planning and Design was present to answer questions from the Commission.

Mr. Clase made a motion to recommend Conditional Approval of the rezoning request by Metro Development from FR-1 and PID to PCD, subject to staff recommendations. Mr. Frommer seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

10-19 ZON Porshi LLC – Orange Twp. – 11.249 acres from FR-1 to SFPRD

Request

The applicant, Porshi LLC, is requesting an 11.249-acre rezoning from FR-1 to SFPRD for the development of a 22 lot single family subdivision.

Conditions

Location: east of S. Old State Rd., north of E. Orange Rd.

Present Zoning: Farm Residential (FR-1)

Proposed Zoning: Single Family Planned Residential (SFPRD)

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

Proposed Use(s): 22 single-family house lots

Existing Density: 1 du / acre

Proposed Density: 1.96 du / acre

School District: Olentangy

Utilities Available: Del-Co Water and central sanitary sewer

Critical Resources: streams/drainage course, wetlands

Soils: GwB Glynwood Silt Loam 2-6% slope

UdB Udorthents Clayey-Urban Land Complex

Introduction

The proposal shows a single access off the west side of S. Old State Road, approx. 500 feet north of E. Orange Road. The public road immediately curves south, looping around the site, ending in a T-turnaround with a gated emergency exit to S. Old State about 300 feet north of the main entrance. Sidewalks are provided on both sides of most of the street, with street trees throughout. The units are a combination of ranch-style and two-story buildings with attached 2-car garages and basements. Lot sizes are generally 75' wide by 135' deep, or 10,125 square feet.

Open space totaling 2.808 acres (25% of the site), which includes a retention basin, almost completely surrounds the neighborhood, with more buffering on the south and east boundary and less buffering on the west and north. The clubhouse, with parking and cluster box units nearby, is located near the entrance on its own platted lot. Staff recommends the clubhouse being part of the platted open space, owned by the homeowners' association.

Comprehensive Plan

Orange Township's 2018 Comprehensive Plan recommends this area as single-family residential at 2 units per acre with centralized sewer and water, as proposed.

Issues

The development text and illustrative plan affirm compliance with the 12.5' side yard separation for a total of 25' building separation. However, the development plan is showing a "typical lot" detail with 10' side yard setbacks. This detail should correspond to the development text, as no divergences are requested.

Serviceability: No serviceability letters are included. Although a utility plan was included, no letters from the engineer regarding traffic feasibility or drainage; no letters from the fire department, Del-Co Water, or Sanitary

Engineer.

Access: Regarding the alignment of access and internal streets, there was some discussion in the past two years regarding possible lot splits or a CAD on this site, generating 4-6 lots. No discussion appears to have occurred for this layout or this number of lots. The access appears to be a full-access in/right-out intersection with a boulevard at the entry, but this is unclear. Earlier conversation recommended moving the intersection as far north as possible, away from the intersection of Old State and Orange Road. Otherwise, a full access would not be granted. This proposal does not appear to meet that request.

Dimensions on the entry are not included. The geometry of the road as it approaches the entry is awkward and does not allow a proper tangent for stacking of cars waiting to exit the development. It is unlikely that the layout meets the County Engineer's standards for road design.

The proposal includes an exhibit showing additional dedication of right-of-way 60 feet from the centerline of Old State, but the project layout does not appear to be based on that exhibit, showing the entry apron and landscape features potentially in the future right-of-way. The layout should be adjusted based on continuing improvements by the County to South Old State Road.

The proposed location of the combined mailbox unit forces cars to back out into incoming traffic, potentially causing that traffic to wait on Old State before turning.

Parking: The Development Plan appears to show a right-in/right-out entrance, but it is not clearly stated. The Development Plan appears to show 7 parking spaces for the clubhouse and mailboxes, but it is not clearly stated or listed.

Lighting: No lighting plan has been submitted. The development text states, "No public lighting or street lighting is permitted."

Signage: An entry plan is included, showing detail for the 3'2"-high landscaped entry sign and landscaped entry median.

Divergences

No divergences are requested:

Staff Recommendations

Staff recommends **Denial** of the rezoning request by Porshi, LLC. from FR-1 to SFPRD to the DCRPC, Orange Twp. Zoning Commission and Orange Twp. Trustees, *based on the project's reliance on a layout that may not conform to the County Engineer's standards. If the Commission wished to recommend **Conditional Approval** to the Township, conditions should include:*

- 1.) *Revising the layout according to the County Engineer's standards and proposed right-of-way;*
- 2.) *Relocating the combined mailbox access area;*
- 3.) *Including the clubhouse in the platted open space, owned by the homeowners' association;*
- 4.) *Clarifying whether the entry is a right-in/right-out access or full access and whether the access is far enough away from the existing intersection;*
- 5.) *Revising the Development Plan's typical lot detail; and*

6.) Providing serviceability letters.

Commission / Public Comments

No one was present to represent the applicant.

Mr. Piccin stated that when the Co. Engineers office had discussions about this property previously, they had recommended the entrance be moved as far north as possible. At that time the proposal was a church site or possibly a 5 lot subdivision. He was not sure the entrance as proposed would be approved.

Mr. Clase made a motion to recommend Denial of the rezoning request by Porshi, LLC, based on staff recommendation. Mr. George seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Orange Twp.). Motion carried.

SUBDIVISION PROJECTS

Preliminary

01-19 T Northstar, Section 1, Ph. E, Part I (Honey Grove) – Berkshire Twp. - 21 lots / 10.236 acres

Conditions

Applicant: Nationwide Realty Inc.
Engineer/Consultant: Terrain Evolution

Staff Comments

The applicant is requesting a 90-day tabling in order to address potential revisions to the preliminary plan.

Staff Recommendation

Staff recommends *Approval of the 90-day Tabling of Northstar, Section 1, Phase E, Part I (Honey Grove)* to the DCRPC.

Commission / Public Comments

No one was present to represent the applicant.

Mrs. Kuba made a motion to Approve the 90-day Table request for Northstar, Section 1, Phase E, Part I. Mr. Merrell seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Berkshire Twp.). Motion carried.

02-19 **The Reserve at Scioto Bluff – Concord Twp. - 18 lots / 12.02 acres**

Conditions

Applicant: Principle Real Estate Development LLC.
Subdivision Type: single family residential
Location: South side of Butts Rd., east of Riverside Dr.
Current Land Use: Partially wooded, residential property
Zoned: Farm Residential (FR-1)
Utilities: Del-Co water and central sanitary sewer
School District: Buckeye Valley
Engineer: Dave Denniston, Advanced Civil Design

Staff Comments

The Reserve at Scioto Bluff is an 18-lot single-family subdivision with frontage on the south side of Butts Road. A single road heads south off Butts Road approximately 850' ending in a cul-de-sac. Lots are generally 85' wide by 190' deep with some larger lots on the north end and around the cul-de-sac. Sidewalks are provided on both sides of the street and an 8' wide asphalt path is proposed along Butts road, connecting this project with the development to the east.

The site is mostly wooded and will therefore be cleared up to the boundary line on all sides except north. On the northern end of the site, two reserves on either side of the entrance total 1.3 acres, one of which will include a retention basin.

A technical review was held on January 22, 2019, after which the applicant has addressed all of the required changes.

Staff Recommendation

Staff recommends *Preliminary Approval* of **The Reserve at Scioto Bluff** to the DCRPC.

Commission / Public Comments

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

Mr. Clase made a motion for Preliminary Approval of The Reserve at Scioto Bluff. Mrs. Kuba seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

28-18 T Grand Pointe at North Orange – Orange Twp. - 35 lots / 21.36 acres

Conditions

Applicant: Grand Communities
Engineer: Mark Mann, CT Consultants
Previous tabling: 10/25/18 to 01/31/19

Staff Comments

The applicant is requesting a second 90-day tabling of Grand Pointe at North Orange in order to address comments made during Technical Review along with issues related to the Development plan amendments.

Staff Recommendation

Staff recommends *Approval* of the 90-day Tabling of **Grand Pointe at North Orange** to the DCRPC.

Commission / Public Comments

No one was present to represent the applicant.

Mr. Merrell made a motion to Approve the 90-day Tabling of Grand Pointe at North Orange. Mr. Frommer seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

Preliminary/Final

03-19 Steitz Road-Hyatts to Clark-Shaw, Sec. 1 – Liberty Twp. - 04 lots / 119.015 acres

Conditions

Applicant: Metro Development
Subdivision Type: road way platting and 3 lots
Location: North of the intersection of Hyatts and Steitz Roads
Zoned: Planned Residential District (PRD)
Utilities: Del-Co Water, central sanitary sewer
School District: Olentangy Local Schools
Engineer: IBI Group

Staff Comments

This project primarily includes the first section of the extension of Steitz Road north from Hyatts Road to Clark-Shaw Road. As identified in Liberty Township’s 2018 Comprehensive Plan, “Internal county road planning efforts suggest that Steitz Road should extend north to Clark-Shaw Road as development occurs,” and “This alignment may be refined...”

The assumption is that the lots will be subdivided further as part of the proposed Woodcrest Crossing development, which has preliminary approval from December 2016. Section 2 would be part of the Clark Shaw Reserve development, which was rezoned in March 2017.

A technical review was held on January 22, 2019, after which the applicant has addressed all of the required changes.

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

Staff Recommendation

Staff recommends *Preliminary and Final Approval* of Steitz Road – Hyatts to Clark-Shaw, Section 1 to the DCRPC.

Commission / Public Comments

Mrs. Kuba made a motion for Preliminary and Final Approval of Steitz Road – Hyatts to Clark-Shaw, Section 1. Mr. Vidor seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

04-19 F=T Northpointe Hotel and Conference Center Southeast – Orange Twp. - 01 lot / 08.233 acres

Conditions

Applicant: Nationwide Mutual Insurance Company

Subdivision Type: Commercial

Location: north and west of Green Meadows Dr., east of Columbus Pike

Zoned: Planned Commercial and Office and Planned Industrial

Utilities: Del-Co Water, central sanitary sewer

School District: Olentangy

Engineer: EMH & T

Staff Comments

Northpointe Hotel and Conference Center Southeast is a commercial replat and extension at the corner of Green Meadows Drive South and Enterprise Drive just east of U.S. 23. The plat essentially combines two lots and extends them to include an existing conference center. No further development is proposed for this site.

A technical review was held on January 22, 2019, after which the applicant has addressed all of the required changes.

The applicant has requested a 90-day tabling of the Final Plat in order to fully address comments from the Engineer's Office.

Staff Recommendation

Staff recommends *Preliminary Approval* of Northpointe Hotel and Conference Center Southeast to the DCRPC.

Staff recommends *Approval of the 90-day table request* of the Final Plat for Northpointe Hotel and Conference Center Southeast to the DCRPC.

Commission / Public Comments

No one was present to represent the applicant.

Mr. George made a motion for Preliminary Approval of Northpointe Hotel and Conference Center Southeast. Mr. Fowler seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained. (Orange Twp.) Motion carried.

Mr. George made a motion to Approve the 90-day table request for the Final plat of Northpointe Hotel and Conference Center Southeast. Mr. Vidor seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Orange Twp.). Motion carried.

EXTENSIONS

02-17 Northstar, Section 1, Phase B – Berkshire Twp. - 52 lots / 20.98 acres

Applicant: Nationwide Realty Investors Ltd.

Engineer: Terrain Evolution, EMH & T

Preliminary approval: 01/26/17

Staff Comments

The applicant is requesting a 1-year extension for Northstar, Section 1, Phase B in order to obtain engineering approval.

Staff Recommendation

Staff recommends *Approval* of a 12-month Extension for Northstar, Section 1, Phase B to the RPC.

Commission / Public Comments

No one was present to represent the applicant.

Mr. Clase made a motion to Approve the 1 year extension for Northstar, Section 1, Phase B. Mr. Merrell seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Berkshire Twp.). Motion carried.

OTHER BUSINESS

- Consideration for Approval: Legal services retention, Brosius, Johnson & Griggs

Mr. George made a motion to Approve retaining Brosius, Johnson & Griggs as legal counsel for 2019. Mrs. Kuba seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

- Consideration for Approval: Liability Insurance and Director’s Bond: \$7,462.00

Mr. Merrell made a motion to Approve Liability Insurance payment of \$7,462.00. Mr. George seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

POLICY / EDUCATION DISCUSSION (none)

RPC STAFF AND MEMBER NEWS (none)

Having no further business, Mrs. Kuba made a motion to adjourn the meeting at 7:30 p.m. Mr. George seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

The next meeting of the Delaware County Regional Planning Commission will be Thursday, February 28, 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