



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, March 28, 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 February 28, 2019 RPC Minutes
- Executive Committee Minutes of March 20, 2019
- Statement of Policy

CONSENT AGENDA

		Township	Lots/Acres
04-19	Northpointe Hotel and Conference Center Southeast	Orange	01 lot / 08.233 acres

VARIANCES

20-18.V	Brookewood Builders - Genoa Twp. - requesting variance from CAD timing requirements
09-19.V	Greg Hemsoth - Concord Twp. - CAD width reduction

ZONING MAP/TEXT AMENDMENTS

15-19 ZON	Hawk's Nest Premier Living LLC - Genoa Twp. - 25.79 acres from RR to PRD
16-19 ZON	John & Karen Thompson - Berkshire Twp. - 4.998 acres from A-1 to FR-1
17-19 ZON	John & Karen Thompson - Berkshire Twp. - 3.428 acres from A-1 to FR-1
18-19 ZON	Orange Twp. Zoning Commission - Zoning Resolution update

SUBDIVISION PROJECTS

Preliminary

		Township	Lots/Acres
12-16	Evans Farm (revised overall)	Berlin/Orange	B:607.12 acres, O:550.50 acres
08-19	Oxford Woods	Brown	13 lots / 36.46 acres
09-19	T Hemsoth CAD	Concord	02 lots / 08.68 acres
10-19	T Armenian Estates CAD	Genoa	04 lots / 21.34 acres
11-19	Hyatts Crossing	Liberty	02 lots / 27.89 acres
28-18	Grand Pointe at North Orange	Orange	35 lots / 21.36 acres
12-19	T Ironwood	Porter	08 lots / 56.62 acres

Final

18-13.4.B	T Olentangy Falls, Section 4, Phase B	Liberty	10 lots / 19.917 acres
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T=Tabled

EXTENSIONS (none)

OTHER BUSINESS

- Executive Committee member elections

POLICY / EDUCATION DISCUSSION

- Staff will release the 2018 Annual Report next week, sending a hard copy to each jurisdiction.

RPC STAFF AND MEMBER NEWS

- Dick Gladman, former Orange Township representative, passed away March 12, 2019

ADMINISTRATIVE BUSINESS

▪ **Call to Order**

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

▪ **Roll Call**

Jeff George, David Loveless, Susan Kuba, Ric Irvine, Fred Fowler, Steve Burke, Mike Frommer, Tom Hopper, Dave Stites, Hal Clase, James Hatten, Ed Snodgrass, Dan Boysel, Mike Dattilo, and Doug Price. Alternates: Eric Mackling, Bill Piper, Claudia Husak, Susan Dorsch, Charles Hurt and Jeff Beard. Staff: Scott Sanders and Da-Wei Liou.

▪ **Approval of the February 28, 2019 RPC Minutes**

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

▪ **March 20, 2019 Executive Committee Minutes**

1. **Call to order**

Chairman Stites called the meeting to order at 8:47 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 February 20, 2019**

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

3. **New Business**

- Financial / Activity Reports for February 2019

REGIONAL PLANNING RECEIPTS		FEBRUARY	YTD TOTAL
General Fees (Lot Split)	(4201)	\$205.00	\$2,855.00
Fees A (Site Review)	(4202)	\$1,200.00	\$2,400.00
Insp. Fees (Lot Line Transfer)	(4203)		\$300.00
Membership Fees	(4204)	\$41,165.00	\$210,043.00
Planning Surcharge (Twp. Plan. Assist.)	(4205)		\$0.00
Assoc. Membership	(4206)		\$0.00
General Sales	(4220)		\$0.00
Charges for Serv. A (Prel. Appl.)	(4230)	\$2,261.00	\$6,084.30
Charges for Serv. B (Final. Appl.)	(4231)	\$1,836.00	\$3,809.30
Charges for Serv. C (Ext. Fee)	(4232)	\$300.00	\$450.00
Charges for Serv. D (Table Fee)	(4233)	\$200.00	\$600.00
Charges for Serv. E (Appeal/Var.)	(4234)	\$900.00	\$1,200.00
Charges for Serv. F (Planned District Zoning)	(4235)		\$900.00

OTHER DEPT. RECEIPTS			
Health Dept. Fees	(4242)	\$470.00	\$870.00
Soil & Water Fees	(4243)	\$1,020.00	\$2,295.00
Commissioner's fees	(4244)		\$0.00
MISCELLANEOUS REVENUE			
Other Reimbursements	(4720)		
Other Reimbursements A			\$176.46
Other Misc. Revenue (GIS maps)	(4730)		\$0.00
Misc. Non-Revenue Receipts	(4733)		\$0.00
Sale of Fixed Assets	(4804)		\$0.00
TOTAL RECEIPTS		\$49,557.00	\$231,983.06

Balance after receipts		\$1,110,977.53
Expenditures	-	\$ 39,165.71
End of February balance (carry forward)		\$1,071,881.82

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

- Site Review Project
 - 1.) *Bevelhymer Subd., Lot 103, Div. #1 – Genoa Twp. – 2 lots / 1.02 acres*
 - 2.) *Bohannon CAD – Brown Twp. – 8 lots / 41.99 acres*
 - 3.) *7547 Green Meadows Drive – Orange Twp. – 1 lot / 13.528 acres*
 - 4.) *Evans Farm, Section 3 – Orange Twp. – 18 lots / 12.8 acres*

- March RPC Preliminary Agenda
 - 1.) **FINAL PLATS**

	Township	Lots/Acres
• Olentangy Falls, Section 4, Phase B	Liberty	10 lots / 19.917 acres
• Northpointe Hotel and Conference Center Southeast	Orange	01 lots / 08.233 acres

 - 2.) **VARIANCE / EXTENSION**
 - Brookewood Builders – Genoa Twp. – requesting variance from CAD timing requirements
 - Greg Hemsoth – Concord Twp. – CAD width reduction

 - 3.) **ZONING MAP/TEXT AMENDMENTS**
 - Hawks Nest Premier Living LLC – Genoa Twp. – 25.79 acres from RR to PRD
 - John & Karen Thompson – Berkshire Twp. – 4.998 acres from A-1 to FR-1
 - John & Karen Thompson – Berkshire Twp. – 3.428 acres from A-1 to FR-1
 - Orange Twp. Zoning Commission – Zoning Resolution update

4.) SUBDIVISION PROJECTS

Preliminary

	Township	Lots/Acres
• Evans Farm (revised overall)	Berlin/Orange	B:607.12 acres, O:550.50 acres
• Oxford Woods	Brown	13 lots / 36.46 acres
• Hemsoth CAD	Concord	02 lots / 08.68 acres
• Armenian Estates CAD	Genoa	04 lots / 21.34 acres
• Hyatts Crossing	Liberty	02 lots / 27.89 acres
• Grand Pointe at North Orange	Orange	35 lots / 21.36 acres
• Ironwood	Porter	08 lots / 56.62 acres

- Director's Report
 - Finalizing the Annual Report;
 - Working on wall maps with community features for each jurisdiction;
 - Attended my first Transportation Advisory Committee at MORPC, also orientation;
 - 2020 Census preparation – ready to send Resolution to Commissioners for possible inclusion on agenda and presentation on April 1;
 - Prepared some maps for use by Economic Development;
 - Brown Township Comprehensive Plan was approved;
 - Attended February monthly internal Development meeting;
 - Delaware County Trail Committee met to discuss this year's grant applications;
 - Trakit – two meetings with other agencies to walk through the development-entering process, attended two full days of SQL training for custom script writing; continuing to test the data and processes;
 - Continued NACo Leadership Institute virtual training – daily readings/videos, small-group conference calls and full-group webinar each week;
 - Attended the Delaware Area Chamber's infrastructure committee meeting to discuss local densities, multi-family development, and workforce housing. Relatedly, some of our website data was used in a Business First article.
 - Advertised Planner position, discouraged by lack of response, re-advertised.

4. Old Business (none)

5. Other Business (none)

6. Personnel (none)

7. Adjourn

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

The next regular Executive Committee meeting will be Wednesday, April 17, 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

04-19 Northpointe Hotel and Conf. Center Southeast – Orange Twp. - 01 lots / 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 adds additional land to separate the data center from the Conference Center. No further development is proposed for this site.

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

Staff Recommendation

Staff recommends *Final Approval* of Northpoint Hotel and Conference Center Southeast to the DCRPC.

Commission / Public Comments

Mr. George made a motion for Final Approval of Northpoint Hotel and Conference Center Southeast. Mr. Price seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

VARIANCES

20-18.V Brookewood Builders – Genoa Twp. – requesting variance from CAD timing requirements

Applicant: Brookewood Builders

Consultant: Shawn Lanning, Watcon

The proposed subdivision is located on the west side of Worthington Rd., south of Highland Lakes Dr.

Facts

1. The applicant seeks to create a four-lot subdivision, utilizing a Common Access Driveway;
2. A variance for a reduced CAD easement width was granted by the RPC on 10/25/18;
3. The Preliminary Plan for the subdivision was approved on 11/29/19;
4. Relevant section of the Subdivision Regulations:

“306.05 The CAD, as constructed, shall be approved by the Commission prior to the Director signing the final plat.”

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 comments: “We are requesting a Variance of Section 306.05 of the Delaware County Subdivision Regulations which requires the construction of the Common Access Drive (CAD) improvement to be made prior to the Final Plat being Approved, Signed and Recorded.

Due to the unique code requirement it causes an extensive delay in the Recording of the Final Plat, which in turn creates a number of other difficulties and delays. Without the Final Plat being Recorded.

1. We cannot market nor sell the existing home on Lot 8061. The home has water and sewer service connected to it and existing access to Worthington Road.
2. We cannot obtain addresses or parcel numbers for lots 8062, 8063 and 8064, thus, we cannot market the newly created lots for sale per the Columbus board of realtors listing requirements.
3. Thusly, addresses and parcel numbers are needed to pull building permits for lots 8062, 8063 and 8064 to begin construction if the lots were to sell.

Brookewood has been in the Custom Home Builder business for almost 30 years. This is my first project in Delaware County and I am excited to be here. I invite you to visit my website and have a look at our work, www.brookewoodbuilders.com. The approval of this request today would greatly aid my company in getting a start on this project. Also, if approval is granted, I would suggest that it is written in the 'conditions' of the variance that "Occupancy Permits for lots 8062, 8063 and 8064 will not be granted until the CAD drive is completed, inspected and Regional Planning has received the signed and sealed letter from the Engineer".

The approval of this request will not be detrimental to the public, safety or its welfare. Similarly, this request will not adversely affect the health or safety of people residing in this neighborhood and will not be materially detrimental to the public welfare or injurious to property improvements in such neighborhood. These site and code conditions are unique in that unlike most single family communities the plat is recorded at the same time the engineering is completed which allows the developer to commence with construction and building permits."

Staff comments: The conditions listed above are typical to any Common Access Driveway project.

Public and private subdivision streets can be bonded through the County Engineer, allowing road construction to be completed after the plat is recorded. However, Common Access Driveways are authorized only through the Regional Planning Commission which legally has no such bonding capabilities. Therefore, the procedure for all CADs has followed the requirement that a CAD be completely built, with a confirmation letter stating such submitted to staff by the consulting engineer and a Maintenance Agreement recorded through the County. This ensures the CAD is built as designed and that the lots can be served by emergency services. The Regional Planning Commission has no direct involvement in the process of granting or withholding building permits or occupancy permits through the Code Compliance office.

It is unclear whether a zoning permit would be granted by Genoa Township for lots that do not include improved access. Further, in the public subdivision street scenario above, the County Engineer does not release lots to be built upon until the road has been complete and inspected.

Once a plat is recorded, the Regional Planning Commission has no further authority over the building and permitting process. Neither the County nor the Township have any authority over deed restrictions.

Staff recommendations

DCRPC staff recommends that based on the Findings of Fact, the Variance request from Sec. 306.05 for Genoa Place be Denied.

Commission / Public Comments

Mr. Shawn Lanning with Watcon was sworn in by the Chairman. Mr. Lanning stated that the reason for

the variance was so they could get the parcels listed on the MLS for sale now. If they followed the regulations, the lots wouldn't be listed until June/July. He stated the street would be done before any of the house pads would be started. The existing house is ready to be sold. An approval of the variance or a conditional variance would allow for at least the existing house lot to be sold allowing the developer to recoup some of the expenses. Mr. Lanning stated that he received a letter from the Genoa Twp. Fire Marshall stating that they would require no combustible materials be brought on site before fire hydrants were installed. The applicant has agreed to do this.

Mr. Irvine asked when the CAD (width) variance was applied for and if they could have built the CAD since that time? Mr. Lanning stated that reduced width variance was approved in October 2018 (Preliminary plan in November 2018) after which the engineer was able to complete and submit the driveway drawings.

Mr. Price made a motion to Deny the Variance request by Brookewood Builders based on the Findings of Fact. Mr. George seconded the motion. VOTE: Majority For Denial, 0 Opposed, 1 Abstained (Genoa Twp.). Motion carried.

09-19.V Greg Hemsoth – Concord Twp. – CAD width reduction

The proposed subdivision is located on the north side of Bean Oller Rd., west of S. Section Line Rd.

Facts

1. The applicant seeks to create a two-lot subdivision, utilizing a Common Access Driveway;
2. The site is approximately 8.68 acres with 60' of frontage;
3. A Common Access Driveway is proposed to enter the site from an improved access point and travel approximately 550 feet to provide access to both lots;
4. Del-Co Water is available to the site;
5. The subdivision is proposing on-site sewer treatment;
6. Relevant section of the Subdivision Regulations:

“306.06 f.) The Common Access Driveway shall be at least 12 feet wide. Passing lanes of 6 feet in width and 35 feet in length shall be provided every 350 feet or less. Distance from the centerline of the connecting public or private road and the first passing area shall not exceed 350 feet;”

The applicant states: “On behalf of Greg Hemsoth we request a variance from the Delaware County Subdivision Regulations for Hemsoth Common Access Driveway (CAD) subdivision (RPC# 18-02-S) to permit up to 350 feet of the driveway to remain at its current width of an estimated ten (10) to eleven (11) feet versus the required twelve (12) feet width.

The CAD will be privately owned and maintained accessing two (2) lots off Bean-Oller Road. This subdivision will include the division of Delaware County Parcel #420-410-010-60-000.

The variance is being requested, because modifying the driveway would be difficult and unnecessary with the minimal additional width required causing an undue hardship on the owner.”

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.

Applicant’s Response: “The construction will yield minimal additional benefit and the drive is already going to be oversized at the pull-off/turn-around that are in such close proximity.”

- 2) The conditions upon which this variance request is based are unique to the property for which this variance is sought.

Applicant’s Response: “Yes, no other driveway exists like this one. It is truly unique.”

- 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.

Applicant’s Response: “Due to the angle of the driveway and the need for turn-around radius’ to be met, the location of the drive is causing the particular hardship.”

- 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: “This proposal is otherwise entirely compliant with the standards of the Concord Township Zoning Resolution and other applicable regulations.”

Staff comments: The existing driveway is paved and would be difficult to widen by one foot without totally replacing the drive. The site is relatively flat and the current drive/future CAD is a straight line which should not cause sight-distance issues. As shown, the proposed widening/turnaround is appropriate. Staff received no comments of concern from the Fire Department.

Staff recommendations

DCRPC staff recommends that based on the Findings of Fact, the Variance request from Sec. 306.06 for Hemsoth CAD be Approved.

Commission / Public Comments

Ms. Courtney Wade with Plan 4 Land was sworn in by the Chairman. She asked about the impact the widening might have on the neighbor.

Mr. George made a motion to Approve the Variance request for the Hemsoth CAD, based on the Findings of Fact. Mr. Frommer seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Concord Twp.). Motion carried.

ZONING MAP/TEXT AMENDMENTS

15-19 ZON Hawk's Nest Premier Living LLC – Genoa Twp. – 25.79 acres from RR to PRD

Request

The applicant, Hawk's Nest Premier Living LLC, is requesting a 25.79-acre rezoning from RR to PRD for the development of 29 single-family lots in a development to be known as Hawk's Nest at Hoover.

Conditions

Location: 4461 & 4485 S Old 3C Highway

Present Zoning: Rural Residential (RR)

Proposed Zoning: Planned Residential (PRD)

Present Use(s): Vacant, former agricultural

Proposed Use(s): 29 single family house lots

Existing Density: 1 du / 2 acres

Proposed Density: 1.34 du/ acre

School District: Big Walnut

Utilities Available: Del-Co Water and central sanitary sewer

Critical Resources: slope \geq 20%, pond, stream/drainage course

Soils: BeA Bennington Silt Loam 0-2% slope

BeB Bennington Silt Loam 2-4% slope

PwA Pewamo Silty Clay Loam 0-1% slope

CaB Cardington Silt Loam 2-6% slope

AmF Amanda Silt Loam 25-50% slope

Introduction

The applicant, on behalf of owner GSCS Holdings LLC, seeks to rezone two parcels for the creation of a single-family subdivision with 29 lots. The site was previously an equestrian facility operated by Otterbein University. The Development Plan shows a single access to South Old 3C Highway, aligning with Olivero Drive to the west. The road splits into two cul-de-sacs, providing frontage for the 29 lots. An emergency access is shown, utilizing a current shared driveway on the property.

Open space of 14.17 acres is provided, or 54.9% of the site where 50% is required. The project is proposing to use Conservation Standards, which provides different development standards within the zoning resolution. An 8' asphalt path is shown through the open space with sidewalks on either side of the road. An asphalt path is located along Old 3C either as a 10' path or as an easement, as determined by the Township.

Additional landscaping and mounding are provided along Old 3C Highway and along the south side of the entry road. Three new basins are shown for stormwater management. Lots are configured in three sizes; 79' x 110' or 8,690 s.f., 67' x 122' or 8,174 s.f., and 85' x 100' or 8,500 s.f.

In 2014, a Sketch Plan was performed by county agencies. At that time, it was recommended that pedestrian access to the reservoir be added as is now shown. It was also noted that the roads needed to provide sufficient frontage to the external lots to the east of the site, in accordance with Genoa Township zoning for that property. The layout appears to allow two lots on each cul-de-sac to be located outside the plat, but provides no detail. Lots need to be limited from further subdivision with a note on the plat. Staff also noted that a new plat will not vacate or change any existing easements and any desire to do so should take place before the plat is recorded. Staff recommends platting all lots with access to the roads within the subdivision.

Comprehensive Plan

Genoa Township's 2019 Comprehensive Plan indicates this area is recommended for residential development in an approved Planned Residential Development (PRD) in accordance with the Zoning Resolution. The proposal calculates a density of 1.12 dwelling units per gross acre and 1.34 dwelling unit per net developable acre. For reference, the extension of Vinmar Village across 3C Highway is proposed for 71 lots on 74.52 acres, or .95 du/gross acre. To the south, Vinmar Village is almost built at 87 units on 73 acres, or 1.19 du/gross acre, and Vinmar Farms was built at 118 units on 87.5 acres, or 1.35 du/gross acre.

Issues

Traffic and access: A letter from the County Engineer was not included in the package, but staff had access to one issued on March 4, 2019. It was noted that an updated traffic study is required, and a southbound left turn lane will be required based on the number of lots. The road was widened when Vinmar Village Section 1, but the southbound widening was not striped and may not be a sufficient width. Engineer staff also recommends platting the eastern lots that take access from within the subdivision.

An emergency access is shown along the existing shared driveway. Staff isn't sure this is a benefit based on the location, but as long as it is clearly marked and limited for emergency purposes, staff concurs.

Drainage: Letter questions whether the stormwater basins are wet or dry and notes whether the outlet from the northern cul-de-sac allows proper water quality treatment, but notes that specific review will take place as part of the subdivision process.

Signage, Lighting, and Landscaping: All details have been provided. Signage and lighting are minimal. Landscaping provides buffering as noted.

Sanitary Treatment: Typical letter is included stating that there is adequate capacity as of the date of the letter, with an existing 10" sanitary sewer line south of the parcel and across South Old 3C Highway.

Divergences

No divergences are requested.

Staff Recommendations

Staff recommends **Conditional Approval** of the rezoning request by Hawk's Nest Premier Living LLC. from RR to PRD to the DCRPC, Genoa Twp. Zoning Commission and Genoa Twp. Trustees, *subject to:*

- 1.) *Continue working with the County Engineer to finalize traffic study issues;*
- 2.) *Clarify the configuration of the lots to the east which gain access from the cul-de-sacs. Ensure the frontage meets zoning requirements. Ideally, staff recommends platting these lots with the subdivision, particularly the northern lots which do not currently include an existing access easement.*

Commission / Public Comments

Mr. Todd Faris with Faris Planning and Design was present to represent the applicant. He stated that the traffic study has been submitted to the County (Engineer) and should have it back prior to hearings with the Township.

Mr. Hal Clase made a motion to recommend Conditional Approval of the rezoning request by Hawk's Nest Premier Living LLC, based on staff recommendations. Mr. Boysel seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Genoa Twp.). Motion carried.

16-19 ZON John & Karen Thompson – Berkshire Twp. – 4.998 acres from A-1 to FR-1

Request

The applicants, John & Karen Thompson, are requesting a 4.998-acre rezoning from A-1 to FR-1 to allow the lot to be split into two residential lots.

Conditions

Location: West side of Rome Corners Rd., north of Hatherton Pl.

Present Zoning: Agricultural (A-1)

Proposed Zoning: Farm Residential (FR-1)

Present Use(s): Vacant, agriculture

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

Existing Density: 1 du / 5 acres

Proposed Density: 1 du / 1.95 acres

School District: Big Walnut

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

Critical Resources: none

Soils: BeA Bennington Silt Loam 0-2% slope

BeB Bennington Silt Loam 2-4% slope

CaB Cardington Silt Loam 2-6% slope

Introduction

The owners/applicants are seeking to rezone the front 4.998 acres of this 14.3035-acre property, allow the development of lots at a minimum lot size of 1.95 acres. The remaining land would be developed into two lots, each larger than 5 acres.

Although no development plan is required, one has been provided showing the existing house remaining on a lot with its own access, two new flag lots to the south sharing a driveway, and a third new lot with its own driveway. A fourth new lot will gain access from frontage on Birtles Court, a road within the Estates at Cheshire subdivision.

Staff has generally supported rezoning requests from 5 acres to 1.95 as land can be utilized in a more efficient manner. This appears to be a reasonable request, but the three new lots could share a Single Access Point without the requirement to plat the lots. The western lot may take access from Birtles Court (a public street), assuming the lot meets all other zoning requirements. Staff recommends all new lots follow the No Plat Approval process.

Comprehensive Plan

Berkshire Township's 2017 Comprehensive Plan recommends this area for lots of 2-acres in size when sewer is not available. Soils appear to be reasonable for on-site systems and lots will have to be approved by the Health District.

Staff Recommendations

Staff recommends **Conditional Approval** of the rezoning request by John & Karen Thompson (4.998 ac.) from A-1 to FR-1 to the DCRPC, Berkshire Twp. Zoning Commission and Berkshire Twp. Trustees, subject to:

- 1.) Acknowledgement that approval of the rezoning does not guarantee the lot configuration included with the application.

Commission / Public Comments

Mr. John Thompson was present to answer questions from the Commission.

Mr. Price made a motion to recommend Conditional Approval of the 4.998 acre rezoning by John & Karen Thompson, based on staff recommendation. Mr. Hal Clase seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Berkshire Twp.). Motion carried.

17-19 ZON John & Karen Thompson – Berkshire Twp. – 3.428 acres from A-1 to FR-1

Request

The applicant, John & Karen Thompson, is requesting a 3.428-acre rezoning from A-1 to FR-1 to allow the lot to be remain as a residential lot.

Conditions

Location: West side of Rome Corners Rd., north of Hatherton Pl.

Present Zoning: Agricultural (A-1)

Proposed Zoning: Farm Residential (FR-1)

Present Use(s): Vacant, agriculture

Proposed Use(s): One single-family house lot

Existing Density: 1 du / 5 acres

Proposed Density: 1 du / 1.95 acres

School District: Big Walnut

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

Critical Resources: none

Soils: BeA Bennington Silt Loam 0-2% slope

CaB Cardington Silt Loam 2-6% slope

Introduction

The owners/applicants are seeking to rezoning 3.428 acres of a 5.101-acre parcel so that the property can be reduced below 5 acres and the current house remain. The remaining land will be reconfigured to allow access to a 5.816-acre lot to the west, with some being incorporated into a lot to the south.

Although no development plan is required, one has been provided showing the existing house remaining on a lot with its own access, two new flag lots to the south sharing a driveway, and a third new lot with its own driveway. A fourth new lot will gain access from frontage on Birtles Court, a road within the Estates at Cheshire subdivision.

Staff has generally supported rezoning requests from 5 acres to 1.95 as land can be utilized in a more efficient manner. This appears to be a reasonable request, but the three new lots could share a Single Access Point without the requirement to plat the lots. The western lot may take access from Birtles Court (a public street), assuming the lot meets all other zoning requirements. Staff recommends all new lots follow the No Plat Approval process.

Comprehensive Plan

Berkshire Township's 2017 Comprehensive Plan recommends this area for lots of 2-acres in size when sewer is not available. Soils appear to be reasonable for on-site systems and lots will have to be approved by the Health District.

Staff Recommendations

Staff recommends **Conditional Approval** of the rezoning request by John & Karen Thompson (3.428 ac.) from A-1 to FR-1 to the DCRPC, Berkshire Twp. Zoning Commission and Berkshire Twp. Trustees,

subject to:

- 1.) Acknowledgement that approval of the rezoning does not guarantee the lot configuration included with the application.

Commission / Public Comments

Mr. John Thompson was present to answer questions from the Commission.

Mr. Hal Clase made a motion to recommend Conditional Approval of the 3.428 acre rezoning by John & Karen Thompson, based on staff recommendation. Mr. Frommer seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Berkshire Twp.). Motion carried.

18-19 ZON Orange Twp. Zoning Commission – Zoning Resolution amendments

Introduction

On March 4, 2019, the Board of Trustees initiated to have the Zoning Commission hold a public hearing on minor amendments to the Orange Township Zoning Resolution.

The amendments would modify or supplement

- Zoning Districts (Section 5.01, 5.02),
- Single-Family PRD (Section 10.01, 10.03, 10.04, 10.05, 10.06, 10.07, 10.09),
- Multi-Family PRD (Section 11.01, 11.03, 11.04, 11.05, 11.06, 11.07),
- Planned Commercial and Office (Section 14.01, 14.03, 14.05, 14.06, 14.07),
- Planned Elderly Residential (Section 15.01, 15.03, 15.04, 15.05, 15.06, 15.07, 15.08, 15.09)
- Planned Industrial (Section 17.01, 17.03, 17.05, 17.06, 17.07)
- Remove Section 10.08 in its entirety (cluster housing language allowing attached dwellings as part of the Single-Family PRD article).

The Township has provided a summary of the changes. Generally, all districts share a number of common amendments, including Prohibiting the use of temporary structures for sales, Removing the 3-year approval period and reverted clause, Removing extension of time or modification language, Removing the allowance for some density exceptions when new developments are located adjacent to existing similar development.

The amendments also add a 20% open space requirement for Single-Family PRDs.

Staff comment: All districts are proposed to remove the 3-year period for effective approval and extension of time or modification language. While zoning codes cannot have a clause that automatically reverts land after a certain period of time, the Development Plan related to a planned district can and should have an expiration period. Conditions surrounding the development may change, potentially resulting in the need to amend a development plan. The zoning district would remain in place.

Staff Recommendations

Staff recommends **Conditional Approval** of the amendments to the Orange Twp. Zoning Resolution to the DCRPC, Orange Twp. Zoning Commission and Orange Twp. Trustees, *subject to*:

- 1.) Consider adding the platting language (“if required by local platting authority”) into the Multi-Family PRD with a phrase that allows an exception for condominiums;
- 2.) Consider adding some criteria for staff to use when determining whether proposed changes are substantial;
- 3.) Provide for an effective period for the Development Plan in a planned district, with provisions for refiling an updated plan if expired.

Commission / Public Comments

Mr. Price made a motion to recommend Conditional Approval of the amendments to the Orange Twp. Zoning Resolution, based on staff recommendation. Mr. George seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Orange Twp.). Motion carried.

SUBDIVISION PROJECTS

Preliminary

12-16 Evans Farm (revised overall) - Berlin/Orange Twp.’s - B: 607.12 acres, O: 550.50 acres

Conditions

Applicant: Evans Farm Land Development Co. LLC

Subdivision Type: Single Family Residential and Planned Commercial

Location: North side of Lewis Center Rd., west of Old State Rd.

Current Land Use: Vacant, former agricultural

Zoned: Orange: Single Family Planned Residential, Planned Commercial and
Berlin: Planned Residential, Planned Commercial

Zoning Approval: Orange: 3/21/16, Berlin: 02/27/17

Utilities: Del-Co water and central sanitary sewer

School District: Olentangy Local School District

Engineer: Terrain Evolution

Staff Comments

Evans Farm is a large-scale town-center development located on the boundary line of Orange and Berlin Townships. The vision is to create a village-style development that promotes walkability, creates a diverse and mixed-used community, supports a variety of housing styles and types, insists on quality architecture and design, seeks to create a true neighborhood, and focuses on quality of life.

Predominantly made up of single-family residential, the total acreage also includes 346.5 acres of open space, 24.4 acres for an elementary school and preschool, 59.2 acres of commercial and office, and 85.3 acres of commercial, office, and multifamily residential.

A Variance was granted in August, 2018, to allow the main road network of Evans Farm to be approved without detailed engineering provided or lot fees collected for each section. As areas are considered for development, each section will require a Preliminary Plan approval before improvements can begin. Along with the Variance, the layout of Evans Farm Drive, Piatt Road, “Street B,” and Shanahan/Hollenback Roads were established. The amended Preliminary seeks approval for the extension of North Road from its current terminus at Shanahan. The plan shows the road heading northwest to a point at the southeast corner of the adjoining parcel (145.432-acre Kenney Asset Management). The County Engineer staff has noted that this is a reasonable request based on the timing of the neighboring property. That office and RPC staff recommend the applicant coordinate the alignment and improvements with the neighboring developments.

A technical review was held on March 19, 2019, after which the applicant has addressed all of the required changes.

Staff Recommendation

Staff recommends *Preliminary Approval* of **Evans Farm** revised overall to the DCRPC.

Commission / Public Comments

Mr. Thom Ries with Terrain Evolution was present to represent the applicant.

Mr. Price made a motion for Preliminary Approval of Evans Farm revised overall. Mr. George seconded the motion. VOTE: Majority For, 0 Opposed, 2 Abstained (Porter and Berlin Twp.’s). Motion carried.

08-19 Oxford Woods – Brown Twp. - 13 lots / 36.46 acres

Conditions

Applicant: Principle Real Estate Development LLC.
Subdivision Type: Single family residential
Location: west side of 3 Bs & K Rd., south of SR 521
Current Land Use: house, barn
Zoned: Farm Residential (FR-1)
Utilities: Del-Co water and private on-lot treatment systems
School District: Buckeye Valley
Engineer: CEC

Staff Comments

Oxford Woods is a subdivision of 13 lots, all of which are at least 2 acres in size. The existing site has a house that will be removed and is generally half agricultural land and half wooded. A single street enters the site, ending in a cul-de-sac. Each lot will be served with an on-site waste treatment system. Lots on the north side of the road are 2 acres while the lots on the south are larger, accommodating the significant ravine and stream which passes through the property. Conservation easements will be placed across the

southern ravine, as well as the on the smaller ravine that is located in the center of the site. Drainage review will continue as part of the Final Engineering process.

A technical review was held on March 19, 2019, after which the applicant has addressed all of the required changes.

Staff Recommendation

Staff recommends *Preliminary Approval* of **Oxford Woods** to the DCRPC.

Commission / Public Comments

Mr. Rick Harkless with CEC was present to represent the applicant.

Mr. Hal Clase made a motion for Preliminary Approval of Oxford Woods. Mr. George seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

09-19 T Hemsoth CAD – Concord Twp. - 02 lots / 08.68 acres

Conditions

Applicant: Greg Hemsoth
Consultant: Plan 4 Land

Staff Comments

The applicant is requesting a 90-day tabling for Hemsoth CAD in order to prepare engineering documents.

Staff Recommendation

Staff recommends *Approval of the 90-day Table* request for **Hemsoth CAD** to the DCRPC.

Commission / Public Comments

Ms. Courtney Wade with Plan 4 Land was present to represent the applicant.

Mr. Irvine made a motion to Approve the 90-day table request for Hemsoth CAD. Mr. George seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

10-19 T Armenian Estates CAD – Genoa Twp. - 04 lots / 21.34 acres

Conditions

Applicant: Tigran Safaryan

Consultant: Plan 4 Land

Staff Comments

The applicant is requesting a 90-day tabling for Armenian Estates CAD in order to prepare engineering documents.

Staff Recommendation

Staff recommends Approval of the 90-day Table request for **Armenian Estates CAD** to the DCRPC.

Commission / Public Comments

Ms. Courtney Wade with Plan 4 Land was present to represent the applicant.

Mr. Irvine made a motion to Approve the 90-day table request for Armenian Estates CAD. Mr. George seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

11-19 Hyatts Crossing – Liberty Twp. - 02 lots / 27.89 acres

Conditions

Applicant: Pulte Homes

Subdivision Type: Planned Multi-Family Residential Community

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

Current Land Use: Vacant, former agricultural

Zoned: Planned Multi Family Residential (PMFR)

Zoning Approval: 01/07/19

Utilities: Del-Co water and central sanitary sewer

School District: Olentangy

Engineer: Kimley-Horn

Staff Comments

Hyatts Crossing is a condominium development that was approved in January, 2019. The development plan indicates 100 single-family detached units. Because the site will include a public street passing through it, the current parcel will be divided with a plat, dedicating the right-of-way for the road. The entry road is located directly across from an entrance that will be used to access a future county salt barn facility. A private road is proposed to access Hyatts Road as part of the condominium development. Detention areas are located at the intersection of Sawmill and Hyatts Crossing Drive.

A technical review was held on March 19, 2019, after which the applicant has addressed all of the required changes.

Staff Recommendation

Staff recommends *Preliminary Approval* of **Hyatts Crossing** to the DCRPC.

Commission / Public Comments

Mr. Will Ferguson with Kimley-Horn was present to represent the applicant.

Ms. Husak asked if there was a sidewalk or bike path on the east side of Sawmill Parkway. Mr. Sanders stated that there is nothing on the eastside, and on the west side there is a paved path to a point but there is continuing discussion on how the remainder gets build/how it will be maintained. She questioned the closeness of the ponds to the road (as the development goes forward).

Mr. Price made a motion for Preliminary Approval of Hyatts Crossing. Mr. George seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

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

Conditions

Applicant: Grand Communities
Subdivision Type: Planned Residential Community
Location: Western extension of Corduroy Rd., west of Gooding Blvd.
Current Land Use: Vacant, wooded
Zoned: SFPRD (Single-Family Planned Residential)
Zoning Approval: 05/21/18
Utilities: Del-Co water and central sanitary sewer
School District: Olentangy
Engineer: CT Consultants

Staff Comments

Grand Pointe at North Orange is a single-family development with 35 buildable lots. The layout includes the extension of two roads through the site. Harness Way will be extended from within the North Orange Section 2 and Corduroy Road will be extended across Gooding Boulevard into the site. Lots are generally 0.221 acres, with the smallest lots being 0.189 acres and the largest being 0.779 acres. Open space of 9.75 acres will be platted in the subdivision. Some of this open space protects a wooded ravine along the northern property line but a larger area is located under the high-tension powerlines that cross the southern border of the site.

A technical review was held on March 19, 2019, after which the applicant has addressed all of the required changes.

Staff Recommendation

Staff recommends *Preliminary Approval* of **Grand Pointe at North Orange** to the DCRPC.

Commission / Public Comments

No one was present to represent the applicant.

Mrs. Dorsch made a motion for Preliminary Approval of Grand Pointe at North Orange. Mr. Hal Clase seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Orange Twp.). Motion carried.

12-19 T Ironwood – Porter Twp. - 08 lots / 56.62 acres

Conditions

Applicant: Gregory & Kari Shakley
Consultant: Plan 4 Land

Staff Comments

The applicant is requesting a 90-day tabling for Ironwood in order to prepare engineering documents.

Staff Recommendation

Staff recommends Approval of the 90-day Table request for **Ironwood** to the DCRPC.

Commission / Public Comments

Ms. Courtney Wade with Plan 4 Land was present to represent the applicant.

Mrs. Kuba made a motion to Approve the 90-day table request for Ironwood. Mr. Hal Clase seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Porter Twp.). Motion carried.

FINAL

18-13.4.B T Olentangy Falls, Section 4, Phase B – Liberty Twp. - 10 lots / 19.917 acres

Conditions

Applicant: Olentangy Falls Ltd.
Engineer: CT Consultants

Staff Comments

The applicant is requesting a 90-day tabling for Olentangy Falls, Section 4, Phase B in order to finalize signatures on the plat.

Staff Recommendation

Staff recommends Approval of the 90-day Table of **Olentangy Falls, Section 4, Phase B** to the DCRPC.

Commission / Public Comments

No one was present to represent the applicant.

Mr. Price made a motion to Approve the 90-day table request for Olentangy Falls, Section 4, Phase B. Mr. George seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

EXTENSIONS (none)

OTHER BUSINESS

- Executive Committee member elections

Chairman Stites opened nominations for Executive Committee members. Mr. Price nominated Mike Frommer. Mr. Dattilo nominated Jeff George and Dave Stites and Fred Fowler nominated Susan Kuba. There were no additional nominations. Chairman Stites called for the vote. Unanimously For, 0 Opposed. Motion carried.

POLICY / EDUCATION DISCUSSION

- Staff will release the 2018 Annual Report next week, sending a hard copy to each jurisdiction.

RPC STAFF AND MEMBER NEWS

- Dick Gladman passed away March 12, 2019. Mr. Gladman served for over 21 years as a Representative from Orange Township on the Regional Planning Commission, and more than 13 years on the Executive Committee.
- Chairman Stites thanked Da-Wei Liou for keeping the GIS running smoothly. His services are appreciated. He also stated that the Planner position is continuing to be posted. Mr. Sanders said that he has a couple applicants and may move forward with interviews. Chairman Stites thanked Scott Sanders for his diligence in working to fill the position and for his extra efforts with the short staff.

Having no further business, Mr. Boyssel made a motion to adjourn the meeting at 7:33 p.m. Mr. Hal Clase seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

*The next meeting of the Delaware County Regional Planning Commission
will be Thursday, April 25, 2019, 6:30 PM at the
Hayes Services Building, 145 N. Union St, Conference Room 235,
Delaware, Ohio 43015.*

Dave Stites, Chairman

Stephanie Matlack, Executive Administrative Assistant