



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, April 25, 2019 at 6:30 PM

*Hayes Services Building, 145 N. Union St., Conference Room 235,
Delaware, Ohio 43015*

ADMINISTRATIVE BUSINESS

- Call to order
- Roll Call
- Approval of March 28, 2019 RPC Minutes
- Executive Committee Minutes of April 17, 2019
- Statement of Policy

ZONING MAP/TEXT AMENDMENTS

19-19 ZON	Eric & Kim Crawford - Concord Twp. - .699 acres - FR-1 to PCD
20-19 ZON	McGeorge Family - Harlem Twp. - 5.292 acres - AR-1 to FR-1
21-19 ZON	McGeorge Family - Harlem Twp. - 5.668 acres - AR-1 to FR-1
22-19 ZON	Harlem Twp. Zoning Commission - Zoning Resolution reformat
10-19 ZON	Porshi Development LLC - Orange Twp. - 11.249 acres - FR-1 to SFPRD
04-19 ZON	Starfall LLC - Harlem Twp. - 9.513 acres - AR-1 to FR-1
07-19 ZON	Starfall LLC - Harlem Twp. - 12.062 acres - AR-1 to FR-1
23-19 ZON	Mark & Karen Semon - Genoa Twp. - 7.606 acres - RR & SR to SR

SUBDIVISION PROJECTS

Preliminary

		Township	Lots/Acres	
01-19	T	Northstar, Sec. 1, Ph. E, Pt. 1 (Honey Grove)	Berkshire	21 lots / 10.326 acres

Final

20-18	T	Genoa Place	Genoa	04 lots / 03.166 acres
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T=TABLED, W=WITHDRAWN

EXTENSIONS

09-17		Howard Farms	Berlin	175 lots / 141.38 acres
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OTHER BUSINESS

POLICY / EDUCATION DISCUSSION

RPC STAFF AND MEMBER NEWS

- Executive Committee position results
- Introduction of Jonathan Miller, Planner I

ADMINISTRATIVE BUSINESS

- **Call to Order**

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

- **Roll Call**

Representatives: Jim Nelson, Jeff George, Ric Irvine, Fred Fowler, Barb Lewis, Tammy Noble, Charles Hurt, Dave Stites, Jim Hatten, Dan Boysel, Dan Quick, Josh Vidor, Mike Dattilo, and Doug Price. Alternates: Ken O'Brien, Dustin Kent, John Piccin, Bill Piper, Paul Benson, Dave Jackson, and Lee Bodnar. Staff: Scott Sanders, Da-Wei Liou and Stephanie Matlack.

- **Approval of the March 28, 2019 RPC Minutes**

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

- **April 17, 2019 Executive Committee Minutes**

1. **Call to order**

Chairman Stites called the meeting to order at 8:45 a.m.

2. **Position Elections**

Mrs. Kuba made a motion to elect Dave Stites as Chairman. Mr. George seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

Mrs. Kuba made a motion to elect Jeff George as Vice Chair, seconded by Mr. Merrell. VOTE: Unanimously For, 0 Opposed. Motion carried.

Mr. George made a motion to elect Susan Kuba as 2nd Vice Chair. Mr. Frommer seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

Mr. Frommer will serve as Member-at-large and Mr. Merrell will serve as Commissioner member as appointed by the Delaware County Commissioners.

3. **Approval of Executive Committee Minutes from March 20, 2019**

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

4. **New Business**

- Financial / Activity Reports for March 2019

REGIONAL PLANNING RECEIPTS		MARCH	YTD TOTAL
General Fees (Lot Split)	(4201)	\$1,025.00	\$3,880.00
Fees A (Site Review)	(4202)	\$900.00	\$3,300.00
Insp. Fees (Lot Line Transfer)	(4203)	\$500.00	\$800.00

Membership Fees	(4204)	\$3,046.00	\$213,089.00
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)	\$8,300.00	\$14,384.30
Charges for Serv. B (Final. Appl.)	(4231)	\$1,400.00	\$5,209.30
Charges for Serv. C (Ext. Fee)	(4232)		\$450.00
Charges for Serv. D (Table Fee)	(4233)	\$600.00	\$1,200.00
Charges for Serv. E (Appeal/Var.)	(4234)	\$600.00	\$1,800.00
Charges for Serv. F (Planned District Zoning)	(4235)	\$600.00	\$1,500.00
OTHER DEPT. RECEIPTS			
Health Dept. Fees	(4242)	\$7,490.00	\$8,360.00
Soil & Water Fees	(4243)	\$1,150.00	\$3,445.00
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)	\$74.00	\$74.00
Sale of Fixed Assets	(4804)		\$0.00
TOTAL RECEIPTS		\$25,685.00	\$257,668.06

Balance after receipts	\$1,097,496.82
Expenditures	- \$ 38,759.72
End of March balance (carry forward)	\$1,058,737.10

*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 Reviews
 - 1.) *Evans Farm, Section 4 – Berlin Twp. – 417 lots / 215.40 acres*
 - 2.) *Clark Shaw Reserve, Section 1 – Liberty Twp. – 86 lots / 42.786 acres*
 - 3.) *Northstar Wilson Rd., lots 1-4 – Berkshire Twp. – 4 lots / 260.116 acres*
 - 4.) *Arcadia Phases 1- 2A, 2B, 3 – Berkshire Twp. – 20 lots / 209.4 acres*

- April RPC Preliminary Agenda

1.) CONSENT AGENDA	Township	Lots/Acres
• Genoa Place	Genoa	04 lots / 03.166
acres		

2.) VARIANCE / EXTENSION

- Howard Farms - Berlin Twp. - 175 lots / 141.138 acres requesting first 1 year extension

3.) ZONING MAP/TEXT AMENDMENTS

- Eric & Kim Crawford - Concord Twp. - .699 acres - FR-1 to PC
- McGeorge Family - Harlem Twp. - 5.292 acres - AR-1 to FR-1
- McGeorge Family - Harlem Twp. - 5.668 acres - AR-1 to FR-1
- Harlem Twp. Zoning Commission - Zoning Resolution reformat
- Porshi Development LLC - Orange Twp. - 11.249 acres - FR-1 to SFPRD
- Starfall LLC - Harlem Twp. - 9.513 acres - AR-1 to FR-1
- Starfall LLC - Harlem Twp. - 12.062 acres - AR-1 to FR-1

4.) SUBDIVISION PROJECTS

Preliminary

- | | Township | Lots/Acres |
|---|-----------|------------------|
| • T Northstar, Sec. 1, Ph. E, Pt. 1 (Honey Grove) acres | Berkshire | 21 lots / 10.326 |

Preliminary/Final (none)

- Director's Report
 - 1.) Working on wall maps with community features for each jurisdiction;
 - 2.) Attended Transportation Advisory Committee at MORPC;
 - 3.) 2020 Census preparation - Commissioners' resolution on April 1, also met with regional Census rep last week, who will probably be presenting at a Commissioner session and presenting at our first Committee meeting;
 - 4.) Brown Township Comprehensive Plan was approved;
 - 5.) Working on two Berlin Township overlays for their zoning code;
 - 6.) Working on incorporating Liberty's recent POD into their master document;
 - 7.) Attended Troy Township Zoning Commission meeting and soon updating sections of their code;
 - 8.) Updating Liberty and Galena Zoning Maps;
 - 9.) Delaware County Trail Committee met to discuss ODOT state bike routes;
 - 10.) Trakit - finalizing some details before the "final edits" meetings take place;
 - 11.) Attended a Commissioner working session regarding the renovation work;
 - 12.) Completed NACo Leadership Institute by attending final webinar with all other Delaware County participants in the emergency command center. Will provide more detail in a future meeting.

5. Old Business

- Facility work session - Mr. Sanders attended the Commissioners' work session on Monday. Focus on space blocking, considered additional structures for certain entities on site.

6. Other Business (none)

7. Personnel

- Planner new hire - Jonathan Miller is scheduled to start on Monday 29th. Experience in Licking County, Granville zoning, and Burton Planning Services.
- Current GIS Intern Arafat Hassan has accepted a position with the City of Canton. Will be wrapping up his internship in the next few weeks.

8. Adjourn

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

The next regular Executive Committee meeting will be Wednesday, May 22, 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.

ZONING MAP/TEXT AMENDMENTS

19-19 ZON Eric & Kim Crawford – Concord Twp. - .699 acres – FR-1 to PCD

Request

The applicants, Eric and Kim Crawford, are requesting rezoning of 0.699-acres from FR-1 to PCD in order to house offices and storage for a painting business.

Conditions

Location: 3883 US Highway 42 South

Present Zoning: Farm Residential (FR-1)

Proposed Zoning: Planned Commercial and Office (PCD)

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

Proposed Use(s): painting business offices and storage

School District: Buckeye Valley

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

Critical Resources: none

Soils: BoA Blount Silt Loam 0-2% slope

Introduction

The subject property is a combination of two parcels, the northern portion having been created in 1955 as part of a three-lot plat and the southern portion being added to the property at some point after other platting left a remainder. This has been combined with the larger parcel.

The site includes a 1,404 s.f. home with a 728 s.f. attached garage and detached 1,680 s.f. shop.

The applicant seeks to redevelop and expand the site to house Final Touch Painting, a business with a small internal staff and numerous field employees. They seek to renovate the existing residential structure with new windows and siding while converting the garage into offices and a conference room. Parking will be expanded to 17 spaces as shown on the Development Plan. The plan also shows a 900 s.f. addition to the shop at the rear of the site.

Uses on site will include office, conference areas, storage, spray booth areas, a personal vehicle storage. Residential lodging for up to three (3) employees will be included in existing bedrooms. A sign will be added in accordance with the sign code.

Comprehensive Plan

Concord Township's 2018 Comprehensive Plan acknowledges that areas along U.S. 42 are not likely to remain residential, particularly for small lots that are directly impacted by the high-volume highway. Land on the southwest corner of U.S. 42 and Section Line is zoned B-3 General Business. Land immediately southwest of this site, including the land to the rear of the parcel, is zoned Planned Commercial, approved by the Township in 2002.

Issues

Traffic and access: Although this is not a retail business, traffic could be an issue. Changing uses on a state route will require review by ODOT. The application notes that trip generation is being reviewed by ODOT and their feedback will be presented to the Township as it is received. This should occur prior to Zoning Commission review.

Use: Given the in-field nature of the majority of employees, the employee use as proposed is reasonable, if any access and traffic issues that ODOT may identify can be mitigated. However, staff doesn't recommend more than one resident on site. The PCD language does allow "apartments or residences, when the same are specifically designed as part of the architecture of the structure..." The code then defines square footage requirements for one, two, and three-or-more bedroom units. The application doesn't propose "units" and doesn't provide detail beyond the use of existing bedrooms. The Township should avoid setting a precedent of a multi-family-type use within a commercial and office space, without sufficient additional detail.

Parking: Parking includes 17 new spaces, which the text notes will be gravel to minimize the impact on drainage. Gravel could become a maintenance issue. Staff recommends more detail be provided as to which area will be paved and how any non-paved areas will be maintained. Parking seems excessive based on the

narrative.

Sanitary Treatment: There is no public sanitary system available to the site and none in the foreseeable future. The applicant intends to use the existing on-site treatment system. Based on the projected activities on the site, the application projects 360 gallons per day but supporting documentation has not been provided to date. The Zoning Commission should wait until review by either the Delaware General Health District or by the OEPA before making a decision.

Divergences

No divergences are requested.

Staff Recommendations

Staff recommends **Conditional Approval** of the rezoning request by Eric & Kim Crawford from FR-1 to PCD to the DCRPC, Concord Twp. Zoning Commission and Concord Twp. Trustees, *subject to:*

- 1.) Confirmation of any access or traffic issues from ODOT;
- 2.) Confirmation of the ability to use the on-site system for waste treatment;
- 3.) Recommending denial of the residential use of the site; and
- 4.) Additional detail on the parking material and geometry.

Commission / Public Comments

Mr. Joe Clase with Plan 4 Land was present to represent the applicant. He stated that they generally concur with staff comments.

Mr. Vidor asked if there was an allowance for a mixed use. Mr. Sanders stated that there was “per plan” and was subject to square footage requirements. This plan showed bedrooms and apartments. He stated this could be a conditional use by the Township.

Mr. O’Brien made a motion to recommend Conditional Approval, subject to staff recommendations 1-4. Mr. Vidor seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Concord Twp.). Motion carried.

20-19 ZON McGeorge Family – Harlem Twp. – 5.292 acres – AR-1 to FR-1

Request

The applicants, McGeorge Family (Keith, Peggy, Collins and Stephanie), are requesting a 5.292-acre rezoning from AR-1 to FR-1 to allow the lot to be split into two residential lots.

Conditions

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

Present Zoning: Agricultural (AR-1)

Proposed Zoning: Farm Residential (FR-1)

Present Use(s): Vacant, former agriculture
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. According to the survey and Auditor data, the parcel was created in its current shape in January of this year. It has 426 feet of frontage on State Route 605. The rezoning is a first step toward splitting the lot into no more than two lots. Harlem Township requires 175 feet of frontage for lots between 2 and 3 acres in size.

Further subdivision of this lot (unless combined with other land) would 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. However, the digital soils map shows that most of the southern half of the lot appears to be made up of Pewamo soils, which will limit the onsite treatment system and house location. Staff recommends that the applicant consult with a soil scientist and the Health District to ensure proper design on the on-site system. Staff also recommends combining access points where possible to avoid multiple driveways on State Route 605.

Comprehensive Plan

Harlem Township's 2007 Comprehensive Plan generally supports conversion of 5-acre zoning to 2-acre zoning as a less land-consumptive approach to development. The Township has not identified an area where land should retain 5-acre zoning.

Staff Recommendations

Staff recommends **Conditional Approval** of the rezoning request by the McGeorge Family (5.292 ac.) from AR-1 to FR-1 to the DCRPC, Harlem Twp. Zoning Commission and Harlem Twp. Trustees, *subject to:*

- 1.) *Consultation with a soil scientist and the Health District to ensure proper design on the on-site systems.*

Commission / Public Comments

No one was present to represent the applicants.

Mr. Price made a motion to recommend Conditional Approval of the rezoning request by the McGeorge Family (5.292 ac.), based on staff recommendation. Mr. Vidor seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Harlem Twp.). Motion carried.

21-19 ZON McGeorge Family – Harlem Twp. – 5.668 acres – AR-1 to FR-1

Request

The applicants, McGeorge Family (Keith, Peggy, Collins and Stephanie), are requesting a 5.668-acre rezoning from AR-1 to FR-1 to allow the lot to be split into two residential lots.

Conditions

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

Present Zoning: Agricultural (AR-1)

Proposed Zoning: Farm Residential (FR-1)

Present Use(s): Vacant, former agriculture

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. According to the survey and Auditor data, the parcel was created in its current shape in January of this year. It has 439 feet of frontage on State Route 605 and 558 feet on Bevelheimer Road. The rezoning is a first step toward splitting the lot into no more than two lots. Harlem Township requires 175 feet of frontage for lots between 2 and 3 acres in size.

Further subdivision of this lot (unless combined with other land) would 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 a soil scientist and the Health District to ensure proper design on the on-site system. Staff also recommends taking access from Bevelheimer Road rather than creating multiple driveways on State Route 605.

Comprehensive Plan

Harlem Township's 2007 Comprehensive Plan generally supports conversion of 5-acre zoning to 2-acre zoning as a less land-consumptive approach to development. The Township has not identified an area where land should retain 5-acre zoning.

Staff Recommendations

Staff recommends **Conditional Approval** of the rezoning request by the McGeorge Family (5.668 ac.) from AR-1 to FR-1 to the DCRPC, Harlem Twp. Zoning Commission and Harlem Twp. Trustees, *subject to:*

- 1.) *Consultation with a soil scientist and the Health District to ensure proper design on the on-site systems.*

Commission / Public Comments

No one was present to represent the applicants.

Mr. Price made a motion to recommend Conditional Approval of the rezoning request by the McGeorge Family (5.668 ac.), based on staff recommendation. Mr. Vidor seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Harlem Twp.). Motion carried.

22-19 ZON Harlem Twp. Zoning Commission – Zoning Resolution reformat

Request

The DCRPC staff worked with Harlem Township to reformat the existing Zoning Resolution into a format that is more consistent, more readable, and easier to use. New formatting allows for the creation of a Table of Contents with “hot links” that can be clicked on and lead directly to the Article or Section. No substantive changes were made during the reformatting, but the Zoning Commission altered some of the letter references and parentheses. The clean version makes other inconsistencies more noticeable and the Zoning Commission will likely initiate other amendments after reviewing the clean document.

The Zoning Commission initiated the changes for an April 22nd hearing and will receive these comments prior to the Trustee hearing.

Staff Recommendations

Staff recommends **Approval** of the amendments to the Harlem Township Zoning Resolution to the DCRPC, Harlem Twp. Zoning Commission and Harlem Twp. Trustees.

Commission / Public Comments

Mr. Price made a motion to recommend Approval of the amendments to the Harlem Twp. Zoning Resolution. Mr. Irvine seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Harlem Twp.). Motion carried.

10-19 ZON Porshi Development LLC – Orange Twp. - 11.249 acres – 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

A previous proposal for the same number of lots received a negative recommendation from the RPC in January, 2019, due to a lack of information and other design items. The proposal has been amended and submitted to RPC for a second review.

The proposal shows a single access off the west side of S. Old State Road, (now moved north from the initial proposal to approx. 800 feet) north of E. Orange Road. This public road immediately curves south then west, looping around the site before ending in an area of clubhouse and mailbox parking. An emergency exit to S. Old State is located about 360 feet north of Orange Road. Sidewalks are provided on both sides 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 is listed at 2.316 acres (20% of the site), which meets the requirement and will be discussed later in the report.

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. Based on the acreage listed on the application, this proposal complies, but that acreage and density are discussed in the following section.

Issues

Acreage: The developable acreage of 11.249 is based on a combination of two parcels at 10.891 and 0.357 acres, surveyed in 1991 and 1998, respectively. In 2018, additional right-of-way was dedicated by the County,

with 0.421 acres dedicated along Orange Road and 1.149 acres dedicated along South Old State. This dedication appears to have occurred prior to transfer to the current owners. An additional 20' wide highway easement is located within the property along South Old State. The resulting acreage, according to the Auditor's property report, is 9.453, which includes the 20' highway easement. Various exhibits use the smaller acreage but include the larger acreage in written tables. Staff encourages the Township to resolve this issue and which acreage the density should be based on.

Open space: as noted, the exhibits indicate 2.316 acres (20.6% of the site), which meets the requirement of 20% in the code. Total amount required might actually go down based on the Acreage discussion above.

This open space land includes the retention basin and larger passive open space areas in the northwest and southwest corners of the site. A very small strip of open space, approximately 5' wide, is located along the back of the western lots.

Staff comment: This open space doesn't benefit the neighborhood and could become a maintenance issue.

The clubhouse and the lot on which it is located, as well as the paved turnaround and parking area, are also included in the open space calculation, despite being largely paved. Also, the portion of road that serves lots 1-3 is not shown in a 60' right-of-way, with some of that being included in the open space acreage.

Serviceability: Letters have been added since the prior submission.

Access/Circulation: Full access has been moved to the north as required by the County Engineer's office. Also, the emergency access has been moved to the south to align with the center drive of the fire station as recommended. An access easement to the adjacent property to the north was also requested and has been added.

Although a general letter from the County Engineer's office is included, it remains doubtful that the geometry of the internal roads meet the County Engineer's standards as part of the subdivision process.

Staff comment: When additional right-of-way was taken by the County Engineer in 2018, the ROW was "jogged" around the barn. That barn has since been removed and the jog needs to be dedicated as ROW. The jog is also included in the open space calculation discussed above.

The proposal continues to indicate the entry apron and landscape features potentially in the right-of-way and definitely within the "20' highway easement" as noted on the legal description. This can be resolved at the subdivision phase, but may impact the Development Plan as approved by the Zoning Commission.

Staff comment: If the geometry can be revised to meet the DCEO standards, staff is not in favor of the layout as it creates north-bound internal traffic immediately adjacent to south-bound traffic on South Old State Road. This cannot be buffered or minimized with landscaping based on the location of the emergency access and based on how close the road is to the right-of-way. Additionally, this layout creates front elevations that face directly on South Old State with little opportunity to buffering.

Parking: The Development Plan indicates 7 parking spaces for the clubhouse and mailboxes, which have been altered from the previous submission. But the placement of those spaces doesn't seem to work, making

it difficult to pull in and back out of the north/south spaces in particular.

Lighting: 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

One divergence was requested to allow two of the lots to reduce the lot depth on two lots. A depth of 135' is required and depths of 127.5' and 115.9' are requested for two of the lots that face South Old State.

Staff comment: Given the other issues on the site, this divergence is not recommended.

Staff Recommendations

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

- 1.) Resolve the acreage issue – right-of-way that was dedicated prior to purchase should not be used to calculate density;
- 2.) Resolve the issue of the 20' highway easement and whether landscape structures can be located within it;
- 3.) Remove any paved areas, rights-of-way, and clubhouse footprint from the open space calculation; the small strip along the western border isn't recommended;
- 4.) Revising the layout by complying with the County road standards, removing lots 1, 2, and 3, placing the clubhouse in their place, and ending the road at the emergency access. This allows for more open space while removing the adjacent road issue and removing the need for the lot depth divergences; and
- 5.) Confirm with the County Engineer that the existing right-of-way is adequate and meets the Thoroughfare requirements.

Commission / Public Comments

Ms. Sara Radcliffe, Kephart Fisher, was present to represent the applicant along with Mr. Shafi Alam, EDB International, Inc. (engineer). She stated that they did try to eliminate the right-of-way being included in the open space acreage. With regards to the clubhouse, she explained that after previous comments from staff (in January) that it could be included in the open space. The road will be private and the development will be condominiumized.

Mr. O'Brien expressed his concern with getting a fire truck through the development. Mr. Alam stated that the radius is 75 feet and has been reviewed by the fire department.

Mr. O'Brien asked if the County Engineer has looked at the plan. Mr. Piccin stated that they have reviewed the sketch plan and was presented as a condominium so the Co. Engineer only looks at the access and drainage. Mr. Piccin stated the ROW set back on Old State Rd. should be verified that it aligns with the Thoroughfare Plan requirements prior to zoning approval.

Mr. Sanders asked if the condominium issue was noted in the package that staff reviewed. Ms. Radcliffe said that she did not believe so but would add it prior to the township review.

Mr. Vidor asked when the density would be reviewed with the reduced ROW calculations. Ms. Radcliffe stated that the density would still be good even with not including the ROW.

Mr. George made a motion to recommend Conditional Approval for the rezoning request by Porshi, LLC., subject to staff recommendations 1-5. Mr. Boysel seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Orange Twp.). Motion carried.

04-19 ZON Starfall LLC – Harlem Twp. – 9.513 acres – AR-1 to FR-1

Request

The applicant, Starfall LLC, is requesting a 9.513-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 several parcels created in November, 2018 from an original 102-acre tract. The lots were all larger than 5 acres and were therefore exempt from the subdivision process or any other review. The subject parcel was then resurveyed with slight differences in configuration in February, 2019. Because of the new survey, the Township submitted this site to the RPC for additional review.

According to the survey, the tract 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 (9.513 ac.) 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. Price made a motion to recommend Approval of the rezoning request by Starfall, LLC (9.513 acres). Mr. Vidor seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Harlem Twp.). Motion carried.

07-19 ZON Starfall LLC – Harlem Twp. – 12.062 acres – AR-1 to FR-1

Request

The applicant, Starfall LLC, is requesting a 12.062-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 several parcels created in November, 2018 from an original 102-acre tract. The lots were all larger than 5 acres and were therefore exempt from the subdivision process or any other review. The subject parcel was then resurveyed with slight differences in configuration in February, 2019. Because of the new survey, the Township submitted this site to the RPC for additional review.

According to the survey, the tract has 370 feet of frontage on State Route 605 and 998.18 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. Regardless of frontage and acreage, the maximum number of lots that can be created from a single parcel in a single year is 5 lots, assuming the land is completely subdivided.

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 (12.062 ac.) 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. Price made a motion to recommend Approval of the rezoning request by Starfall, LLC (12.062 acres). Mr. Vidor seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Harlem Twp.). Motion carried.

23-19 ZON Mark & Karen Semon – Genoa Twp. – 7.606 acres – RR & SR to SR

Request

The applicants, Mark and Karen Semon, are requesting a 7.606-acre rezoning from RR and SR to SR to allow for the development of a 4 lot CAD subdivision, Sanctuary Woods.

Conditions

Location: North side of Freeman Rd., west of Char-Mar Dr.

Present Zoning: Rural and Suburban Residential (RR, SR)

Proposed Zoning: Suburban Residential (SR)

Present Use(s): Vacant

Proposed Use(s): four single-family house lots, common access driveway subd.

Existing Density: 1 du / 2 acres

Proposed Density: 1 du / 20,000 s.f.

School District: Westerville

Utilities Available: Del-Co Water and central sanitary sewer

Critical Resources: none

Soils: CaB Cardington Silt Loam 2-6% slope

BeB Bennington Silt Loam 2-4% slope

PwA Pewamo Silty Clay Loam 0-1% slope

Introduction

The two parcels are the subject of an active subdivision referred to as Sanctuary Woods. Sanctuary Woods is a proposed 4-lot Common Access Driveway subdivision which received conditional Preliminary Approval in February, 2019.

During review, RPC staff and Genoa Township noted that there is split zoning in this area, with Suburban Residential (20,000 s.f. lot size) zoning in an area approximately 520 feet from Freeman Road and Rural Residential (2-acre lot size) north of that line. Because the Township cannot locate a document that defines exactly where the boundary exists between the zoning districts, the Township asked the applicant to resolve the issue by rezoning the property. The applicant expressed an intent to do so, the Township was comfortable with allowing the Preliminary Plan to move forward, and the plan received that approval.

Comprehensive Plan

Genoa Township's 2019 Comprehensive Plan indicates this proposal would fall below the density normally allowed by zoning and isn't out of character with the surrounding area.

Staff Recommendations

Staff recommends **Approval** of the rezoning request by Mark and Karen Semon from RR and SR to SR to the DCRPC, Genoa Twp. Zoning Commission and Genoa Twp. Trustees.

Commission / Public Comments

Mr. Joe Clase with Plan 4 Land was present to represent the applicant.

Mr. Price made a motion to recommend Approval of the rezoning request by Mark and Karen Semon. Mr. Vidor seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Genoa Twp.). Motion carried.

SUBDIVISION PROJECTS

Preliminary

01-19 T Northstar, Sec. 1, Ph. E, Pt. 1 (Honey Grove) – Berkshire Twp. - 21 lots / 10.326 acres

Conditions

Applicant: Nationwide Realty Inc.
Engineer/Consultant: Terrain Evolution
Tabling: 01/31/19 (90 days)

Staff Comments

The applicant is requesting a second 90-day tabling in order to continue working on 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.

Mr. Boysel made a motion to Approve the 90-day table request for Northstar, Section 1, Phase E, Part I (Honey Grove). Mr. Bodnar seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Berkshire Twp.). Motion carried.

Final

20-18 T Genoa Place – Genoa Twp. - 04 lots / 03.166 acres

Conditions

Applicant: Brookewood Construction

Engineer: Watcon

Staff Comments

The applicant has requested a 90 day tabling of Genoa Place in order to work out engineering issues.

Staff Recommendation

Staff recommends *Approval of the 90-day Tabling of Genoa Place* to the DCRPC.

Commission / Public Comments

No one was present to represent the applicant.

Mr. Boyssel made a motion to Approve the 90-day table request for Genoa Place. Mr. Vidor seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Genoa Twp.). Motion carried.

EXTENSIONS

09-17 Howard Farms – Berlin Twp. - 175 lots / 141.38 acres

Applicant: Homewood Corp.

Engineer: EMH & T

Preliminary approval: 04/27/17

Staff Comments

The applicant is requesting a 1-year extension for Howard Farms.

“To date, we have completed the installation of the offsite sanitary sewer, sanitary sewer, storm sewer and water main. We are currently working through having the testing of all pipework completed. We have preliminary earthwork completed but will need more time to complete the roadway as well as the rest of the earthwork. All remaining sections are being worked through with our engineer and there is no reason to believe that the development will not ultimately be built according to plan. Due to weather and ground conditions last year we were unable to complete this section in the time frame.”

Staff Recommendation

Staff recommends *Approval of a 12-month Extension for Howard Farms* to the RPC.

Commission / Public Comments

No one was present to represent the applicant.

Mr. Vidor made a motion to Approve the 1 year extension for Howard Farms. Mr. Piccin seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Berkshire Twp.). Motion carried.

OTHER BUSINESS (none)

POLICY / EDUCATION DISCUSSION (none)

RPC STAFF AND MEMBER NEWS

- Executive Committee position results :
 - Chairman – Dave Stites
 - Vice Chair – Jeff George
 - 2nd Vice Chair - Susan Kuba
 - Member at Large – Mike Frommer
 - Commissioner member – Gary Merrell
- Introduction of Jonathan Miller, Planner I. Jonathan will start at the DCRPC on Monday, April 29th.

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

The next meeting of the Delaware County Regional Planning Commission will be Thursday, May 30, 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