

Delaware County Regional Planning Commission

109 North Sandusky Street
P.O. Box 8006, Delaware, Ohio 43015
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Scott B. Sanders, AICP Executive Director



MINUTES

Thursday, May 30, 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 April 25, 2019 RPC Minutes
- Executive Committee Minutes of May 22, 2019
- Statement of Policy

CONSENT AGENDA

		Township	Lots/Acres
13-14.3	Brookview Manor, Section 3	Berlin	26 lots / 29.016 acres
17-16.4	Scioto Ridge Crossing, Section 4	Concord	35 lots / 29.452 acres
05-19	Lanetta Subd., Lot 1232, Div. #1	Genoa	02 lots / 04.81 acres

ZONING MAP/TEXT AMENDMENTS

24-19 ZON	Brant Finney, Cassandra Wood, Shawn Johnson, Jill Johnson - Trenton Twp. - 8.024 acres from FR to RR		
25-19 ZON	AV Investments - Harlem Twp. - 45.567 acres from AR-1 to FR-1		
26-19 ZON	Michael & Kathleen Zajd - Harlem Twp. - 5.07 acres from AR-1 to FR-1		
27-19 ZON	Scioto Twp. Zoning Commission - zoning code amendments		
28-19 ZON	Liberty Twp. Zoning Commission - zoning code amendments		
29-19 ZON	CV Real Properties - Concord Twp. - 7.919 acres from FR-1 to PRD		
30-19 ZON	Berlin Twp. Zoning Commission - text amendments		

SUBDIVISION PROJECTS

		Township	Lots/Acres
<u>Preliminary</u>			
09-19	Hemsoth CAD	Concord	02 lots / 08.68 acres
12-16.3	Evans Farms, Section 3	Orange	18 lots / 12.51 acres
<u>Preliminary/Final</u>			
14-19	Creekside Industrial Park, Lot 8301, Div. #1	Orange	03 lots / 38.939 acres

OTHER BUSINESS

- Consideration for Approval: Refreshment expenditures not to exceed \$700.00

POLICY / EDUCATION DISCUSSION

RPC STAFF AND MEMBER NEWS

ADMINISTRATIVE BUSINESS

- **Call to Order**
 Chairman Stites called the meeting to order at 6:30 p.m.
- **Roll Call**
Representatives: Jeff George, David Loveless, Susan Kuba, Barb Lewis, Tom Hopper, Joe Shafer, Dave Stites, Charles Hurt, Hal Clase, James Hatten, Ed Snodgrass, Dan Boysel, Herb Ligocki, and Mike Dattilo. *Alternates:* Helen Caraway, Bob Lamb, Dustin Kent, Tiffany Jenkins, Dave Jackson, Jeff Beard, and Richard Lehner. *Arrived after roll call:* Bill Piper (A). *Staff:* Scott sanders, Jonathan Miller, Da-Wei Liou and Stephanie Matlack.
- **Approval of the April 25, 2019 RPC Minutes**
Mrs. Kuba made a motion to Approve the minutes from the last meeting, seconded by Mr. Boysel. VOTE: Unanimously For, 0 Opposed. Motion carried.
- **May 22, 2019 Executive Committee Minutes**

1. Call to order

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

2. Approval of Executive Committee Minutes from April 17, 2019

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

3. New Business

- Financial / Activity Reports for April 2019

REGIONAL PLANNING RECEIPTS		MARCH	YTD TOTAL
General Fees (Lot Split)	(4201)		\$3,880.00
Fees A (Site Review)	(4202)	\$1,200.00	\$4,500.00
Insp. Fees (Lot Line Transfer)	(4203)	\$200.00	\$1,000.00
Membership Fees	(4204)	\$23,458.00	\$236,547.00
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)		\$14,384.30
Charges for Serv. B (Final. Appl.)	(4231)	\$1,000.00	\$6,209.30
Charges for Serv. C (Ext. Fee)	(4232)	\$150.00	\$600.00
Charges for Serv. D (Table Fee)	(4233)	\$400.00	\$1,600.00
Charges for Serv. E (Appeal/Var.)	(4234)		\$1,800.00
Charges for Serv. F (Planned District Zoning)	(4235)		\$1,500.00
OTHER DEPT. RECEIPTS			

Health Dept. Fees	(4242)		\$8,360.00
Soil & Water Fees	(4243)	\$725.00	\$4,170.00
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)	\$25.00	\$99.00
Sale of Fixed Assets	(4804)		\$0.00
TOTAL RECEIPTS		\$27,158.00	\$284,826.06

Balance after receipts	\$1,085,895.10
Expenditures	<u>\$ 27,420.52</u>
End of April balance (carry forward)	\$1,058,474.58

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

- Site Reviews

- 1.) *Thistlegate CAD – Kingston Twp. – 4 lots / 22.5 acres*
- 2.) *The Villas at Loch Lomond – Liberty Twp. – 2 lots / 5 acres*

- May RPC Preliminary Agenda

- 1.) CONSENT AGENDA

- Brookview Manor, Section 3
- Scioto Ridge Crossing, Section 4
- Lanetta Subd., Lot 1232, Div. #1

Township	Lots/Acres
Berlin	26 lots / 29.016 acres
Concord	35 lots / 29.452 acres
Genoa	02 lots / 04.81 acres

- 2.) VARIANCE / EXTENSION (none)

- 3.) ZONING MAP/TEXT AMENDMENTS

- Brant Finney, Cassandra Wood, Shawn Johnson, Jill Johnson – Trenton Twp. – 8.024 acres from FR to RR
- AV Investments – Harlem Twp. – 45.567 acres from AR-1 to FR-1
- Michael & Kathleen Zajd – Harlem Twp. – 5.07 acres from AR-1 to FR-1
- Scioto Twp. Zoning Commission – zoning code amendments
- Liberty twp. Zoning Commission – zoning code amendments
- CV Real Properties – Concord Twp. – 7.919 acres from FR-1 to SFPRD
- Berlin Twp. Zoning Commission – zoning code amendments (density)

- 4.) SUBDIVISION PROJECTS
Preliminary

	Township	Lots/Acres
• Hemsoth CAD	Concord	02 lots / 08.68 acres
• Armenian Estates CAD	Genoa	04 lots / 21.34 acres

• Evans Farms, Section 3	Orange	18 lots / 12.51 acres
• Ironwood	Porter	08 lots / 56.62 acres
<u>Preliminary/Final</u>		
• Creekside Industrial Park, Lot 8301, Div. #1	Orange	03 lots / 33.086 acres

- Director's Report
 - 1.) COMPLETED wall maps with community features for each jurisdiction, still need to distribute;
 - 2.) Attended Transportation Advisory Committee at MORPC;
 - 3.) Attended initial meeting of a Physical Awareness committee, including Preservation Parks, hospitals, health orgs, and communities, working toward a physical activity plan;
 - 4.) 2020 Census preparation – Scheduled the Complete County Committee kickoff meeting for June 20. Also participated in a roundtable to discuss Census Tract revisions through MORPC, various developing communities including City of Delaware;
 - 5.) Working on two Berlin Township overlays for their zoning code;
 - 6.) Attended the Health District/Sourcepoint “Age Friendly Community” information rollout;
 - 7.) Participated in a Commissioner session for the renaming of a duplicate road name;
 - 8.) Office space – no update, department meetings coming up;
 - 9.) Ordered new laptop for Da-Wei Liou;
 - 10.) Jonathan and I attended the Central Ohio Planning and Zoning Workshop in Dublin last Friday.

4. Old Business (none)

5. Other Business (none)

6. Personnel (none)

7. Adjourn

Having no further business, Mr. George made a motion to adjourn the meeting at 10:20 a.m. Mrs. Kuba seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

The next regular Executive Committee meeting will be Wednesday, June 19, 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

13-14.3 Brookview Manor, Section 3 – Berlin Twp. - 26 lots / 29.016 acres

Conditions

Applicant: Pulte Homes

Subdivision Type: Single Family Residential

Location: Africa Road; East terminus of Brookview Manor Drive

Zoned: R-2 with PRD overlay

Preliminary Approval: 06/26/14 overall

Utilities: Del-Co Water, central sanitary sewer

School District: Olentangy

Engineer: CEC Inc.

Staff Comments

Brookview Manor, Section 3, is the final section of the overall Brookview Manor subdivision located on Africa Road. Section 3 consists of 26 lots and has a main access through Section 2 of the development through Ravine View Drive. Ravine View Drive is extended south and curves west, with Babbling Brook Court, a cul-de-sac, originating at the curve and extending east.

The average lot size of the 26 lots is approximately 0.63 acres. The lots are arranged along Ravine View Drive and Babbling Brook Court. As with the other sections, sidewalks will be installed as residences are built on the lots. Open space areas total 9.96 acres and buffer the residential lots from the surrounding developments.

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 **Brookview Manor, Section 3** to the DCRPC.

Commission / Public Comments

Mr. Clase made a motion for Final Approval of Brookview Manor, Section 3. Mr. Loveless seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

17-16.4 Scioto Ridge Crossing, Section 4 – Concord Twp. - 35 lots / 29.452 acres

Conditions

Applicant: M/I Homes

Subdivision Type: Single Family Planned Residential

Location: East of the Clark-Shaw Moor subdivision, located on Clark-Shaw Road

Zoned: Planned Residential District (PRD)

Preliminary Approval: 08/25/16 overall

Utilities: Del-Co Water, central sanitary sewer

School District: Buckeye Valley

Engineer: Advanced Civil Design

Staff Comments

Scioto Ridge Crossing, Section 4, is the fourth of five sections of the overall Scioto Ridge Crossing development located east of, and connecting to, the Clark-Shaw Moors subdivision on Clark-Shaw Road. Section 4 consists of 35 lots, located on 29.452 acres, and has a main access through Section 2 of the development through the extension of Bobwhite Trace. Bobwhite Trace extends west and curves northwest.

The average lot size of the 35 lots is approximately 0.194 acres, and are arranged along Bobwhite Trace with larger lots located around the cul-de-sac. As with the other sections, sidewalks will be installed as residences are built on the lots. Open space areas total 20.548 acres and provides space for a detention basin and walking path.

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 **Scioto Ridge Crossing, Section 4** to the DCRPC.

Commission / Public Comments

Mr. Clase made a motion for Final Approval of Scioto Ridge Crossing, Section 4. Mr. Loveless seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

05-19 Lanetta Subdivision, Lot 1232, Div. #1 – Genoa Twp. - 02 lots / 04.81 acres

Conditions

Applicant: H. Thomas Hope
Subdivision Type: Single Family Residential
Location: North side of Lanetta Lane, east of Tussic St.
Zoned: Rural Residential (RR)
Preliminary Approval: 02/28/19
Utilities: Del-Co Water, central sanitary sewer
School District: Westerville
Engineer: Bird + Bull

Staff Comments

The proposal is to divide Lot 1232, a 4.81 acre lot at the end of the cul-de-sac of Lanetta Lane in the Lanetta Subdivision. The lot was originally recorded in 1979, and subsequently requires a replat to be divided. There is currently a 30-foot easement extending east from the end of the cul-de-sac which provides access to a parcel without frontage. The proposed lot division will not affect the function or location of said easement.

The division consists of splitting the lot into two lots; a 2.56 acre lot (Lot 8066) which will contain the existing home, driveway, and access easement, and a 2.25 acre lot (Lot 8065) which can be used to construct a new single-family residence.

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 Lanetta Subdivision, Lot 1232, Division #1 to the DCRPC.

Commission / Public Comments

Mr. Clase made a motion for Final Approval of Lanetta Subdivision, Lot 1232, Division #1. Mr. Loveless seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

ZONING MAP/TEXT AMENDMENTS

24-19 ZON **Brant Finney, Cassandra Wood, Shawn Johnson, Jill Johnson – Trenton Twp. – 8.024 acres from FR to RR**

Request

The applicants, Brant Finney, Cassandra Wood, Shawn Johnson and Jill Johnson, are requesting an 8.024-acre rezoning from FR to RR to allow the lot to be split into two residential lots.

Conditions

Location: north side of SR 37, west of Dent Rd.

Present Zoning: Farm Residential (FR)

Proposed Zoning: Rural Residential (RR)

Present Use(s): Vacant

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

School District: Big Walnut Local School District

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

Critical Resources: slope $\geq 20\%$, streams/drainage course

Soils: BeA Bennington Silt Loam 0-2% slope

 CeC2 Centerburg Silt Loam 6-12% slope

 SnA Sloan Silt Loam, Till Substratum, 0-2% slope

Introduction

This is a straight rezoning and does not require a development plan. According to Auditor data, the parcel was purchased by the Applicant in August of 2018 and has 511.45 feet of frontage on State Route (SR) 37. The applicants have applied for the rezoning in order to facilitate a lot split with which to build two single family residences; both of which are proposed to be 4.012 acres each. The current zoning classification of Farm Residential (FR) requires a minimum lot area of five acres and 300 feet of frontage, while the proposed zoning classification of Rural Residential (RR) requires a minimum lot size of three acres for residences and 250 feet of frontage.

Further subdivision of this lot (unless combined with other land) would be accomplished through the No-Plat Approval (NPA) lot split process, allowing township and county agencies the opportunity to review and approve the proposed lots. Staff has generally supported rezoning requests which promote the use of land a more efficient manner.

Staff recommends that the applicant consult with a soil scientist and the Health District to ensure proper design of the on-site system.

Staff also recommends combining access points where possible to avoid multiple driveways on SR 37.

Comprehensive Plan

Trenton Township's 2004 Comprehensive Plan does not indicate a future land use change for this property. The comprehensive plan in general promotes conservation principles, and supports the allowance of densities up to 1 unit per 3 acres for conservation subdivisions. While the proposed rezoning is not a subdivision, the

relative densities of the two lots is in accordance with the recommended densities.

Issues

Traffic and access: State Route 37 at this location has a speed limit of 55 miles per hour (MPH) and is classified in the Delaware County Transportation Thoroughfare Plan (2001) as a major arterial. Limiting the number of access points along major arterials promotes good traffic flow and ensures a safer roadway. As the property is located on a State Route, Ohio Department of Transportation (ODOT) approval will be needed to obtain access approval. A shared driveway should be encouraged.

Drainage: Based on the topography of the property, no drainage issues are anticipated.

Sanitary Treatment: Topographically, the front of the property is a high point with South Fork Rattlesnake Creek running through the north portion of the property. Care should be given in cooperation with the Health District to find a suitable location for on-site sewage treatment systems which will not adversely impact the Creek.

Staff Recommendations

Staff recommends **Approval** of the rezoning request by **Brant Finney, Cassandra Wood, Shawn Johnson, and Jill Johnson** from FR to RR to the DCRPC, Trenton Twp. Zoning Commission, and Trenton Twp. Trustees.

Commission / Public Comments

Miss Courtney Wade with Plan 4 Land was present to represent the applicants.

Harlem Township resident Mr. Tom Nied asked if the power line on the west edge of the property would impact the next acreage calculations. Mr. Sanders explained that it would be up to the Zoning Officer to make sure the lots conform to the appropriate size or a variance may be needed. Miss Wade stated that excluding the electric easement and right-of-way the net developable acreage would be 4.285 acres.

Mr. Stites asked the representative for the applicant if they are aware that with the development restrictions on this property, that a CAD is likely the only way to add additional lots to this site. Miss Wade said the property owners are looking to split their property for their family and understand the CAD requirement.

Mr. Clase made a motion to recommend Approval of the rezoning request by Brant Finney, Cassandra Wood, Shawn Johnson, and Jill Johnson from FR to RR. Mrs. Jenkins seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Trenton Twp.). Motion carried.

25-19 ZON AV Investments – Harlem Twp. – 45.567 acres from AR-1 to FR-1

Request

The applicant, AV Investments, is requesting a 45.567-acre rezoning from AR-1 to FR-1.

Conditions

Location: north side of Center Village Rd., west of Harlem Rd.

Present Zoning: Agricultural (AR-1)

Proposed Zoning: Farm Residential (FR-1)

Present Use(s): Former agriculture, barn

Proposed Use(s): Single-family residences

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

BeB Bennington Silt Loam 2-4% slope

CeB Centerburg Silt Loam 2-6% slope

PwA Pewamo Silty Clay Loam 0-1% slope

SsA Smothers Silt Loam 0-2% slope

SsB Smothers Silt Loam 2-4% slope

CnA Condit Silt Loam 0-1% slope

Introduction

This is a rezoning for a property that will require a development plan if the property is built out to the proposed zoning densities. The assumption is that the lot is being rezoned for future subdivision into as many as 15 additional lots.

The entire parcel of 72.069 acres was purchased by the applicant in January of 2019. The applicant submitted a survey which shows an intention to split 5 lots on Center Village Drive, each around 5.25 acres, from the main parcel, leaving the remaining subject tract of 45.567 acres. According to the survey, the tract has 944 feet of frontage on Center Village Drive, a county road with a 45 MPH speed limit, and 750.41 feet of frontage on Harlem Road, a county road with a 45 MPH speed limit.

Harlem Township's zoning resolution for the proposed zoning requires a minimum of 2 acres exclusive of all easements and rights-of-way, and frontage of 175 feet for lots of 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.

Based on the size and shape of the property subject to the rezoning, further subdivision will need to be accomplished through the subdivision process, including sketch and preliminary plans, and final plat submissions. The subdivision process will allow 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, as sewer is not available in the area.

Comprehensive Plan

The rezoning request is in agreement with the township’s comprehensive plan for both use and density. Harlem Township’s 2007 Comprehensive Plan indicates this area would be residential with densities for single-family residences of “.5 units/acre without centralized sewer...” Densities of 0.5 units/acre is equivalent to the 2 acre lot minimum of the proposed Farm Residential zoning.

Issues

Traffic and access: Traffic may present an issue depending on the layout of the future proposed subdivision. To achieve the lot densities permitted by the proposed zoning, the applicant will need to construct an internal roadway and meet the sight distance requirements at both frontage locations.

Drainage: The subject property is relatively flat and slopes slightly to the west. At the increased density permitted by the proposed zoning, care will need to be given to ensure proper drainage so as not to impact properties on the western part of tract.

Sanitary Treatment: Staff recommends that the applicant consult with the Delaware General Health District to determine on-site waste treatment feasibility.

Staff Recommendations

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

Commission / Public Comments

Miss Courtney Wade with Plan 4 Land was present.

Mr. Shafer made a motion for Approval of the rezoning request by AV Investment from AR-1 to FR-1. Mrs. Jenkins seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Harlem Twp.). Motion carried.

26-19 ZON Michael & Kathleen Zajd – Harlem Twp. – 5.07 acres from AR-1 to FR-1

Request

The applicants, Michael and Kathleen Zajd, are requesting a 5.07-acre rezoning from AR-1 to FR-1 to allow the lot to be split into two residential lots.

Conditions

Location: 7000 Harlem 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

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

Introduction

This is a straight rezoning and does not require a development plan. The assumption is that the lot is being rezoned to allow for an additional buildable lot.

According to the survey, the tract has 195.05 feet of frontage on Harlem Road, a county road with a speed limit of 45 MPH, just north of Fancher Road. Harlem Township's zoning resolution for the proposed Farm Residential (FR-1) zoning requires 2 acres exclusive of easements and rights-of-way, and frontage of 175 feet for lots 2-3 acres, with increasing frontage as acreage increases.

Further subdivision of this lot (unless combined with other land) will have to be accomplished with a Common Access Driveway Subdivision 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

The rezoning request is in agreement with the township's comprehensive plan for both use and density. Harlem Township's 2007 Comprehensive Plan indicates this area would be residential with densities for single-family residences of ".5 units/acre without centralized sewer..." Densities of 0.5 units/acre is equivalent to the 2 acre lot minimum of the proposed Farm Residential zoning.

Issues

Lot Width: The proposed rezoning will allow the property owners to add an additional lot on the subject property. While flag lots are permitted, splitting the property to create a flag lot would result in the parent parcel having frontage less than the minimum required by the Harlem Township Zoning Code. Additionally, the Harlem Township Zoning Code does not permit, in any circumstance, two contiguous lots having less than the required frontage; rendering the utilization of a common access drive (CAD) the only option with which to add an additional lot.

Traffic and access: Based on the existing lot width of the subject property, an additional lot will have to be added by using a CAD. Development of a CAD is not guaranteed and will depend on safe sight distance on Harlem Road as well as proper intersection spacing.

Drainage: Should not be an issue given the proposed lot sizes. Depending on the location of the additional structure, care should be given to the topography of the finished grade, as the property generally slopes towards the rear of the property, the assumed location for the additional residence.

Sanitary Treatment: Staff also recommends that the applicant consult with the Delaware General Health District to determine on-site waste treatment feasibility.

Staff Recommendations

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

Commission / Public Comments

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

Mr. Loveless made a motion to recommend Approval of the rezoning request by Michael and Kathleen Zajd from AR-1 to FR-1. Mrs. Jenkins seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Harlem Twp.). Motion carried.

27-19 ZON Scioto Twp. Zoning Commission – zoning code amendments

Introduction

On March 6, 2019, the Scioto Township Trustees approved a Resolution to prohibit cultivators, processors, and retail dispensaries of medical marijuana licensed under ORC 3796 within the unincorporated territory of Scioto Township. The Trustees also directed the Zoning Commission to study amending the resolution to be consistent with this prohibition.

The Zoning Commission has initiated amendments within the Zoning Resolution which would add cultivation, processing, and retail dispensing of medical marijuana as a Prohibited Use in Sections 7.05, 10.05, 11.05, 12.05, 13.05, 14.05, 16.05, 17.05, 18.05, and 19.05.

Staff Recommendations

Staff recommends **Conditional Approval** of the amendments to the Scioto Twp. Zoning Resolution to the DCRPC, Scioto Twp. Zoning Commission and Scioto Twp. Trustees, *subject to adding definitions in Article IV for the terms “cultivation,” “processing,” and “retail dispensing” to avoid confusion over what is prohibited.*

Commission / Public Comments

Mr. Clase made a motion to recommend Conditional Approval of the amendments to the Scioto Twp. Zoning Resolution, subject to staff recommendations. Mrs. Kuba seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Scioto Twp.). Motion carried.

28-19 ZON Liberty Twp. Zoning Commission – zoning code amendments

Introduction

The Liberty Township Zoning Commission has been working on a number of amendments and are seeking comments from the RPC staff prior to initiation.

The amendments include a few new definitions, as well as changes to landscaping, fences and walls, accessory buildings, conditional use language, sidewalk and bikeway language, divergence requirements, and marijuana

prohibition. Many changes are made in numerous places throughout the text. Staff points out the following:

- Article 4 – Eaves definition establishes an allowable encroachment into the setback. Second sentence should be moved to individual district sections, or within the General Development Standards rather than creating a regulation through a definition.
- 6.01 – Cluster mailboxes are listed under “Conformance Required.” Staff agrees with the internal note that this should be removed from this location and moved to General Development Standards and utilize the phrase “if required” to the introductory sentence.
- 6.03 – A limitation on Construction Operations is defined in 6.03 but is more appropriate within districts as also proposed. Should be removed at this location.
- 7.06 – Street trees are required to be placed at a minimum of 5 feet from the right-of-way. This would prevent tree placement within the tree-lawn between the sidewalk and street. Such placement may be appropriate and desired in certain circumstances. Suggest adding the phrase “unless approved in the Development Plan...”
- New language regarding Conditional Uses in multiple districts references the requirement for a Site Plan and related detail. This should be covered under the introduction for each Conditional Use section and reduce the redundant language within each conditional use listed.
- Although not proposed as an amendment, the Zoning Commission may wish to review Section 10.07.C in the Planned Residence District section. The side yard setback is regularly a subject of divergences through the rezoning process. The 50-foot spacing between buildings seems excessive. Also, the difference between non-residential buildings and accessory structures may be confusing.
- 11.08.C adds language regarding condominiums and platting. Because some condominium “projects” are platted based on specific conditions, staff recommends the phrase “condominium subdivisions are not subject to platting” be removed. The remainder of that paragraph is okay.
- 26.02 – Remember to remove the internal legal note about violations.

Staff Recommendations

Staff recommends **Conditional Approval** of the Liberty Twp. Zoning Resolution to the DCRPC, Liberty Twp. Zoning Commission and Liberty Twp. Trustees, subject to adding definitions in Article IV for the terms “cultivation,” “processing,” and “retail dispensing” to avoid confusion over what is prohibited and other recommendations above.

Commission / Public Comments

Mrs. Kuba made a motion to recommend Conditional Approval of the amendments to the Liberty Twp. Zoning Resolution, subject to staff recommendations. Mrs. Jenkins seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained. Motion carried.

29-19 ZON CV Real Properties – Concord Twp. – 7.919 acres from FR-1 to PRD

Request

CV Real Properties has requested a 7.919-acre rezoning from FR-1 to PRD for the development of a 15 lot single-family subdivision; Scioto Reserve Extension.

Conditions

Location: 4882 Home Rd., Powell

Present Zoning: Farm Residential (FR-1)

Proposed Zoning: Planned Residential District (PRD)

Present Use(s): One single-family house

Proposed Use(s): 15 single-family house lots

Existing Density: 1.5 du / acre

Proposed Density: 1.89 du / acre

School District: Olentangy

Utilities Available: Del-Co Water and central sanitary sewer

Critical Resources: none

Soils: GwC2 Glynwood Silt Loam 6-12% slope

GwB Glynwood Silt Loam 2-6% slope

Introduction

The applicant is proposing to rezone the property to PRD to construct 15 single-family residences ranging from 0.257 to 0.410 acres. The rezoning is part of a development plan to extend the Cherry Glen Drive stub in the Scioto Reserve subdivision on Home Road. Development of PRD zoned properties will have to be completed through the subdivision process, allowing township and county agencies the opportunity to review and approve the proposed lots.

The submitted proposal shows a single public access point by extending the Cherry Glen stub in the Scioto Reserve subdivision, with a gated emergency access location coming from Home Road. There's an additional cul-de-sac intersecting with the Cherry Glen Drive extension to provide additional access and frontage for the lots.

Included in the proposal are sidewalks on both sides of the internal roadway improvements, as well as an 8-foot asphalt path on the north side of Home Road with the applicant coordinating with neighboring properties to provide an additional 8-foot asphalt path on the south side of Home Road; both of which are in accordance with the priority trails of the Delaware County Trail System Master Plan.

Lot dimensions range from 75 feet to 110 feet wide, with depths ranging from 148 feet to 198 feet, or quarter-acre to half-acre sites. Each lot is also proposed to have a 2-car garage, and fulfill the existing zoning requirements for architectural guidelines. Water, Sanitary Sewer, Electric, and Gas utility companies have submitted letters verifying the availability and capacity to serve the development.

Open space is shown as two areas (0.41 and 0.91 acres) for a total of 1.32 acres, or 16.67% of the property.

Comprehensive Plan

Concord Township's 2018 Comprehensive Plan indicates this area would remain residential and acknowledges the Scioto Reserve area as the de-facto center for Planned Residential District developments. The Plan also suggests densities of PRD developments to be 1.5 units per acre (minus the road right-of-way), with open space in the development planned so that it is "useable and accessible to the residents of the related development." The requested divergence for 1.89 units per acre, while exceeding the recommended 1.5 units per acre, is still comparable to the surrounding developments (1.8 for the Scioto Reserve). The open space that was included in the submitted materials is also useable and easily accessible by the residents of the extension, as well as possibly other residents in the Scioto Reserve.

Issues

Traffic and access: Delaware County Engineer's Office indicated that the applicant should consider moving the emergency access from Home Road to The Pointe at Scioto Reserve, a condo association located just to the west, to generate a redundant access point for the condos while still providing emergency access to the proposed subdivision extension.

Drainage: Based on the topography of the property, no drainage issues are anticipated.

Signage: Two temporary signs are proposed to be included with the development. Both signs will be 30 square feet per side, with one located near the multi-use trail on Home Road near the emergency access point, and the other located on the north side of Cherry Glen Drive on the east edge of the development.

Lighting: No lighting has been proposed, and does not exist within the existing Scioto Reserve subdivision.

Divergences

Three divergences are requested:

1. Increase the permitted density for a PRD from 1.50 units per acre to 1.89 units per acre.
Staff Comment: The current rezoning request is for an extension to an existing subdivision which was approved with a density of 1.80 units per acre. The Township recently updated its Comprehensive Plan and Zoning Resolution to make densities consistent at 1.5 units per acre. This divergence request is similar to the built densities of the developments in the area. Staff could agree with a slight divergence but not above 1.8 units per acre.
2. Reduce the required setback for driveways from an intersection of two public roads from 100 feet to 0 feet for lots 1, 13, and 14 to allow for the construction of a driveway.
Staff Comment: The lots subject to the divergence request do not have the frontage required to fulfill this requirement, as they are located in the vicinity of two intersecting roadways. The intersecting roadways are both cul-de-sacs and terminate within approximately 380 feet of the intersection. This is reasonable.
3. Increase the number of permitted temporary signs advertising the homes for sale from 1 to 2.
Staff Comment: The applicant has proposed to place two temporary signs measuring 30 square feet per side each to advertise homes for sale in the extension. One sign would be located near the multi-use trail near the emergency access location on Home Road, and the other would be located on the north side of Cherry Glen Drive on the west edge of the development. Staff thinks the sign on Cherry Glen is unnecessary.

Staff Recommendations

Staff recommends **Conditional Approval** of the rezoning request by CV Real Properties from FR-1 to PRD to the DCRPC, Concord Twp. Zoning Commission and Concord Twp. Trustees, *subject to:*

- 1.) Reduction of density at no more than 1.8 units per acre (14 units);
- 2.) Driveway divergence is reasonable; and
- 3.) Recommend only one temporary sign at Home Road be permitted.

Commission / Public Comments

Mr. Todd Faris with Faris Planning and Design was present to represent the applicant.

Mr. Shafer made a motion to recommend Conditional Approval of the rezoning request by CV Real Properties from FR-1 to PRD. Mrs. Kuba seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

30-19 ZON Berlin Twp. Zoning Commission – text amendments

Introduction

On May 17, 2019, the Berlin Township Zoning Commission initiated amendments to its Zoning Resolution. Based on a recent rezoning review, it became clear that language within the Resolution could be construed as being ambiguous.

For several years, the Resolution has reflected three residential districts (R-2, R-4, and R-3) which can be used in conjunction with the Planned Residential District to provide flexibility in design. These districts are defined in an introductory section in the front of the resolution and within the Purpose section of each district. Each district states that the density is “one unit per (29,600 / 25,000 / 20,000 respectively) square feet or approximately (1.25 / 1.5 / 1.85) units per net developable acre.”

Utilizing the square footage and then the word “approximately” within the density definition hasn’t been noted as an issue until recently. The Township seeks to remedy the potential confusion by removing the square footage numbers and the word “approximately” from the density definition. Minimum lot size will be handled separately.

Staff worked with the Township to identify the recommended amendments.

Staff Recommendations

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

Commission / Public Comments

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

SUBDIVISION PROJECTS

Preliminary

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

Conditions

Applicant: Greg Hemsoth

Subdivision Type: Single family residential, CAD

Location: North side of Bean-Oller Rd., west of S. Section Line Rd.

Current Land Use: Single family house and barn

Zoned: Farm Residential (FR-1)

Utilities: Del-Co water and private on-lot treatment systems

School District: Buckeye Valley

Consultant: Plan 4 Land

Staff Comments

The property, located at 4780 Bean-Oller Road, is an existing lot of 8.68 acres, and purchased by the applicant in November of 2015. The parcel is the residual of a larger parcel which was split to create the flag lot in 1988.

The plan indicates that the property will be divided into two lots, one containing the existing residence on 6.34 acres, and the other being a 2.48 acre lot for future development of a single-family residence. The second lot also contains within the 2.48 acres, 1.54 acres that will consist of the proposed Common Access Drive (CAD) and associated easement.

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 **Hemsoth CAD** to the DCRPC.

Commission / Public Comments

Miss Wade was present to represent the applicant.

Mr. Clase made a motion for Preliminary Approval of Hemsoth CAD. Mr. Loveless seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

12-16.3 **Evans Farms, Section 3 – Orange Twp. - 18 lots / 12.51 acres**

Conditions

Applicant: Evans Farm Delaware LLC
Subdivision Type: Planned Residential Community
Location: East side of Old State Rd., south of Hidden Cove Circle
Current Land Use: Vacant
Zoned: Single Family Planned Residential (SFPRD)
Zoning Approval: 03/21/16
Utilities: Del-Co water and central sanitary sewer
School District: Olentangy
Engineer: Kleingers Group

Staff Comments

This is the preliminary plan for Section 3 of the overall Evans Farm subdivision. Section 3 consists of 18 single-family residences on 12.51 acres (after ROW dedication on Old South State Road) on the east side of Old South State Road, just south of the Orange Township boundary line. The lots will front on a winding cul-de-sac, resulting in a development density of 2 units per acre.

Lots range in size from 0.25 acres to 0.96 acres, with an average lot size of 0.41 acres. Open space in the development accounts for 3.51 acres, or 26.49% of the property, and contains both a dry pond to the north and wet pond to the south for water treatment and retention.

A technical review was held on May 21, 2019, after which the applicant has addressed all of the required changes.

Staff Recommendation

Staff recommends *Preliminary Approval* of **Evans Farm, Section 3** to the DCRPC.

Commission / Public Comments

Mr. Bob Kuederle with Evans Farm and Mrs. Jennifer LaPointe with the Kleingers Group were present to answer questions from the commission.

Mrs. Lewis made a motion for Preliminary Approval of Evans Farm, Section 3. Mrs. Kuba seconded the motion. VOTE: Majority For, 0 Opposed, 2 Abstained (Porter and Orange Twp.'s). Motion carried.

Preliminary/Final

14-19 Creekside Industrial Park, Lot 8301, Div. #1 – Orange Twp. - 03 lots / 38.939 acres

Conditions

- Applicant:** Highdev II, LLC.
- Subdivision Type:** Industrial
- Location:** East side of Green Meadows Dr., east end of Corduroy Rd.
- Zoned:** Planned Industrial (PI)
- Zoning Approval:** 11/19/2011
- Utilities:** Del-Co Water, central sanitary sewer
- School District:** Olentangy
- Engineer:** Kleingers Group

Staff Comments

Creekside Industrial Park was recorded in August of 2018 and created a large lot on the west side of Green Meadows Drive at Corduroy Road, numbered Lot 8301. The request is to divide this 38.989-acre lot into three lots (8724, 8725, 8726) two at 12.5 acres and one at 13.939 acres.

The plan is for ATS Automation to locate a 244,000 square foot facility on the southern-most lot, with the possibility to expand with another building on the adjacent lot to the north. Each lot will have its own access but will also have the possibility to share access points if needed.

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

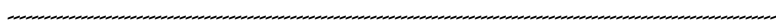
Staff Recommendation

Staff recommends *Preliminary and Final Approval* of Creekside Industrial Park, Lot 8301, Div. #1 to the DCRPC.

Commission / Public Comments

Mr. Mason Malcom with the Kleingers Group was present to represent the applicant.

Mr. Lamb made a motion for Preliminary and Final Approval of Creekside Industrial Park, Lot 8301, Div. #1. Mr. Boyssel seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Orange Twp.). Motion carried.



OTHER BUSINESS

- Consideration for Approval: Refreshment expenditures not to exceed \$700.00

Mrs. Kuba made a motion to Approve the purchase of refreshments up to \$700.00. 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, Mr. Clase made a motion to adjourn the meeting at 7:15 p.m. Mr. BoyseI seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

The next meeting of the Delaware County Regional Planning Commission will be Thursday, June 27, 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