

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, October 24, 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 September 26, 2019 RPC Minutes
- Executive Committee Minutes of October 16, 2019
- Statement of Policy

CONSENT AGENDA

		Township	Lots/Acres
30-18.1	Northlake Preserve, Section 1	Berkshire	46 lots / 24.737 acres
20-18	<i>T</i> Genoa Place	Genoa	04 lots / 03.166 acres
13-19	Lewis Center Self Storage	Orange	01 lot / 13.528 acres
25-18.1	The Courtyards at Clear Creek, Sec. 1	Orange	41 lots / 18.083 acres

T=Table

VARIANCES

- 19-19.V Damboy Investments LLC - Brown Twp. - Section 306.02 - CAD requirements
- 20-18.V Brookewood Construction - Genoa Twp. - Sec. 102.02 - Delay of Action limits

ZONING MAP/TEXT AMENDMENTS

- 44-19 ZON Liberty Grand E - Liberty Twp. - 46.1 acres - FR-1 to POD 18 (administrative)
- 45-19 ZON Liberty Grand G - Liberty Twp. - 57.1 acres - FR-1 to POD 18 (administrative)
- 46-19 ZON Liberty Grand F - Liberty Twp. - 14 acres from FR-1 to POD 18 (administrative)
- 47-19 ZON TMB Investments, Ltd. - Liberty Twp. - 8.601 acres from FR-1 to PMFR
- 48-19 ZON Delaware Properties LLC - Troy Twp. - 10.978 acres from FR-1 to PCD
- 49-19 ZON John and Simona Skinner - Harlem Twp. - 5.292 acres from AR-1 to FR-1
- 50-19 ZON Liberty Township Zoning Commission - Liberty Twp. - Removal of POD23 Overlay

SUBDIVISION PROJECTS

		Township	Lots/Acres
<u>Preliminary</u>			
26-19	The Villas at Old Harbor West	Berlin	90 lots / 30.31 acres
27-19	Liberty Grand, Sections 1 and 2	Liberty	38 lots / 109.00 acres

OTHER BUSINESS

- 2020 Budget - 1st review
- 2020 DCRPC Meeting schedule draft

POLICY / EDUCATION DISCUSSION (none)

RPC STAFF AND MEMBER NEWS (none)

ADMINISTRATIVE BUSINESS

▪ **Call to Order**

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

▪ **Roll Call**

Representatives: Jeff George, Susan Kuba, Fred Fowler, Tammy Noble, Tom Hopper, Joe Shafer, Dave Stites, Charles Hurt, James Hatten, Josh Vidor and Mike Dattilo. *Alternates:* Jesse Mann, Rob Platte, Zachary Dowley, Dustin Kent, John Piccin, Jeff Beard, Allen Rothermel and Richard Lehner. *Staff:* Scott Sanders, Jonathan Miller, Da-Wei Liou and Stephanie Matlack.

▪ **Approval of the September 26, 2019 RPC Minutes**

Mrs. Kuba made a motion to Approve the minutes from September 26th, seconded by Mr. Vidor. VOTE: Unanimously For, 0 Opposed. Motion carried.

▪ **October 16, 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 September 18, 2019**

Mr. Frommer made a motion to Approve the minutes as presented from the September Executive Committee meeting. Mrs. Kuba seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

3. **New Business**

- Financial / Activity Reports for September 2019

REGIONAL PLANNING RECEIPTS		SEPTEMBER	YTD TOTAL
General Fees (Lot Split)	(4201)	\$205.00	\$11,670.00
Fees A (Site Review)	(4202)	\$300.00	\$7,800.00
Insp. Fees (Lot Line Transfer)	(4203)	\$100.00	\$2,400.00
Membership Fees	(4204)		\$236,547.00
Planning Surcharge (Twp. Plan. Assist.)	(4205)		\$1,394.34
Assoc. Membership	(4206)		\$0.00
General Sales	(4220)	\$2.00	\$3.25
Charges for Serv. A (Prel. Appl.)	(4230)	\$4,275.90	\$47,374.40
Charges for Serv. B (Final. Appl.)	(4231)	\$4,800.90	\$35,071.60
Charges for Serv. C (Ext. Fee)	(4232)		\$750.00
Charges for Serv. D (Table Fee)	(4233)	\$200.00	\$2,200.00
Charges for Serv. E (Appeal/Var.)	(4234)	\$600.00	\$3,700.00
Charges for Serv. F (Planned District Zoning)	(4235)	\$300.00	\$4,200.00

OTHER DEPT. RECEIPTS			
Health Dept. Fees	(4242)	\$810.00	\$13,080.00
Soil & Water Fees	(4243)	\$375.00	\$7,745.00
Commissioner's fees	(4244)		\$0.00
MISCELLANEOUS REVENUE			
Other Reimbursements	(4720)		\$176.46
Other Reimbursements A	(4721)		\$0.00
Other Misc. Revenue (GIS maps)	(4730)	\$51.00	\$358.75
Misc. Non-Revenue Receipts	(4733)		\$0.00
Sale of Fixed Assets	(4804)		\$0.00
TOTAL RECEIPTS		\$12,019.80	\$374,470.80

Balance after receipts	\$1,003,136.39
Expenditures	<u>\$ 29,727.04</u>
End of September balance (carry forward)	\$ 973,409.35

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

- October Site Reviews

	Township	Lots/Acres
1.) Piatt Preserve East & West acres	Berlin	104 lots / 76.40
2.) Liberty Grand Single Family acres	Liberty	489 lots / 175.30
3.) Evans Farm Marketplace Townhomes West acres	Orange	03 lots / 02.72

- October RPC Preliminary Agenda

	Township	Lots/Acres
1.) CONSENT AGENDA <ul style="list-style-type: none"> • Northlake Preserve, Section 1 • Lewis Center Self Storage • The Courtyards at Clear Creek, Sec. 1 	Berkshire Orange Orange	46 lots / 24.737 acres 01 lot / 13.528 acres 41 lots / 18.083 acres
2.) VARIANCES <ul style="list-style-type: none"> • Damboy Investments LLC - Brown Twp. - Section 306.02 - CAD requirements • Brookewood Construction - Genoa Twp. - Sec. 102.02 - Delay of Action limits 		
3.) ZONING MAP/TEXT AMENDMENTS <ul style="list-style-type: none"> • Liberty Grand E - Liberty Twp. - 46.1 acres - FR-1 to POD 18 (administrative) • Liberty Grand G - Liberty Twp. - 57.1 acres - FR-1 to POD 18 (administrative) • Liberty Grand F - Liberty Twp. - 14 acres from FR-1 to POD 18 (administrative) • TMB Investments, Ltd. - Liberty Twp. - 8.601 acres from FR-1 to PMFR • Delaware Properties LLC - Troy Twp. - 10.978 acres from FR-1 to PCD 		

- John & Simona Skinner - Harlem Twp. - 5.292 acres from AR-1 to FR-1
- Liberty Twp. Zoning Commission - POD 23 removal from Zoning Resolution

4.) SUBDIVISION PROJECTS

Township

Lots/Acres

Preliminary

- | | | |
|-----------------------------------|---------|------------------------|
| • The Villas at Old Harbor West | Berlin | 90 lots / 30.31 acres |
| • Liberty Grand, Sections 1 and 2 | Liberty | 38 lots / 109.00 acres |

- Director's Report
 - 1.) Berlin Township zoning overlays - prepared updated maps and text for meetings on 9/18 and on 10/3. Could not attend meeting on 10/3 because of Ohio APA conference, but prepared more amendments for meeting on 10/17;
 - 2.) Jonathan and I attended the Ohio APA conference in Cleveland on October 3-4. It was the 100th anniversary of the organization;
 - 3.) Jonathan and Da-Wei attended a presentation on a new GIS feature that can project what different densities could look like. The extension is pricey;
 - 4.) 2020 Census preparation - Health District is placing article in its newsletter to Partnership organizations (many social organizations) - I sent the same article to all Stakeholders from the Complete Count Committee for use as they see fit. Collecting information on newsletter schedules from each jurisdiction, updating relevant information on <https://regionalplanning.co.delaware.oh.us/data/census/>;
 - 5.) Attended MORPC's Transportation Advisory Committee meeting on 10/2; (MORPC would like to attend the December RPC meeting and provide an update on the Metropolitan Transportation Plan);
 - 6.) Jonathan attended the "Dialogue on Zoning" at Nationwide Conference Center on 10/12;
 - 7.) With Jenna Jackson's departure, all Trail Grant-related questions are coming to me. We had a meeting with Brad Lutz to discuss which grants will finish out this year and some ideas for future activity;
 - 8.) Working on Harlem and Kingston Comprehensive Plan background chapters and maps - Harlem meeting scheduled for December;
 - 9.) Received approved zoning text for placement on website from Liberty and Harlem - formatted, uploaded;
 - 10.) Trakit: week-long mock GoLive occurred last week of September, learned some things and made recommendations for some changes, continuing to try and make it work for everyone. Continuing to work on a "user shape" which will be used to create a map showing projects. Looking more like we will continue tracking projects the way we have been;
 - 11.) Unpaid intern started, updating Economic Development shapes, other projects as time allows; and
 - 12.) Office space update provided through County newsletter.
- 2020 Budget - 1st Review

Mr. Sanders presented a proposed budget that used actual and predicted revenue and expenses for 2020. The proposed budget includes:

- 1.) Projected platting revenue is conservative at \$125,000,
- 2.) Salaries budgeted at 3% increase. Staffing includes an intern for 36 weeks,
- 3.) Health Insurance rates were provided by the County Administrator,
- 4.) Materials and supplies are conservative estimates, there are no significant expenses anticipated for 2020;
- 5.) Services and Charges include projected expense for Trakit and Bluebeam software maintenance,
- 6.) Membership dues were calculated with a 30¢ per capita credit for those jurisdictions that are current, applied to the existing \$1.04 per capita dues amount.

There was discussion of additional ways to provide support to the RPC members. Mr. Frommer suggested a survey for member communities to see what needs jurisdictions have that RPC could assist with. The full Commission will review the draft budget at the October RPC meeting. The vote will take place at the November 21st RPC meeting.

- 2020 DCRPC meeting schedule -

The proposed meeting schedule for 2020 was presented. Meetings will continue to be held at the Willis Building, with the exception of February and October and possibly July. Those meetings will be held at the Hayes Building, Conference Room 235. The Executive Committee meeting for November will be moved from the typical Wednesday date to Tuesday the 10th due to the Veteran's Day holiday.

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 11:30 a.m. Mrs. Kuba seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

The next regular Executive Committee meeting will be Wednesday, November 13, 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

30-18.1 Northlake Preserve, Section 1 – Berkshire Twp. - 46 lots / 24.737 acres

Conditions

Applicant: M/I Homes
Subdivision Type: Single Family Residential
Location: east side of Fourwinds Dr. extension
Zoned: Planned Mixed Use District (PMUD)
Preliminary Approval: 11/29/18
Utilities: Del-Co Water, central sanitary sewer
School District: Olentangy
Engineer: EMH & T

Staff Comments

Northlake Preserve is a 211-lot single-family subdivision with frontage on the east side of the Fourwinds Drive north extension. Accesses are via Fourwinds Drive and through Northlake Woods. Lots are generally 59'-65' wide by 125'-130' deep, and sidewalks are provided on both sides of the streets.

Overall, open space is 56.4 acres (50.4% of the site). On the western boundary is a 7.6-acre open space parcel, which will include an 8' wide asphalt path along the length of Fourwinds Drive and two retention basins. Surrounding the site on the north and east boundaries is a 47.7-acre open space and wooded parcel, which will include two retention basins, an existing wetland pond, 8' wide asphalt paths meandering through the open space and significant wooded areas.

This is the first section to be recorded for Northlake Preserve, and includes 46 single-family lots with two open space lots. The roadways included in this section are the extension of Cormorant Drive from Northlake Woods to the south, which intersects with western portion of Blackwell Drive. Blackwell Drive curves to the North on the west end and becomes Ventrom Drive, which dead ends into Bradbury Drive and provides another access point onto the Fourwinds Drive extension.

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 Northlake Preserve, Section 1 to the DCRPC.

Commission / Public Comments

Mrs. Kuba made a motion for Final Approval of Northlake Preserve, Section 1. Mr. George seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

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

Applicant: Brookewood Construction

Consultant: Watcon Engineering

Staff Comment

The applicant has requested a 90-day tabling in order to complete the Common Access Driveway construction.

Staff Recommendation

Staff recommends *Conditional Approval* of the 90-day tabling of **Genoa Place**, *subject to Approval of the variance request by Brookewood Construction*, to the DCRPC.

Commission / Public Comments

Mr. George made a motion to Approve the 90-day tabling of Genoa Place. Mr. Platte seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

13-19 Lewis Center Self Storage – Orange Twp. - 01 lot / 13.528 acres

Conditions

Applicant: Franklin Real Estate Co.

Subdivision Type: Commercial

Location: West side of Green Meadows Dr., south of Orangepoint Dr.

Zoned: Industrial

Preliminary Approval: 08/29/19

Utilities: Del-Co Water, central sanitary sewer

School District: Olentangy

Engineer: Weihe Engineers

Staff Comments

Located on the west side of Green Meadows Drive between Orangepoint Drive and Orange Road, the development includes 123 commercial self-storage units in 17 structures on 13.528 acres. The plan does not include internal streets, and is oriented towards Green Meadows Drive with parking located in the front. All applicable setbacks are adhered to, and the site will be served by Del-co water and central sewer service. Storm Water is managed through a retention pond in the southwest corner of the property, and no critical resources are located on the property.

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 **Lewis Center Self Storage** to the DCRPC.

Commission / Public Comments

Mrs. Kuba made a motion for Final Approval of Lewis Center Self Storage. Mr. George seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

25-18.1 The Courtyards at Clear Creek, Sec. 1 – Orange Twp. - 41 lots / 18.083 acres

Conditions

Applicant: Epcon Communities
Subdivision Type: Single Family Planned development
Location: South of Home Rd., west of US 23
Zoned: Single Family Planned Residential (SFPRD)
Preliminary Approval: 09/27/18
Utilities: Del-Co Water, central sanitary sewer
School District: Olentangy
Engineer: EMH & T

Staff Comments

The Courtyards at Clear Creek is a 130-lot single-family subdivision with frontage on Home Road. The project includes the extension of Gooding Boulevard north from its end point at the Delaware County District Library to Home Road. Approximately 30.5 acres adjacent on the east side of Gooding Blvd and north side of Home Rd. are proposed for Planned Commercial. Lots are typically 55' wide by 120' deep, 4' sidewalks are proposed throughout, and a 10' wide asphalt path is located on the west side of Gooding Blvd.

As the first section to be recorded for The Courtyards at Clear Creek, this section includes extending Gooding Boulevard from between the Orange Branch of the Delaware County District Library and Home Road, 41 single-family lots, with two open space lots. Aside from the Gooding Boulevard extension, this section will construct Daymark Drive which intersects with Gooding Boulevard on the west side and connects to Parkgate Court which runs west and provides frontage for the lots, and the Star Hollow Drive stub which will provide access to the future sections.

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 **The Courtyards at Clear Creek, Sec. 1** to the DCRPC.

Commission / Public Comments

Mrs. Kuba made a motion for Final Approval of The Courtyards at Clear Creek, Section 1. Mr. George seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

VARIANCES

19-19.V Dambo Investments LLC – Brown Twp. – Section 306.02 – CAD requirements

Request

Dambo Investments LLC is requesting a variance to allow 6 lots to be permitted access on a Common Access Driveway.

The proposed subdivision is located on the east side of Beard Road, about 3,100 feet north of Kilbourne Rd.

Facts

- 1.) The applicant seeks to create a Common Access Driveway subdivision with up to six lots;
- 2.) The development site is 41.99 acres;
- 3.) A CAD would enter the site and travel approximately 375 feet to the east then continuing 876 feet to the north and ending in a T, providing frontage for the six lots, in addition to a large open space lot;
- 4.) The land is zoned FR-1;
- 5.) Del-Co Water is available to the site with an existing 2" line running along Beard Rd.; and
- 6.) Relevant sections of the Subdivision Regulations:

306.02 Number of Lots.

The CAD may serve and provide access for up to three (3) lots as shown on the CAD subdivision plat. Two (2) additional lots contiguous to the CAD at the point of access to the public or private road by the CAD and which would meet the current applicable zoning requirements as free-standing lots may, at the discretion of the Commission, be accessed by the CAD.

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: "This proposal provides for a single access point on Beard Road with a driveway built to a safety standard far in excess of what common residential driveways are built to. Platting a six (6) lot CAD versus less lots on a CAD with frontage splits would limit the more thorough review by county and township officials, including the fire department that will come with a CAD subdivision. Additionally, this proposal allows for six (6) lots with conservation-development qualities that will further benefit the public health, safety, and welfare of the area."

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

Applicant's Response: "Platting additional road right-of-way in this project would reconfigure lots and limit suitable sites for on-site systems. Central sewer is not available in the foreseeable future."

- 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: "The topography and wetlands on this site lend best to a conservation-style designed development. The prior use was a conservation club and this proposal strives to maintain the particular hardship proposed with this change of use, while preserving much of the natural resources that are now onsite."

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 Brown Township Zoning Resolution and other applicable regulations."

Staff comments: Staff agrees with portions of the applicant's response to the criteria. The subject property contains substantial wetland and natural resources on the east side, and there is significant interest in preserving these areas of the property for the public benefit. Additionally, no other regulations are impacted by this particular request.

Staff assumes that the comments regarding procedure have to do with No-Plat lot splits that might be reviewed for those roads with frontage on Beard Road. Staff agrees that requiring these lots to access the CAD rather than Beard Road reduces the curb-cuts on an existing road and is a more desired outcome.

Staff does believe, however, that there is merit in providing a variance. Regarding criteria 1, the request to add an additional lot generally has no bearing on the public health, safety, and welfare. The proposed property for the CAD is near the end of a dead-end roadway, limiting any potential impacts, adverse or otherwise, to any property. Regarding criteria 2, the property is somewhat unique in both the property shape and the natural resources located there. The triangular shape and existing natural resources limit the roadway configurations which would result in preservation of the natural resources. The number of lots which could be achieved with a public roadway and preservation of the open space is roughly similar to what is being proposed in this application. As the potential to extend to other developable properties are nonexistent, and there is no public gain by requiring a private or public street, it stands to reason that no harm would be done by allowing an additional lot to connect to a CAD. Doing so does allow for the preservation of the natural resources, which provided it is open to the public, does provide a benefit to the public health, safety, and welfare.

Staff recommendations

DCRPC staff recommends *Conditional Approval* of the variance request from Sec. 306.02 for Damboy Investments LLC to allow for a total of six lots of the Bohannon CAD (RPC #19-19), based on the findings of fact, *subject to the following condition:*

1. The plat must note that the open space lot is not a lot for the purpose of a residential house lot.

Commission / Public Comments

Mr. Joe Clase with Plan 4 Land was sworn in. He stated that the driveway would also serve as a taxi way to the airstrip to the north of this property. He stated the applicants were in agreement with adding the plat note regarding open space. He also noted that they received a variance from the Township for 6 lots.

Mr. Shafer made a motion to Approve the Variance request for the Bohannon CAD based on the Findings of Fact. Mr. George seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

20-18.V Brookewood Construction – Genoa Twp. – Sec. 102.02 – Delay of Action limits

Applicant: Brookewood Construction

Engineer: Watcon

Preliminary approval: 11/29/18

Previous tablings granted: 04/25/19 - 07/25/19, 07/25/19 - 10/24/19

Request

Brookewood Construction is requesting a variance to sections 102.02 regarding maximum number of delay of action (tablings). The applicant is requesting a third 90 day tabling beyond the time limit allowed in the Subdivision Regulations in order to complete the common access driveway construction.

The proposed subdivision is located on the west side of Worthington Rd.

Facts

1. A variance for a 4 lot Common Access Driveway subdivision and reduced CAD width was approved by Variance October 25, 2018;
2. Genoa Place received Preliminary approval on November 29, 2018;
3. Relevant sections of the Subdivision Regulations:

102.02 Delay of Action (Tabling)

A Delay of Action (table) request must be initiated by the subdivider in writing prior to a Commission meeting, or at the RPC meeting prior to a vote. A tabling fee is due within seven (7) days after the request to table has been submitted by the subdivider. Each Delay of Action shall not exceed three months. A subdivision project shall not be tabled for a total of more than six months. The subdivider shall provide revised or supplemental information and materials for review, and request in writing that a tabled application be placed on the agenda of the Commission according to the current Commission submission schedule, and submit appropriate fees...

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 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 a neighborhood.”

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

Applicant’s Response: “The reason we need to ask for this variance is because the CAD Road has not yet been built. The reason that the CAD Road has not yet [been] built is because we were waiting on our construction contractor to work it in to their schedule. The contractor is now ready to start construction of the road and we are ready to continue on with the project. We plan to have the CAD road constructed and paved before the asphalt plants close in late November.”

- 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: Applicant did not address this criteria directly.

- 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: “Nor will it vary the applicable zoning regulations of the property”

Staff comments: Staff is aware of the issues that the construction industry in general is experiencing concerning a lack of employees with which to complete jobs. The understaffing in the construction industry has resulted in a potential delay of some projects. In some instances, smaller projects can get moved to a later date in favor of larger projects. As a CAD, this may be a reasonable scenario with which to grant a variance. The applicant in this scenario, does appear to have a final date in mind, and a schedule for completion before the construction season ends.

Staff recommendations

DCRPC staff recommends *Conditional Approval* of the variance request from Sec. 102.02 for Brookewood Builders to allow for one additional 90-day tabling, based on the findings of fact, *subject to the following condition:*

- 1.) The submittal of a construction time table, signed by Brookewood Builders and the construction contractor responsible for CAD construction.

Commission / Public Comments

Mr. Shawn Lanning with Watcon Engineering was present and sworn in. He stated the goal was to have to CAD paved before November. Mr. Lanning agreed the staff condition of presenting a letter regarding the construction time table.

Mr. George made a motion to Approve the Variance request for Brookwood Builders based on the Findings of Fact. Mr. Vidor seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

ZONING MAP/TEXT AMENDMENTS

44-19 ZON **Liberty Grand E – Liberty Twp. – 46.1 acres – FR-1 to POD 18 (administrative)**

Description

Liberty Grand is a large-scale residential development proposed as a result of the Planned Overlay District in Liberty Township. It is located in an area bounded by Home Road to the south, Sawmill Parkway to the east, Hyatts Road to the north, and Steitz Road to the west. The overlay has several subareas bisected with a diagonal boulevard with one lane in each direction.

Subarea E is an area of multi-family apartment or condominium-type units. The development plan indicates a self-contained community of up to 36 structures. The approved development plan proposes 308 dwelling units, which aligns with the allowable density in the POD language. Similar projects with 300 units exist in the City of Powell (Powell Grand), and are underway in Orange Township and Jerome Township in Union County.

As an Administrative Review, staff is merely reporting this case, which was approved on August 28, 2019.

45-19 ZON **Liberty Grand G – Liberty Twp. – 57.1 acres – FR-1 to POD 18 (administrative)**

Description

Liberty Grand is a large-scale residential development proposed as a result of the Planned Overlay District in Liberty Township. It is located in an area bounded by Home Road to the south, Sawmill Parkway to the east, Hyatts Road to the north, and Steitz Road to the west. The overlay has several subareas bisected with a diagonal boulevard with one lane in each direction.

Subarea G is an area with a mix of multi-family units and single-family parcels. The development plan indicates a road entering from Hyatts, providing access to 36 single-family lots. Closer to the boulevard is an area of up to 21 multi-family buildings with a maximum of 102 units, which aligns with the allowable density in the POD language. This subarea also includes a pool and clubhouse as well as other amenities for the overall project.

As an Administrative Review, staff is merely reporting this case, which was approved on August 28, 2019.

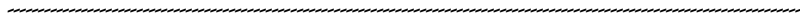
46-19 ZON Liberty Grand F – Liberty Twp. – 14 acres from FR-1 to POD 18 (administrative)

Description

Liberty Grand is a large-scale residential development proposed as a result of the Planned Overlay District in Liberty Township. It is located in an area bounded by Home Road to the south, Sawmill Parkway to the east, Hyatts Road to the north, and Steitz Road to the west. The overlay has several subareas bisected with a diagonal boulevard with one lane in each direction.

Subarea F is an area of open space with frontage on the boulevard.

As an Administrative Review, staff is merely reporting this case, which was approved on August 28, 2019.



47-19 ZON TMB Investments, Ltd. – Liberty Twp. – 8.601 acres from FR-1 to PMFR

Request

The developer, TMB Investments Ltd., is requesting a 8.601-acre rezoning from FR-1 to PMFR to allow a 42 unit apartment complex.

Conditions

Location: North side of Home Rd., east of Steitz Rd.

Present Zoning: Farm Residential (FR-1)

Proposed Zoning: Planned Multi Family Residential (PMFR)

Present Use(s): One single-family house, and vacant land

Proposed Use(s): apartments

Existing Density: 1 du / acre

Proposed Density: 5.74 du/ac (net)

School District: Olentangy Local School District

Utilities Available: Del-Co Water and central sanitary sewer

Critical Resources: none

Soils: BoA Blount Silt Loam 0-2% slope

Introduction

This is a rezoning request in conjunction with a development plan. The proposal is to rezone two parcels (totaling 8.601 acres) to Planned Multi-Family Residential (PMFR) to enable the construction of 21 two-family structures, for a total of 42 dwelling units.

The subject property of the request is located on the north side of Home Road, just east of Steitz Road, and just west of the Beautiful Savior Lutheran Church. The property is also located just south of the subarea D, and east of the subarea F sections of the proposed Liberty Grand development which went through the sketch review process this month.

Comprehensive Plan

Located in Subarea VI the Liberty Township's Comprehensive Plan recognizes this area as critical to providing a

transitioning area between the higher density residential uses around Powell to the lower density single-family areas in northern Liberty Township. The Comprehensive Plan suggests providing the transition areas to protect the areas closest to Powell from annexation, while allowing a logical buffer area for the larger lots in the north.

Issues

Traffic and access: The proposal consists of a singular road with an access point on the west side of the property. The road extends north and creates a loop. There are 16 two-unit buildings on the outside of the loop, with an additional five located on the inside. Forty-two units with one access point near the corner of Steitz Road and Home Road would result in approximately 420 trips per day. An access point should be obtained by working with the developers of Liberty Grand to create a connection. This is also a comment provided by the County Engineer's office.

Drainage: The submittal details that the majority of the property drains to the north. The proposal accounts for this by proposing a detention basin which would feed into the storm water system there. Collaboration needs to occur between both developers to make sure that all systems are constructed appropriately. Regional basins are typically the best practice.

Sanitary Treatment: The applicant indicated that the church to the east is currently connected, temporarily, to a sanitary force main, and that the Sewer District will not allow an additional connection to this force main. The subject development will need to connect to gravity lines placed in Liberty Grand to the north, and may have to wait until those lines come available to construct the development, which may be years away depending on the approval, engineering, and phasing of the Liberty Grand Development.

Building design: The proposed buildings do provide a needed housing type in Delaware County, however, the design of the structure is not conducive to creating an inviting environment. The design orients double garage doors along the building fronts, placing the doors to the sides. By eliminating the human component (front door) of the property from the front, visible elevation of the structures, the result is an uninviting environment. Staff recommends reorienting the front door and porch/stoop overhang toward the front of the structure.

Divergences

Thirteen divergences are requested, affecting eight aspects of the proposed development plan:

1. **Structure Separation** – The applicant is requesting a divergence from Section 7 which requires a structure separation of at least 25 feet, unless the adjacent walls are masonry which would allow a 15-foot separation. The proposal includes a reduction of structure separation to 20 feet, provided fire code regulations are met.

Staff Comment: Staff does not agree with the requested divergence. The structure separation regulation reflects a quality of life standard not associated with just fire codes, but noise nuisances, and providing sunlight and airflow between structures. In the presented proposals, structure elevations show the “front” entrances to the units are located in the side yards, making these side yard areas the de facto “front yard.” The required space per the Liberty Township Zoning Code should remain to ensure a continued Liberty Township quality of life.

2. **Lighting Regulations** – The applicant is requesting a divergence from Section 7.04 to allow ten decorative lamp posts along the private street.

Staff Comment: This size of the site doesn't seem to be necessitate ten light posts. Regulations listed in Section 7.04 refer to timing, using shielding to prevent light pollution onto nearby properties, and a maximum height restriction, with which the applicant has stated they will comply. The submitted lighting plan shows the two posts closest to Home Road could impact the property to the west. This can be mitigated by shielding the lights, while simultaneously preventing the lights from affecting eastbound motorists.

3. **Water Impoundments** – The applicant is requesting a divergence from Section 7.05(A) which requires water impoundments to be located at least 10 feet from neighboring properties. The divergence would allow a water impoundment to be located five feet from a neighboring property.

Staff Comment: To allow additional space for structure location to comply with separation regulations, and to provide space for adequate water retention, staff is in support of this divergence. A condition of providing this divergence is continued cooperation with the Delaware County's Engineer's Office to ensure that no adverse impacts to neighboring properties will result from the reduced setback.

4. **Fences and Walls** – A divergence from Section 7.15(B) & (D) which requires fences to be located at least 150 feet from the Home Road right-of-way and that a fence, if located within 150 feet of any right-of-way or property line must follow building lines. The divergence would allow the proposed fence to be located approximately 11 feet outside of the Home Road right-of-way.

Staff Comment: Staff is in support of this divergence, to bring attention to the location of the property, and more adequately frame Home Road, Staff is in support of this divergence. Staff does not feel the divergence from Section 7.15(D) is needed. Both sections of the proposed fence do follow building lines and are subsequently in compliance with this section.

5. **Screening and Trash Receptacles** – The applicant is requesting a divergence from Section 11.02(I)(3) which requires that trash receptacles be located near the rental complex office for public use. The divergence would eliminate this requirement.

Staff Comment: Due to the design of the building and housing type, staff is in support of this variance. The public trash receptacle is applicable to larger-scale apartment developments, where centralized hopper-style receptacles are necessary. This development will allow each unit to house its own receptacle for pickup at the curb, and subsequently, a large-scale trash receptacle is not needed.

6. **Setbacks** – The applicant is requesting a divergence from Section 11.06(C), and 7.09(D) (by reference of Section 11.06(C)) which together requires a 25-foot setback from the rear and side property lines, and 60 feet from the centerline of the private street (an effective setback of 47 feet). The divergence would allow the setbacks to be as illustrated in the submitted development plan, which roughly varies between 25 and 30 feet to the front, and 25 feet to the rear with an exception for the patio stairs and privacy fencing.

Staff Comment: To create a framed residential street similar to the surrounding residential uses, and to balance a tighter community feel by bringing residences closer to the public realm while allowing for space in the private realm, staff is in support of this variance. However, staff is not in support of providing these requests at

this time in the development process. As the road layout will need to be revisited, divergences from the setbacks can be assessed on their validity during the sketch review and preliminary plan phases.

7. **Building Design** – This request is a divergence from Section 11.06(J) which prohibits the use of vinyl exterior siding material. The divergence would permit ‘Alside’, a wood imitation vinyl siding.

Staff Comment: The exclusion of vinyl siding as a permitted exterior material refers to the aesthetic of the structure to maintain a certain community character. The proposed replacement would achieve the same desired aesthetic, and as such, staff is in support of this variance.

8. **Plan Approval Period** – The applicant is requesting a divergence from Section 11.09(A)(18) which allows for an approval period of 1 year from the date 30 days after the zoning is approved. The divergence would allow for the approval period to be 6 months from the date sanitary and storm sewers are available in subarea D of the POD 18 overlay.

Staff Comment: Based on the undefined timeframe requested, staff is not in support of this divergence. The Delaware County Regional Planning Commission has received a sketch plan for the aforementioned subarea, however, a preliminary plan for the area has not been submitted or approved, and phasing is currently unknown. Approving a Plan Approval Period divergence to allow an extension to 6 months from the date sanitary and storm sewer is available creates an unknown deadline. As market trends and demand change rapidly, it would not be advisable to allow a divergence which in effect would permit an approval status for this development in perpetuity.

Staff Recommendations

Staff recommends **Conditional Approval** of the rezoning request by TMB Investments Ltd. from FR-1 to PMFR to the DCRPC, Liberty Twp. Zoning Commission and Liberty Twp. Trustees, *subject to:*

- 1.) Work with the property to the north to utilize access from the Liberty Grand development;
- 2.) Orient front doors of the units toward the front;
- 3.) Denial of the aforementioned Divergence requests 1, 2, 6, and 8; and
- 4.) Approval of Divergences 3, 4, 5, and 7, with the following modifications:
 - a. Applicant continues to work with the DCEO to ensure the location of the water impoundment does not affect neighboring properties;
 - b. The divergence from 7.15(D) is removed as it is not applicable in the proposed plan.

Commission / Public Comments

Mr. Steve Martin, attorney along with applicant, Mr. Tom Bell of TMB Investments Ltd. were present. Mr. Martin stated that there is a sanitary easement across the front of this property for a lift station that goes into Golf Village to serve the church (to the east of this project). That will go away when sewer is available. The first discussions with the Sanitary Engineer were to tap in on Steitz Rd. but that was denied due to being in the Sawmill Parkway tributary area. The applicant has no control over when sewer is going to be available. Without sewer the property cannot be developed. Regarding the staff comment about the front door orientation, this product has been highly successful in Olentangy Reserve (on S. Old State Rd.). These are high rent apartment/townhomes. The reorientation of the front door would be costly and cause a redesign of the project. As for the connection to the north, the developer is not in favor of adding a connection as this would create a cut through.

Mr. Stites asked if the Sanitary engineer has presented a time-frame for sewer to this area. Mr. Martin stated that it depends on how Schottenstein develops the area to the north. The developer wants to buy the land and hold on to it to develop once sewer is available.

Ms. Noble asked if there is an expiration date on the zoning. Mr. Miller stated that the rezoning would remain but if you give the divergence at the time of the rezoning then that would carry over to any future preliminary plan that would be approved. Mr. Sanders stated that Liberty Twp. recently changed to a 2-step process. The development plan would be in effect for 5 years.

Mr. Sanders clarified that staff is recommending connecting from the north, not both accesses. There wouldn't be a cut-thru because there wouldn't be an access to Home Road which was stated as being a right-in/right-out. A full connection from the north would be a better situation for the residents of this development.

Mr. Vidor stated he was familiar with "Alside" as a manufacturer. He stated they have thousands of products and questioned whether staff has seen it and if it meets what the Township is looking for. Mr. Martin said that this divergence is straight from POD-18 with the description of the Alside product.

Mr. Sanders suggested Liberty Township may want to have more information from the Sanitary Engineer about timing of sewer availability. It isn't staff's intent to "kill" the project because sewer may not be available in a year and a half period, but many project deal with this issue.

Ms. Noble expressed her concern with the orientation of the front doors. Mr. Sanders agreed that this "snout" house style is not preferable especially with this number of units, and it seems with creativity, this issue could be resolved.

Mr. George made a motion to recommend Conditional Approval of the rezoning request by TMB Investments LLC, subject to staff recommendations as listed. Mrs. Kuba seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

48-19 ZON Delaware Properties LLC – Troy Twp. – 10.978 acres from FR-1 to PCD

Request

The applicant, Delaware Properties LLC, is requesting a 10.978-acre rezoning from FR-1 to PCD in order to construct a 7,000 square foot building to house Suburban Natural Gas office, employees and equipment.

Conditions

Location: 330 Troutman Rd.

Present Zoning: Farm Residential (FR-1)

Proposed Zoning: Planned Commercial and Office District (PCD)

Present Use(s): Vacant

Proposed Use(s): commercial building and storage

School District: Buckeye Valley

Utilities Available: Del-Co Water and private on-lot treatment systems/central sanitary sewer

Critical Resources: none

Soils: BoA Blount Silt Loam 0-2% slope

GwB Glynwood Silt Loam 2-6% slope

PwA Pewamo Silty Clay Loam 0-1% slope

Introduction

This rezoning request is in conjunction with a development plan. The applicant, Delaware Properties, is an affiliate of Suburban Natural Gas, a public utility, is exempt from Troy Township's Zoning Regulation through Section 6.03 of the Troy Township Zoning Code.

As such, the applicant would like to rezone the property to 1) be as compliant as possible with zoning regulations, and 2) rezone the property to a use more suited for the area should the property ever cease to be occupied by Suburban Natural Gas.

The development occurring in conjunction with the rezoning request is a 7,000 square foot structure to be used for storage and office space for SNG employees and equipment for off-site construction activities. Located just east of the railroad crossing on the north side of Troutman Road, the structure uses a 20-foot driveway for access which extends about 450 feet onto the property.

Comprehensive Plan

Troy Township's 2006 Comprehensive Plan indicates this property is located in the Agricultural Heartland subarea. While the overarching theme of the agricultural subarea is to preserve prime agricultural properties, the Comprehensive Plan does recommend (Recommendation #7) that an area should be reserved west of US Route 23 and North of Troutman Road for commercial uses. The two properties which are east of the subject property are already zoned PCD, leaving this the only remaining parcel north of Troutman Road between the railroad and US Route 23 which is not zoned PCD.

Issues

Sanitary Treatment: As the area offers no accessibility to sanitary sewer or water, commercial development opportunities may be somewhat limited.

Divergences

One divergence is requested:

1. The applicant is proposing to reduce the number of parking spaces required for an office/commercial use from 1 space per 300 square feet of area to 1 space per 333 square feet of area. This reduction would bring the proposed use and development plan into conformance.

***Staff Comment:** The proposed use and development is not required to be in conformance of the zoning code due to its function as a public utility. Providing a variance would carry with the property and allow all subsequent uses to provide parking spaces at 1 space per 333 square feet of area, regardless of the ownership change. Six of the proposed parking spaces are allocated for truck use and measure beyond the typical parking space to a size of 15' by 30'. Should SNG cease operations and another entity operated a commercial use out of the property, they could re-line the spaces to provide 10 – 9' by 20' spaces, increasing by four spaces and bringing the property into compliance with the zoning code. Therefore, Staff is not in support of providing the variance at this time.*

Staff Recommendations

Staff recommends **Conditional Approval** of the rezoning request by Delaware Properties LLC from FR-1 to PCD to the DCRPC, Troy Twp. Zoning Commission and Troy Twp. Trustees, *subject to:*

- 1.) *The removal of the parking divergence request, as unnecessary.*

Commission / Public Comments

Mr. Steve Martin, attorney, along with Suburban Natural Gas representative Bill Pemberton, were present. Mr. Martin stated that they were asking for the parking divergence to reflect what currently exists, generally for financing reasons.

Mr. Miller stated that in the future when another use comes in, a variance for the parking request could be assessed at that time, based upon what that use is. Mr. Sanders suggested that a recommendation could include a parking divergence approval for the current proposed use only.

Mr. George made a motion to recommend Conditional Approval of the rezoning from FR-1 to PCD, subject to the parking divergence for the proposed use only. Mr. Platte seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Troy Twp.). Motion carried.

49-19 ZON John and Simona Skinner – Harlem Twp. – 5.292 acres from AR-1 to FR-1

Request

The applicants, John and Simona Skinner, are requesting a 5.292-acre rezoning from AR-1 to FR-1 in order to split the lot into two buildable lots.

Conditions

Location: North Side of Village Center Road, West of Harlem Road

Present Zoning: Agricultural Residential (AR-1)

Proposed Zoning: Farm Residential (FR-1)

Present Use(s): Vacant

Proposed Use(s): Two single-family lots

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

 CeB Centerburg Silt Loam 2-6% slope

 PwA Pewamo Silty Clay Loam 0-1% slope

Introduction

This is a straight rezoning request for a property located on the north side of Center Village Road in Harlem Township. The proposal involves rezoning a 5.292 acre parcel from AR-1 to FR-1 to facilitate a lot split and generate an additional buildable lot.

There are currently no existing structures on the property which was purchased by the applicants in August of 2019. The property was originally part of a larger tract which was split in May of 2019. The remainder parcel from that lot split was rezoned from AR-1 to FR-1, approved by the RPC in May of 2019.

The rezoning would reduce the minimum lot size from 5 acres to 2 acres, and reduce the required lot frontage from 300 feet to a sliding scale based on area. According to the submitted application, the applicant plans to split the property into two lots – one at 3.21 acres with 80 feet of frontage and one at 2.08 acres with 260 feet of frontage. While the 3.21 acre parcel does not have the contiguous road frontage required, it does classify as a flag lot by obtaining the required width 50 feet in front of the proposed structure with a minimum of 60 feet of road frontage.

Comprehensive Plan

Harlem Township's 2008 Comprehensive Plan indicates this property is located in the northwest corner of subarea B – Gateway. The comprehensive plan identifies this subarea as agricultural, but also recommends densities of 1 unit per 2 acres for areas that are to be residential. Allowing the smaller minimum lot sizes will help preserve agricultural and natural lands.

Issues

Traffic and Access: With so many single family residences located on the south side of Center Village Road, and the potential for neighboring properties to be developed in a similar manner. Staff encourages the use of a Shared Access Point to limit the number of individual driveways.

Staff Recommendations

Staff recommends **Conditional Approval** of the rezoning request by John and Simona Skinner from AR-1 to FR-1 to the DCRPC, Harlem Twp. Zoning Commission and Harlem Twp. Trustees, subject to:

- 1.) *Consideration of a Shared Access Point.*

Commission / Public Comments

No one was present to represent the applicant.

Mr. George made a motion to recommend Conditional Approval of the rezoning by John and Simona Skinner, subject to staff recommendations. Mr. Fowler seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

50-19 ZON Liberty Township Zoning Commission – Liberty Twp. – Removal of POD23 Overlay

Request

The applicant, Liberty Township Zoning Commission, is requesting consideration of the removal of the Planned Overlay District 23 (POD23) overlay from the Liberty Township Zoning Code.

Introduction

Liberty Township would like to remove the POD-23 overlay from the zoning code. Currently, the POD-23

overlay is located in the northwest corner of Hyatts Road and US Route 23. The POD-23 cloud overlay which only becomes active if a developer chooses to use that zoning as opposed to the existing zoning; which in this case is Farm Residential (FR-1).

Liberty Township originally developed the POD-23 to provide more flexibility with mixed-use development along US Route 23. The intention was to allow some higher density residential uses in tandem with commercial developments for the expanding Greif Office Park.

A plan was submitted several years ago which complied with the overlay but was not received positively by the neighboring area. As the office park hasn't expanded as originally anticipated and no commercial or mix of uses have been proposed, the Township wants to remove the POD-23 overlay as an option for development of the area. Keeping the overlay has been problematic, as developers have used the POD-23 overlay as leverage to try and achieve higher densities than what's allowed in the underlying zoning.

Comprehensive Plan

Liberty Township's 2018 Comprehensive Plan indicates this property is located in Subarea III – US Route 23 Corridor. The comprehensive plan acknowledges the overlay since it was in place when the Plan was updated, but it also recommends – through recommendation 8 – that “for residential lands served by centralized sanitary sewer west of US 23, consider rezoning for Planned Residential Developments at a maximum density of 1.25 units per net developable acre, with a minimum of 20% preserved open space.

Issues

Commercial Land Use: Opportunities for commercial developments within Liberty Township are limited. The US Route 23 corridor presents the best opportunity to expand commercial uses in the Township, and the elimination of an overlay which permits a mix of uses, reverting the recommendations to purely residential, removes the commercial expansion opportunities.

Staff suggests researching potential overlays or alternative zoning which would promote the desired use with commercial and office expansion, while restricting undesired uses, providing a better balance to achieve the goals of the Township.

Staff Recommendations

Staff recommends **Approval** of the rezoning request by Liberty Township Zoning Commission to remove the POD-23 Overlay from the Liberty Township Zoning Code to the DCRPC, Liberty Twp. Zoning Commission and Liberty Twp. Trustees.

Commission / Public Comments

Mr. George made a motion to recommend Approval of the rezoning request by Liberty Twp. Zoning Commission to remove the POD-23 overlay. Mrs. Kuba seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

SUBDIVISION PROJECTS

Preliminary

26-19 The Villas at Old Harbor West – Berlin Twp. - 90 lots / 30.31 acres

Conditions

Applicant: 3 Pillar Homes

Subdivision Type: Planned Residential

Location: North side of Hollenback Rd., west of S. Old State Rd.

Current Land Use: Vacant, former agricultural with barn and house

Zoned: Transitional Planned Unit Development (TPUD)

Zoning Approval: 03/11/19

Utilities: Del-Co water and central sanitary sewer

School District: Olentangy

Engineer: Advanced Civil Design

Staff Comments

This is the preliminary plan for The Villas at Old Harbor West. The proposed development consists of 90 single-family detached condominiums on 30.31 gross acres, located north of Hollenback Road and west of South Old State Road in Berlin Township. The development does not include phasing, and the fee-simple lots will be turned over to the condominium association as they are sold off.

The main entrance to The Villas at Old Harbor West is through a private street, Boardwalk Drive, which is accessed through Hollenback Road, 700 feet west of South Old State Road, with an emergency access available through South Old State Road. Boardwalk Drive dead ends shortly into the development and meets with Sandbar Drive which runs east/west. Off of Sandbar Drive are four north/south streets; three of which extend to the north end of the property and are connected through another east/west street. The fourth, Languna Loop, curves around and provides the developments connection with the emergency access.

Open Spaces in the development consist of five reserves. Reserves A and E, 6.87 and 1.53 acres respectively, provide grass areas and detention basins as a perimeter buffer and storm water management. Reserve B, 0.9 acres, is a central green on westernmost block, while Reserve D, 0.34 acres consists of a lot sized area and a 25-foot wide strip between lots on the easternmost block. Reserve C, a 2.57 acre central green, has a detention pond which can be used for fishing as an amenity to residents of the community.

Typical lots contain condos which range in size from around 5,800 square feet to 7,000 square feet. Six visitor parking areas are included, each with space for four to five vehicles, as well as parallel parking on either side (east and west) of the central square). The development also includes a sidewalk on one side of each street, as well as a multi-use path encircling the central detention pond in Reserve C.

A technical review was held on October 15, 2019, after which the applicant has addressed all of the required changes.

Staff Recommendation

Staff recommends *Preliminary Approval* of **The Villas at Old Harbor West** to the DCRPC.

Commission / Public Comments

Mr. Jeff Guggenbiller with Advanced Civil Design was present to answer questions from the Commission.

Mr. George made a motion for Preliminary Approval of The Villas at Old Harbor West. Mr. Platte seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

27-19 Liberty Grand, Sections 1 and 2 – Liberty Twp. - 38 lots / 109.00 acres

Conditions

- Applicant:** Schottenstein Real Estate
- Subdivision Type:** Residential Community
- Location:** South of Hyatts Rd., west of Sawmill Parkway
- Current Land Use:** Vacant, former agricultural
- Zoned:** POD-18
- Utilities:** Del-Co water and central sanitary sewer
- School District:** Olentangy
- Engineer:** EMH & T

Staff Comments

This is the preliminary plan for Liberty Grand, Sections 1 and 2. It consists of 36 single-family lots, as well as 2 additional lots for future attached homes on private streets. As a whole, the development consists of 109.1 acres and provides 22.2 acres (20.4%) of open space.

The development essentially consists of constructing the necessary roadways for future developments. Liberty Grand Boulevard, the main road in the development extends from the southern part of Steitz Road near Home Road and travels northeast to connect to Sawmill Parkway north of the Liberty School properties. About 1,000 feet west of Sawmill Parkway, Eagle View Drive intersects with Liberty Grand Boulevard and extends north to connect the development to Hyatts Road. Hyatts Crossing, in the Hyatts Crossing Development is also extended to intersect with Eagle View Drive, continuing west and providing a stub for future development.

The open spaces in the development are broken into 4 areas. Reserve C is 0.2 acres and buffers the single-family properties from Hyatts Road, while Reserve D is 0.5 acres and buffers the north/south roadway from the properties to the east. Open Space B is 7 acres at the west corner of Eagle View Drive and Liberty Grand Boulevard, while Reserve A is 14.5 acres and includes a pond.

Four other intersections and associated stubs are also proposed in this phase along Liberty Grand Boulevard to provide connections for future development. Those intersections correspond with plans that were submitted during the sketch review phase, and will be submitted as preliminary plans at a future date.

A technical review was held on October 15, 2019, after which the applicant has addressed all of the required changes.

Staff Recommendation

Staff recommends *Preliminary Approval* of **Liberty Grand, Sections 1 and 2** to the DCRPC.

Commission / Public Comments

Mr. Wes Smith with Schottenstein Real Estate Group was present to represent. He noted that Liberty Township did approve the final development plan for sections E, F, and G in September.

Mr. George made a motion for Preliminary Approval of Liberty Grand, Sections 1 and 2. Mrs. Kuba seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

OTHER BUSINESS

- 2020 Budget – 1st review

There are no major unusual expenses anticipated for the 2020 budget. Traditional expenses include continuing education and related travel, minor building maintenance, general materials and supplies. This proposed budget continues to remain conservative in revenue estimates. The current projected carry forward into 2020 and anticipated continuance of steady platting allowed the Executive Committee to again recommend a 30¢ credit on dues paid the previous year. The proposed budget again includes the hourly rate of an Intern to assist with GIS mapping and a 3% raise for current employees. We are currently utilizing an unpaid intern from OWU for GIS mapping assistance for the semester.

Projected carry forward from 2019	\$864,755
2020 Projected Revenue	\$394,569
2020 Projected Expense	\$515,215
Projected carry forward to 2021	\$744,109

The vote on the 2020 Budget will take place at the November 21st RPC meeting. For more information or to express comments or input please contact Chairman Dave Stites or RPC Staff.

- 2020 DCRPC Meeting schedule draft

The meetings will again be held at 6:30 p.m. at the Willis Building, except for those months notated on the schedule. This is due to the Elections office use of the meeting room. Alternative meeting space will be the Hayes Building, conference room 235 (Feb. 27, Oct. 29 and possibly July 30).

POLICY / EDUCATION DISCUSSION (none)

RPC STAFF AND MEMBER NEWS (none)

Having no further business, Mr. Platte made a motion to adjourn the meeting at 8:00 p.m., seconded by Mr.

Dowley. VOTE: Unanimously For, 0 Opposed. Motion carried.

The next meeting of the Delaware County Regional Planning Commission will be Thursday, November 21, 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