



# 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, November 21, 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 October 24, 2019 RPC Minutes
- Executive Committee Minutes of November 13, 2019
- Statement of Policy

### CONSENT AGENDA

|           |   |   | <b>Township</b> | <b>Lots/Acres</b>     |
|-----------|---|---|-----------------|-----------------------|
| 29-18.1   | T | Northstar Goldwell Neighborhood, Sec. 1     | Berkshire       | 50 lots / 25.88 acres |
| 17-16.5   |   | Scioto Ridge Crossing, Section 5            | Concord         | 45 lots / 13.33 acres |
| 27-18     | T | Kingston Ravines                            | Kingston        | 04 lots / 23.07 acres |
| 12-13.3.A |   | The Heathers at Golf Village, Sec. 3, Ph. A | Liberty         | 19 lots / 06.57 acres |

### ZONING MAP/TEXT AMENDMENTS

|           |  |
|-----------|--|
| 51-19 ZON | Trenton Twp. Zoning Commission - Zoning Resolution amendments - definitions          |
| 52-19 ZON | David and Cynthia Martin - Harlem Twp. - 6.814 acres from AR-1 to PCD                |
| 53-19 ZON | Evans Farm Land Development Co., LLC - Orange Twp. - dvlpt. plan amndt. - Evans Farm |

### SUBDIVISION PROJECTS

#### Preliminary

|       |   |                                       | <b>Township</b> | <b>Lots/Acres</b>      |
|-------|---|---------------------------------------|-----------------|------------------------|
| 28-19 |   | Piatt Preserve                        | Berlin          | 104 lots / 76.40 acres |
| 29-19 | T | Bacastow CAD                          | Brown           | 05 lots / 74.08 acres  |
| 30-19 |   | Liberty Grand District                | Liberty         | 489 lots / 175.3 acres |
| 31-19 |   | Jennings Sports Park at Evans Farm    | Orange          | 01 lot / 56.83 acres   |
| 32-19 |   | Evans Farm Marketplace Townhomes West | Orange          | 03 lots / 03.09 acres  |

### OTHER BUSINESS

- Consideration for Approval: 2020 DCRPC meeting schedule
- Consideration for Approval: 2020 Budget

### RPC STAFF AND MEMBER NEWS

- Appointment of Nominating Committee for Executive Committee member

**ADMINISTRATIVE BUSINESS**

▪ **Call to Order**

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

▪ **Roll Call**

*Representatives:* David Loveless, Susan Kuba, Fred Fowler, Tom Hopper, Joe Shafer, Dave Stites, Charles Hurt, Joe Proemm, James Hatten, Dan Boysel, Herb Ligocki, Josh Vidor, Bonnie Newland, and Mike Dattilo. *Alternates:* Cheryl Friend, David Weade, Rob Platte, Zach Dowley, Kelsey Scott, Dustin Kent, John Piccin, Claudia Husak, Jeff Beard, and Richard Lehner. Ed Snodgrass arrived after roll call. *Staff:* Scott Sanders, Jonathan Miller, Da-Wei Liou, and Stephanie Matlack.

▪ **Approval of the October 24, 2019 RPC Minutes**

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

▪ **November 13, 2019 Executive Committee Minutes**

1. **Call to order**

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

2. **Approval of Executive Committee Minutes from October 16, 2019**

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

3. **New Business**

- Financial / Activity Reports for October 2019

| REGIONAL PLANNING RECEIPTS              |        | OCTOBER     | YTD TOTAL    |
|---|--------|-------------|--------------|
| General Fees (Lot Split)                | (4201) | \$410.00    | \$12,080.00  |
| Fees A (Site Review)                    | (4202) | \$1,800.00  | \$9,600.00   |
| Insp. Fees (Lot Line Transfer)          | (4203) | \$300.00    | \$2,700.00   |
| Membership Fees                         | (4204) |             | \$236,547.00 |
| Planning Surcharge (Twp. Plan. Assist.) | (4205) |             | \$1,394.34   |
| Assoc. Membership                       | (4206) |             | \$0.00       |
| General Sales                           | (4220) |             | \$3.25       |
| Charges for Serv. A (Prel. Appl.)       | (4230) | \$80,883.00 | \$128,257.40 |
| Charges for Serv. B (Final. Appl.)      | (4231) | \$20,500.00 | \$55,571.60  |
| Charges for Serv. C (Ext. Fee)          | (4232) |             | \$750.00     |
| Charges for Serv. D (Table Fee)         | (4233) | \$200.00    | \$2,400.00   |
| Charges for Serv. E (Appeal/Var.)       | (4234) | \$300.00    | \$4,000.00   |

|   |        |                     |                     |
|---|--------|---------------------|---------------------|
| Charges for Serv. F (Planned District Zoning) | (4235) | \$600.00            | \$4,800.00          |
| OTHER DEPT. RECEIPTS                          |        |                     |                     |
| Health Dept. Fees                             | (4242) | \$1,350.00          | \$14,430.00         |
| Soil & Water Fees                             | (4243) | \$2,175.00          | \$9,920.00          |
| 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) |                     | \$358.75            |
| Misc. Non-Revenue Receipts                    | (4733) |                     | \$0.00              |
| Sale of Fixed Assets                          | (4804) |                     | \$0.00              |
| <b>TOTAL RECEIPTS</b>                         |        | <b>\$108,518.00</b> | <b>\$482,988.80</b> |

|  |                     |
|--|---------------------|
| Balance after receipts                 | \$1,081,927.35      |
| Expenditures                           | <u>\$ 31,962.66</u> |
| End of October balance (carry forward) | \$1,049,964.69      |

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

- November Site Reviews
 

|                                       | Township | Lots/Acres        |
|---------------------------------------|----------|-------------------|
| 1.) Scioto Reserve Extension<br>acres | Concord  | 14 lots / 07.90   |
| 2.) Ross Estates<br>acres             | Berlin   | 72 lots / 41.712  |
| 3.) Longhill<br>acres                 | Berlin   | 482 lots / 278.81 |
  
- November RPC Preliminary Agenda
 

| 1.) CONSENT AGENDA                            | Township  | Lots/Acres            |
|---|-----------|-----------------------|
| • Northstar Goldwell Neighborhood, Sec. 1     | Berkshire | 50 lots / 25.88 acres |
| • Scioto Ridge Crossing, Section 5            | Concord   | 45 lots / 13.33 acres |
| • Kingston Ravines                            | Kingston  | 04 lots / 23.07 acres |
| • The Heathers at Golf Village, Sec. 3, Ph. A | Liberty   | 19 lots / 06.57 acres |
  
- 2.) ZONING MAP/TEXT AMENDMENTS
  - Trenton Twp. Zoning Commission – text amendments
  - David and Cynthia Martin – Harlem Twp. – 6.814 acres from AR-1 to PCD

- Evans Farm Land Development Co., LLC - Orange Twp. - dvlpt. plan amndt. - Evans Farm

| 3.) SUBDIVISION PROJECTS                | Township | Lots/Acres             |
|---|----------|------------------------|
| <u>Preliminary</u>                      |          |                        |
| • Piatt Preserve                        | Berlin   | 104 lots / 76.40 acres |
| • Bacastow CAD                          | Brown    | 05 lots / 74.08 acres  |
| • Liberty Grand District                | Liberty  | 489 lots / 175.3 acres |
| • Jennings Sports Park at Evans Farm    | Orange   | 01 lot / 56.83 acres   |
| • Evans Farm Marketplace Townhomes West | Orange   | 03 lots / 03.09 acres  |

- Director's Report
  - 1.) Berlin Township zoning overlays - could not attend final Zoning Commission meeting, but text and maps were recommended to the Trustees;
  - 2.) 2020 Census preparation - Chad Stover visited the office and brought reps from Toledo - next meeting being planned but no media information is available from the national organization yet;
  - 3.) Attended MORPC's Transportation Advisory Committee meeting on 11/6; (MORPC schedule to attend the December RPC meeting - Metropolitan Transportation Plan);
  - 4.) Met with two folks working on population projections for Buckeye Valley;
  - 5.) Trail Grant-related issues being resolved before the end of the year;
  - 6.) Working on Harlem and Kingston Comprehensive Plan background chapters and maps - Harlem meeting scheduled for December;
  - 7.) Continued updating a section of Liberty's code (POD overlays) and completed and uploaded;
  - 8.) Trakit: final training is scheduled for December 2-13. Will reflect our existing project map layers into Trakit instead of creating something new;
  - 9.) Unpaid intern continued, updating Economic Development shapes, other projects as time allows;
  - 10.) Office space: discussing storage and technology details with architects later today (13<sup>th</sup>).
- 2020 Budget - 2<sup>nd</sup> Review  
There were no changes to the Budget as reviewed at the last Executive Committee meeting.

***Mr. Merrell made a motion to recommend Approval of the Proposed 2020 Budget to the RPC. Mr. Frommer seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.***

- 2020 DCRPC meeting schedule

***Mr. Merrell made a motion to recommend Approval of the Proposed 2020 Meeting Schedule to the RPC. Mr. Frommer seconded the motion. VOTE: Unanimously For, 0 Opposed.***

*Motion carried.*

4. Old Business (None)
5. Other Business (None)
6. Personnel (None)
7. Adjourn

*Having no further business, Mr. Merrell made a motion to adjourn the meeting at 9:55 a.m. Mr. Frommer seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

The next regular Executive Committee meeting will be Wednesday, December 11, 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**

29-18.1 T Northstar Goldwell Neighborhood, Sec. 1 – Berkshire Twp. - 50 lots / 25.88 acres

Conditions

**Applicant:** Northstar Residential Development, LLC.

**Engineer:** Terrain Evolution

Staff Comments

The applicant is requesting a tabling of Northstar Goldwell Neighborhood, Section 1 in order to obtain County Engineer signature on the final Plat.

Staff Recommendation

Staff recommends *Approval* of the 90-day Tabling of Northstar Goldwell Neighborhood, Sec. 1 to the DCRPC.

Commission / Public Comments

*Mr. Platte made a motion for Approval of the 90-day Tabling of Northstar Goldwell Neighborhood, Sec. 1. Mrs. Kuba seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

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17-16.5            Scioto Ridge Crossing, Section 5 - Concord Twp. - 45 lots / 13.33 acres

**Conditions**

**Applicant:** M/I Homes  
**Subdivision Type:** Single Family Planned Residential  
**Location:** South side of Clark Shaw Rd., east of Section Line Rd.  
**Zoned:** Planned Residence District (PRD)  
**Preliminary Approval:** 08/25/16  
**Utilities:** Del-Co Water, central sanitary sewer  
**School District:** Buckeye Valley  
**Engineer:** Advanced Civil Design

**Staff Comments**

Scioto Ridge Crossing is a 162-lot single-family subdivision with frontage on South Section Line Road. Its main access is through the proposed Clark Shaw Moors project with eventual access to Clark-Shaw Road. An emergency access is proposed at South Section Line Road with a paved path that will be built to hold emergency vehicles. Two roads enter the site from the east heading west, each connecting with new roads continuing west and joining in a cul-de-sac on the western end of the subdivision. One north-south road connects the two east-west roads.

Section 5 is the fifth and final section for Scioto Ridge Crossing; all previous sections have been recorded. This section includes the completion of Bluebird Drive between both termini of Bobwhite Trace, as well as the road stub to the north and the completion of Reserve H – a large, central open space. Forty-two single-family lots will be platted at a lot size of generally 55' x 130'.

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 5 to the DCRPC.

**Commission / Public Comments**

*Mr. Platte made a motion for Final Approval of Scioto Ridge Crossing, Section 5. Mrs. Kuba seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

27-18    T            Kingston Ravines – Kingston Twp. - 04 lots / 23.07 acres

**Conditions**

**Applicant:** John Hill Jr. Trustees and Thistlegate 7 LLC  
**Consultant:** Scioto Land Surveying Service

### Staff Comments

The applicant has requested a 90-day Tabling of Kingston Ravines in order to obtain the County Engineer signature on the Final plat.

### Staff Recommendation

Staff recommends *Approval* of the 90-day tabling of **Kingston Ravines** to the DCRPC.

### Commission / Public Comments

*Mr. Platte made a motion for Approval of the 90-day Tabling of Kingston Ravines. Mrs. Kuba seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

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12-13.3.A      **The Heathers at Golf Village, Sec. 3, Ph. A – Liberty Twp. - 19 lots / 06.57 acres**

### Conditions

**Applicant:** Pulte Homes of Ohio LLC  
**Subdivision Type:** Single Family Residential  
**Location:** West side of Sawmill Parkway, east of Valley Oak Drive  
**Zoned:** Planned Residential (PR)  
**Preliminary Approval:** 07/25/13  
**Utilities:** Del-Co Water, central sanitary sewer  
**School District:** Olentangy  
**Engineer:** EMH & T

### Staff Comments

The Heathers at Golf Village is a 129-lot single-family subdivision located on the east side of Sawmill Parkway between Hyatts Road and Home Road. The subdivision has two points of access – both connecting to Sawmill Parkway.

The entire subdivision also includes six reserve areas. Four of these areas provide buffering from neighboring properties and Sawmill Parkway, while the remaining two provide central green space, usable to the residents.

The subject of the final plat request is Section 3, Phase A. Only one more section remains for the development, Section 4. This section includes 19 single-family lots on eastern/final section of Beechwood Drive, and an extension of the northern portion of the Rocky Ridge Drive loop road. Additionally, reserve D, one of the two central green spaces is included in this Section.

**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 Heathers at Golf Village, Section 3, Phase A** to the DCRPC.

### **Commission / Public Comments**

*Mr. Platte made a motion for Final Approval of The Heathers at Golf Village, Section 3, Phase A. Mrs. Kuba seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

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## **ZONING MAP/TEXT AMENDMENTS**

**51-19 ZON      Trenton Twp. Zoning Commission – Zoning Resolution amendments - definitions**

### **Request**

Trenton Township Zoning Commission is requesting a recommendation from the DCRPC regarding a proposed amendment to the Trenton Township Zoning Resolution, specifically the addition of the following language concerning the definition of attached structures and a clause associated with the installation of a pond or swimming pool.

Concerning Attached Structures:

*“Any Structure of part of a Structure adjacent to the Principle Structure of the property that is Attached with a common foundation and with fully enclosed internal access to the Principle Structure and commencing at a distance of not more than 20 feet from the closest point of the Principle Structure and not being more than 10 feet wide shall satisfy the definition of Attached and will not be considered an Accessory Building. Only one Attached Structure shall be excluded from being considered as an Accessory Building.”*

### **Staff Comment:**

The language is somewhat unclear when referring to dimensions. One interpretation could be that the Attached structure cannot commence further than 20 feet from the principle structure and be no more than 10 feet wide, or the language could mean that the internal access to the principle structure cannot commence further than 20 feet from the principle structure and be no more than 10 feet wide. In the case of the former, garages would essentially never be permitted as an attached structure.

Concerning Ponds and Swimming Pools:

*“Any pond or pool shall require a building permit and shall comply with the same property line setbacks as any other structure in that zoning code. The plan for construction of any pond shall be reviewed by the Delaware County Soil and Water Department before issuance of a building permit.”*

### **Staff Comment:**

Trenton Township should be wary of, and consider conflicts between this clause and Section 508.03 which states that “[pools] may not be located closer than fifteen (15) feet to any property line...” In the



event of a conflict, such provision would defer to the smaller setback if challenged by an applicant. Additionally, the above clause, as written, could potentially permit swimming pools in the front yard of properties, which is expressly prohibited by Section 508.02.

### **Staff Recommendations**

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

- 1.) *Clarification within the definition of Attached Structures to reduce the ambiguity which may result in undesired outcomes, possibly limiting the size of the breezeway rather than limiting the size of the secondary structure,*
- 2.) *Removing the reference to a 15-foot pool setback so that the setback is defined in only one location, and*
- 3.) *Full review of the Trenton Township Zoning Code to ensure that all conflicts are either removed, or language is added to clarify which Section takes priority in the event of a conflict, depending on the Township's preferred outcome.*

### **Commission / Public Comments**

*Mrs. Kuba made a motion to recommend Conditional Approval of the amendments of the Trenton Twp. Zoning Resolution subject to staff recommendations 1-3. Mr. Loveless seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

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52-19 ZON      David and Cynthia Martin – Harlem Twp. – 6.814 acres from AR-1 to PCD

### **Request**

The applicants, David and Cynthia Martin, are requesting a 6.814-acre rezoning from AR-1 to PCD.

### **Conditions**

**Location:** North side of Fancher Rd., west of Miller Paul Rd.

**Present Zoning:** Agricultural (AR-1)

**Proposed Zoning:** Planned Commercial (PCD)

**Present Use(s):** Vacant, agricultural

**Proposed Use(s):** Commercial, landscaping business

**School District:** Big Walnut Local School District

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

**Critical Resources:** none

**Soils:** BeA Bennington Silt Loam 0-2% slope

CeB Centerburg Silt Loam 2-6% slope

PwA Pewamo Silty Clay Loam 0-1% slope

### **Introduction**

This is a rezoning request in conjunction with a development plan. The subject property, proposed to be rezoned from Agricultural Residential (AR-1) to Planned Commercial (PCD), is located approximately 1,200

feet west of Miller-Paul Road on Fancher Road and is proposed to be used as a commercial property specializing in landscaping. The proposal includes a 7,200 square foot structure, material bins – two of which covered by hoop houses.

### **Comprehensive Plan**

Harlem Township's 2007 Comprehensive Plan recommends that a band across the southern edge of the Township could be appropriate for residential density at 2 units per acre if sewer was available. However, this general area includes several other low-impact businesses, including a developing storage unit facility farther to the west. If impacts can be mitigated, this is probably a reasonable area for a business that doesn't generate retail traffic.

### **Issues**

**Land Use:** The only potential issue lies in the neighboring property to the east. The property is also zoned AR-1, and is currently occupied by a residence. The hours of operation are listed as 7:00 AM to 6:00 PM Monday through Saturday, typical of a landscaping company, however the Saturday hours of operation may impact the residence and create a nuisance.

**Lighting:** The issue with lighting also originates from the existing residential property to the east. The submitted site plan shows two light poles at the middle and rear of the property along the eastern property boundary. The applicant did submit a lighting diagram with the site plan. However, it could not be determined what the foot-candle impact to the neighboring property would be.

**Parking and Circulation:** Traffic volumes on Fancher should not be impacted in any significant manner, however, the proposed access point runs along the eastern boundary line, nearest to the residential property. Moving the entrance, with approval from the County Engineer's Office, to the existing access point opposite of the entrance to 11616 Fancher Road or along the western boundary would provide additional buffering from the residential property. Additionally, extension of a 6' fence along the eastern boundary to visually shield the parking areas would reduce any negative impact a commercial property might have on the existing residence.

**Drainage:** The property, as illustrated on the site plan, consists of primarily granular surface with a minimum 8" base; this includes all of the rear property and parking areas. The only water impoundment is located at the far north boundary of the property, and contours show an elevation profile with a range of about 22 feet – sloping from the southwest to the northeast – potentially impacting the neighboring property.

**Fencing:** The proposed chain-link security fence, while appropriate for the type of business, may adversely impact the surrounding residential uses. The applicant has proposed a decorative wind screen. However, staff feels this type of material will not adequately bring the aesthetic to an appropriate residential standard. Staff would recommend installing a 6-foot wood privacy fence on the outside of the chain-link fence to provide the proper aesthetic to the existing neighboring residential properties, as well as future residential properties.

## Divergences

One divergence is requested:

1. Removal of the requirement that the finished surface of all driveway and parking areas be asphalt or concrete. The applicant is proposing a finished surface of asphalt or concrete for the first 30 feet of the driveway, inclusive of the driveway apron.

**Staff Comment:** Given the nature of the business, staff is in agreement that the requirement may not be necessary outside of the approach, driveway apron areas, and any section of driveway which may fall within the right-of-way. The proximity of the residential uses, however, provides an additional factor which should be of consideration. Contrary to the proposal, compacted aggregate is considered an impervious surface, and does not assist in storm water absorption. Furthermore, the dust effect on nearby residential properties needs to be taken into account, since the residences have existed prior to this proposal. Taking the dust and imperviousness into consideration, staff would be in favor of permitting a divergence for the parking area only. As the driveway is both straight and long, and most adjacent to the front yard of the neighboring residence, the driveway should be paved according to the regulations up to the location the parking area opens. Storm water mitigation measures may still be needed in the parking areas, however, due to the impervious nature of the compacted aggregate.

## Staff Recommendations

Staff recommends **Conditional Approval** of the rezoning request by David and Cynthia Martin from AR-1 to PCD to the DCRPC, Harlem Twp. Zoning Commission and Harlem Twp. Trustees, *subject to:*

- 1.) *Installation of a 6' private fence surrounding the chain-link fence, as opposed to the utilization of a decorative wind screen;*
- 2.) *Approval of the divergence from the finished surface requirement for the parking area only, subject to the approval of the County Engineer's Office regarding the parking areas storm water runoff and drainage; and*
- 3.) *Light poles will utilize proper shielding to ensure no adverse light impacts to the neighboring properties.*

## Commission / Public Comments

No one was present to represent the applicant.

Ms. Husak asked staff to confirm the comprehensive plan recommendation (residential future land use) for this area. Mr. Miller stated that the 2008 Comp. Plan suggested a buffer on the southern edge that would permit higher density as residential. Since then, several properties have intermittently been rezoned to commercial use along this stretch of Fancher Rd. Mr. Sanders stated that without sewer the higher densities couldn't be done anyway. He said staff will be working with the Township to update their plan and that is a good comment to make; that this may be a better place to transition to something other than residential.

**Mr. Shafer made a motion to recommend Conditional Approval of the rezoning request by David and Cynthia Martin, subject to staff recommendations 1-3. Mr. Dowley seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.**

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53-19 ZON      Evans Farm Land Development Co., LLC – Orange Twp. – dvlpt. plan amndt. – Evans Farm

**Request**

Evans Farm Land Development Company is proposing several changes/amendments to the approved development plan, ZON 17-07 (Township) and 09-15 ZON (RPC). The amendments include additional divergences concerning model homes, lighting, structures in parks, lot width classifications, rear yard setbacks, lot coverage percentages, signs, and open space plans.

**Amendments**

- 1) **Model Homes:** Applicant is proposing to remove the condition (Section 10.04(B)(3)) that model homes include off-street parking for up to six spaces since the model homes will eventually be converted to residences.

**Staff Comment:** Staff is in support of the divergence as the parking areas required to be compliant will become obsolete and a nuisance after the homes are purchased.

- 2) **Lighting:** Applicant is proposing to increase the height limitation (Section 10.06(B)(4) and Section 21.12) from 50 feet to 90 feet, and to permit the Kelvin Lighting Range to “fall within the safety specifications of the manufacturer.” The increase is proposed to accommodate proper lighting for the soccer and baseball fields so that fewer light poles will be needed.

**Staff Comment:** Staff is in support of the divergence as requested. The proposed use of Reserve A, submitted as Jennings Sports Park necessitates appropriate lighting to be functional and successful.

- 3) **Permanent Buildings and Structures in Parks:** Applicant is proposing to permit permanent structures and buildings in parks and open spaces that are incidental to the use (Section 10.07(B)), provided they comply with applicable setback requirements. This is in relation to the Jennings Sports Park which is seeking Preliminary Plan approval on this month’s RPC agenda. The applicant indicated that permanent structures such as benches, sheds and pavilions were always intended.

The relevant sections from the zoning text:

*Recreational Open Space – Recreational Open Space in Evans Farm is primarily associated with the community park and open space network. Potential recreational uses include baseball/softball fields, soccer/football and lacrosse fields, a swimming pool complex, ice skating basin, and other uses, as well as all uses associated with the Maintained Passive Open Spaces.*

*[...]*

*Open space A shall include a minimum of four (4) multi-use baseball/softball diamonds or four (4) soccer fields. As this open space is not currently programmed, the Applicant, its successors and/or assigns, shall be responsible for the expense and installation of one of these four-unit diamond or field options.*

**Staff Comment:** Staff is in support of the divergence. Verbiage should be added to the request to permit these structures at the discretion of the Orange Township Planning Department to ensure that all proposed permanent

structures on subsequent preliminary plan submittals are incidental to the primary use of the open space.

- 4) Lot Width Classifications and Quantities: Applicant is proposing to remove the quantity of lots included in each of the lot width categories (Section 10.07(C) and Section 10.06(B)(13)) while maintaining the same overall number of lots. The applicant is proposing this amendment to provide some flexibility in the lot sizes to allow potential changes based on the direction of the housing market.

***Staff Comment:*** Staff is in support of this divergence as well since the applicant will not increase the total number of lots, provided that all lots stay within the range originally approved. Every effort should be made to devote any extra space created by an increase in the quantity of smaller lot widths to useable open space.

- 5) Side and Rear Yard Setback: Applicant is proposing to reduce the rear yard setback (Section 10.07(G)) from the approved sliding scale based on lot size to 5 feet from the side and rear yard property lines for accessory uses in order to maximize the useable space of the properties.

***Staff Comment:*** Staff is in support of this divergence, provided the language explicitly states that the provision is applicable only to accessory structures incidental to the principal use, and that the reduction does not apply to the area of the side yard in front of the building line.

- 6) Lot Coverage Percentages: Applicant is proposing to increase the maximum lot coverage percentages (Section 10.07(H)) from the approved sliding scale (ranges from 25% to 40%) to 40% for all lots, “excluding porches and garages.” The increase will ostensibly create more useable areas for each property.

***Staff Comment:*** Presumably, the increase will permit an increase in smaller lot widths by allowing more area of the lot to be developed. The applicant has indicated that permitting the additional lot coverage will result in an increase in open space of up to 35%, although there is no guarantee in that increase by permitting this divergence. Additionally, while lot coverage percentages can be used to support a walkable aesthetic, they also greatly impact stormwater run-off. Staff supports providing the divergence, subject to the submission of stormwater reports and mitigation measures which include the presumption that all lots within each section could be developed with the maximum extent of impervious surfaces.

- 7) Signs: Applicant is proposing to permit temporary open house and wayfinding signs (Section 10.07(K)) at entrances and “major vehicular intersection.” The hanging panel sign would include space for up to five 1-foot by 4-foot panels indicating the builder and direction homes for sale are located. The maximum height of the sign would be 9 feet – 6 inches and constructed from wood, and a provision is included which permits an additional sign with 5 additional slots to be located near the first, should the first be completely filled.

***Staff Comment:*** The magnitude of the development does necessitate provisions for wayfinding, but Staff is not in support of utilizing this specific mechanism. The signs may prove to be confusing, negating any potential benefit to wayfinding, and the divergence is not associated with a detailed plan which would show the locations of

signs, the duration that each sign will be placed, and a map illustrating the overall plan. Staff is also not in favor of installing two such signs in close proximity to each another. Applicant should develop and submit a thorough wayfinding plan and sign package for divergences related to signage.

- 8) Open Space and Landscape Plans: Applicant is proposing to submit preliminary plan changes for the open space and reserve areas during the submission of each sections. The applicant's reasoning is that the open spaces may vary depending on the lot widths, and market demands.

***Staff Comment:*** Staff is not opposed to this divergence based on the magnitude of the development and length of time it will take to complete.

### **Staff Recommendations**

Staff recommends **Conditional Approval** of the development plan amendments to Evans Farm requested by Evans Farm Land Development Co. LLC to the DCRPC, Orange Twp. Zoning Commission and Orange Twp. Trustees, subject to:

- 1.) The submission of additional language regarding the request for the permission of structures in open spaces which specifies that the divergence applies only to structures incidental to the use of the open space within which the structure exists, and permitted at the discretion of the Orange Township Zoning Commission;
- 2.) The inclusion of additional language regarding the quantity of lots within each classification which states that every reasonable effort will be made to ensure that additional space created from an increase in smaller lot widths will be used to increase the size of reserves/open space;
- 3.) Clarification that the divergence for side and rear yard setbacks will apply only to accessory structures, and will not apply to side yard areas in front of the building façade;
- 4.) The assumption in storm water reports that all lots will be constructed to the maximum area permitted for impervious surfaces; and
- 5.) Approval of the sign divergence contingent upon subsequent approval of a complete sign and wayfinding plan for model/available homes.

### **Commission / Public Comments**

Mr. Bob Kuederle with Evans Farm was present to answer questions from the Commission.

Ms. Husak asked if the language excludes porches and garages. Does it mean attached or detached? Mr. Miller stated that it did not specify. He said as it stands, there is a sliding scale (starting at 40% (not including porches and garages) up to a max of 50% which includes everything). Ms. Husak stated that if the language doesn't include "attached or detached" it could be hard to administer.

Mr. Vidor questioned staff comment #2. The wording "reasonable effort" is not really enforceable and cannot be calculated. Mr. Miller stated that without plans for that area, it was hard to come up with a standard. When the preliminary is submitted staff can look back at the general overall approval and track it then.

Mr. Kuederle stated that when you have area zoned single family and you fill it with lots, it is either right-of-way or open space.

*Mr. Boysel made a motion to recommend Conditional Approval of the development plan amendments to Evans Farm, subject to staff recommendations 1-5. Mrs. Kuba seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Porter Twp.). Motion carried.*

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## SUBDIVISION PROJECTS

### Preliminary

28-19                    Piatt Preserve – Berlin Twp. - 104 lots / 76.40 acres

### Conditions

**Applicant:** Westport Homes

**Subdivision Type:** Planned Residential

**Location:** North side of Cheshire Rd., east and west of Piatt Rd.

**Current Land Use:** Farm

**Zoned:** R-2, R-3 w/ PRD overlay

**Zoning Approval:** 11/28/16 (west) and 01/23/17 (east)

**Utilities:** Del-Co water and central sanitary sewer

**School District:** Olentangy

**Engineer:** Watcon Engineering

### Staff Comments

This is the preliminary plan for Piatt Preserve, located on the east and west sides of Piatt Road between Glenmead Drive and Cheshire Road. Piatt Preserve on the west side of Piatt Road consists of 82 single-family lots on 55.8 acres (1.83 units/NDA), as well as 10 small open space areas which are used primarily to buffer the development from surrounding properties and provide space for stormwater control. Piatt Preserve on the east side of Piatt Road consists of 22 lots on 20.6 acres (1.25 units/NDA), as well as 2 open space areas which provide a multi-use path and playground, and buffers the property from Piatt Road. A section in the center of the development includes similar development but is not yet ready for subdivision approval.

Access to the western part of the development is through Aldengate Lane, about 2,000 feet north of Cheshire Road. This road stubs to the west, providing a potential future development connection, and intersects with Henshaw Drive which extends south and creates a T-intersection with Cranbrooke Lane. Cranbrooke extends east into a future development and west to create another T-intersection with Bellgrove Place. That road extends west and connects the development with Gregory Road, and also curves south from the T-intersection with Cranbrooke where it creates another T-intersection with Carrowmore Drive. Carrowmore runs west to east where it creates another access point with Gregory Road, and stubs into the future development to the east. Two small cul-de-sacs extend from the similarly named roads near Gregory.

Access to the eastern part of the development is through Balsamridge Drive which extends east from future Piatt Road about 1,250 feet north of Cheshire Road. Balsamridge extends east into the neighboring development, Berlin Manor, and intersects with the proposed Eastwick Road. Eastwick extends south from Balsamridge into a cul-de-sac, and north where Eastwick curves to the east and also connects with the Berlin Manor subdivision.

Additional right-of-way will be dedicated for the future railroad overpass by the County for Cheshire Road. At that point, Gregory Road will be cut-off from Cheshire and an access road will be provided for the Del-Co Water tower to the west.

Sidewalks are included on both sides of the street throughout the development, with a multi-use path included on all portions of the development fronting Piatt Road.

The proposal includes construction in three phases. The northwest part of Piatt Preserve constitutes Phase 1, with the eastern half composing Phase 2. Phase 3 consists of the remaining parts of the development.

*A technical review was held on November 12, 2019, after which the applicant has addressed all of the required changes.*

#### Staff Recommendation

Staff recommends *Preliminary Approval* of **Piatt Preserve** to the DCRPC.

#### Commission / Public Comments

Mr. Shawn Lanning with Watcon Engineering was present to represent the applicant.

*Mr. Shafer made a motion for Preliminary Approval of Piatt Preserve. Mr. Vidor seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Berlin Twp.). Motion carried.*

29-19 T Bacastow CAD – Brown Twp. - 05 lots / 74.08 acres

#### Conditions

**Applicant:** Sharon Bacastow

**Consultant:** Plan 4 Land

#### Staff Comments

Applicant is requesting a 90-day tabling to split one lot from the CAD subdivision in order to achieve the necessary frontage required.



### Staff Recommendation

Staff recommends *Approval* of the 90-day tabling request for the **Bacastow CAD Subdivision** to the DCRPC.

### Commission / Public Comments

No one was present to represent the applicant.

*Mr. Boysel made a motion to Approve the 90-day Table request for Bacastow CAD, seconded by Mr. Dowley. VOTE: Unanimously For, 0 Opposed. Motion carried.*

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30-19                    Liberty Grand District – Liberty Twp. - 489 lots / 175.3 acres

### Conditions

**Applicant:** M/I Homes  
**Subdivision Type:** Planned Residential Community  
**Location:** North of Home Rd., east and west of Liberty Grand Blvd.  
**Current Land Use:** Vacant  
**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 District, located on the east side of Steitz Road between Home Road and Hyatts Road. The Liberty Grand District development falls under the POD18 zoning in Liberty Township and is broken into 5 subareas; A, B, C, D, and F. Subarea F, under the zoning classification, is a non-buildable area, designated as open space only. The only access to each subarea is provided through the main road, Liberty Grand Boulevard, which runs diagonally to the northeast from Steitz Road to Sawmill Parkway. The exception, subarea B, has an additional point onto Steitz Road through Eagle Landing Drive.

Subarea A consists of 120 homes on the north end of the proposal. This area is accessed by Boone Drive in Subarea B, which terminates at a T-intersection with White Star Drive which extends east and loops to the south, and Old Glory Loop which extends to the west and loops to the south. An emergency access is provided to Subarea A from Steitz Road to Old Glory Loop. Reserve spaces in this subarea consist mostly of buffer areas from neighboring properties, with a 0.8-acre central space behind the homes fronting on Old Glory Loop and Boone Drive. A future connection is provided off of White Star Drive to the neighboring property to the east.

Subarea B consists of 126 single family homes, is located between Liberty Grand Boulevard and Subarea A, and is accessed through two points on Liberty Grand Boulevard, as well as a third connection from

Steitz Road. Eagle Landing Drive connects Liberty Grand Boulevard to Steitz Road, and Mantle Drive extends west from Liberty Grand Boulevard before terminating in a cul-de-sac. Constitution Way connects Mantle Drive to Eagle Landing Drive, and Boone Drive extends from a loop road, Dulles Drive, north into Subarea A. Open space areas are exclusively for buffering from neighboring properties and Liberty Grand Boulevard, and a future connection is provided to the property to the north.

Subarea C, south of Subarea B and opposite of Liberty Grand Boulevard from Subarea D, consists of only 39 single-family lots. Two access points are provided, as the only existing street in this subarea, Unitas Loop, loops from one access point to the other. Reserve spaces are provided on the periphery as a buffer from neighboring properties, as well as an area adjacent to Liberty Grand Boulevard which contains a retention pond.

Subarea D is the only subarea on the southeast side of Liberty Grand Boulevard in this submittal, and contains 204 single-family lots. Two access points are provided from Liberty Grand Boulevard, McArthur Drive and Shoal Way. Shoal Way loops around the western part of the property and a connection is provided to the property to the south. Celebration Drive connects the future connection to Shoal Way. Reserves in this subarea are primarily provided as a buffer from neighboring properties, with a 9.1 acre reserve located adjacent to Liberty Grand Boulevard.

Sidewalks are provided on both sides of the street throughout the development to provide access to the multi-use path along Liberty Grand Boulevard that will be constructed by Liberty Grand, Sections 1 and 2, which were approved at the October meeting of the Delaware County Regional Planning Commission (RPC #27-19).

Construction for the development is proposed in 11 sections which staggers the development of the aforementioned subareas on either side of the boulevard.

*A technical review was held on November 12, 2019, after which the applicant has addressed all of the required changes.*

#### **Staff Recommendation**

Staff recommends *Preliminary Approval* of Liberty Grand District to the DCRPC.

#### **Commission / Public Comments**

Mr. Kyle Shreves with EMH & T was present to represent the applicant.

*Mr. Joe Shafer made a motion for Preliminary Approval of Liberty Grand District. Mr. Loveless seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

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31-19 Jennings Sports Park at Evans Farm – Orange Twp. - 01 lot / 56.83 acres

**Conditions**

**Applicant:** Evans Farm Delaware LLC  
**Subdivision Type:** Planned Commercial  
**Location:** South side of Shanahan Rd., west of Piatt Rd.  
**Current Land Use:** Vacant  
**Zoned:** Single Family Planned Commercial (SFPRD)  
**Zoning Approval:** 03/21/16  
**Utilities:** Del-Co water and central sanitary sewer  
**School District:** Olentangy  
**Engineer:** Terrain Evolution

**Staff Comments**

This is the preliminary plan for Jennings Sports Park, located on the west side of future Piatt Road, east of the railroad tracks and south of Shanahan Road. Access to the property is provided through two entrances off of future Piatt Road, one entrance is aligned with Linden Street and the other around the midway point of the property, as well as a third entrance from Shanahan Road (to be vacated and connected to Piatt upon completion.

The property is being developed as a single lot with four soccer fields, seven baseball diamonds, and two batting cages. All of the fields with the exception of the southern-most baseball diamond are proposed to utilize synthetic turf – the southern-most field will use natural surfaces. Drainage and access to infrastructure has been planned into the field designs. Parking lots are included along the railroad property line and Shanahan Road, as well as two large clusters in the central and southern parts of the property.

Three small building structures are proposed for the property as well for concessions, restrooms, and a press box. Additional structures proposed with this development are light poles, some of which extending to 90 feet in height. The applicant has indicated the height of the lights will allow for fewer light poles and better light dispersion among the fields without adding disturbance to nearby residents. The light poles and structures were the subject of the DCRPC rezoning request #53-19 ZON.

Two detention basins are proposed in the northern part of the property, between the soccer fields and future Piatt Road. A third basin is proposed along the southeastern part of the property between the baseball diamonds and future Piatt Road. All basins are intended to feed into the McNamara Ditch, allowing for the vacation of some of the properties existing drainage easements.

As Jennings Sports Park extends along Piatt Road and will result in considerable traffic, construction phasing for future Piatt Road is of special importance. The original proposed drawings indicated that existing Shanahan Road would be used as access until a future date at which Shanahan would be

relocated and Piatt Road completed. The Engineer's Office is currently requiring that before the plans for Jennings Sports Park are signed, the developer shall:

- 1) Design and construct the new Piatt Road and Shanahan Road intersection, as well as the portion of Piatt between the new intersection and northern-most entrance to the proposed park; and
- 2) Bond the remaining sections of Piatt Road (between the northern-most entrance to the proposed park and the northern terminus of Piatt Road being constructed in Evans Farm Section 2 Phase A Part 2.)
- 3) Until the connection to Lewis Center can be made, the entrance to the park at Red Oak Street should be emergency access only.

*A technical review was held on November 12 2019, after which the applicant has addressed all of the required changes.*

#### **Staff Recommendation**

Staff recommends *Conditional Preliminary Approval of Jennings Sports Park at Evans Farm* to the DCRPC, *subject to:*

- 1.) *Approval of the development plan amendment request by the DCRPC, Orange Township Zoning Commission and Trustees;*
- 2.) *Fulfilling the Delaware County Engineer's requirements regarding the construction and platting of Piatt Road as noted.*

#### **Commission / Public Comments**

Mr. Bob Kuederle with Evans Farm along with Thom Ries of Terrain Evolution were present to answer questions from the Commission.

Mr. Snodgrass expressed concern with the safety of pedestrian crossing areas with the increase in foot traffic from the neighborhoods to the east. This should be something that is looked at with great care.

Mr. Shafer questioned the safety of parking along the western side near the railroad and kids accessing the railroad. Chairman Stites said that the railroad is elevated. Mr. Sanders confirmed that it is about 5-6 feet elevated.

Chairman Stites asked how the developer is going to safely get kids from the east side over to the ball fields, across Piatt Rd. Mr. Kuederle said that when designing Piatt Rd. a lower speed limit was used in the design along with having the ability to do some well-marked pedestrian crossing areas, lighting and treatments on the pavement area. There is on-street parking which will help with traffic calming and keep things pedestrian friendly.

Ms. Husak commented that the ponds seem close to the future Piatt Rd. Mr. Piccin stated that the speed limit will be 35 mph. and the ponds would be outside of the clear zone.

***Mr. Boyse made a motion for Conditional Preliminary Approval of the Jennings Sports Park at Evans Farm, subject to staff recommendations 1 and 2. Mr. Shafer seconded the motion. VOTE: Majority***

*For, 0 Opposed, 1 Abstained (Porter Twp.). Motion carried.*

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32-19                    Evans Farm Marketplace Townhomes West – Orange Twp. - 03 lots / 03.09 acres

**Conditions**

- Applicant:** BZ Evans, LLC
- Subdivision Type:** Commercial
- Location:** North side of Red Oak Street, west of Evans Farm Dr.
- Current Land Use:** Vacant
- Zoned:** Planned Commercial (PCD)
- Zoning Approval:** 03/21/16
- Utilities:** Del-Co water and central sanitary sewer
- School District:** Olentangy
- Engineer:** Terrain Evolution

**Staff Comments**

This is the preliminary plan for Evans Farm Marketplace Townhomes West, located on the east side of Evans Farm Drive, south of Red Oak Street. The main access is provided through Evans Farm Drive, while another access point is available from future Piatt Road.

The property is being developed as one phase, with four structures containing six townhomes each fronting Red Oak Street, one structure containing four townhomes and a live/work space at the southeast corner of future Piatt Road and Red Oak Street, and another structure containing six townhomes and a live/work space fronting onto future Piatt Road. A small access lane crosses the property along the rear of the structures and will provide additional navigation for vehicles in the parking lot of the future commercial components to the south.

Densities on the property are roughly 10 units/acre, and all units will have the garages oriented in the rear of the property, with the front stoops and sidewalks facing the streets. Sidewalks line future Piatt Road and Red Oak Street and provide connectivity for residents to reach the neighborhood amenities.

Construction phasing for future Piatt Road continues to be of special importance. The original proposed drawings indicated that Piatt Road directly west of the site would be built at a future time. The Engineer's Office is committing to building Piatt Road from its future roundabout at Lewis Center to the current completed portion, roughly in 2022 under the following conditions: The developer shall:

- 1.) Contribute a percentage of the project cost to construct the portion of Piatt Road at the planned round-a-bout at Lewis Center Road (to be determined at a later date and proportional the amount of work to be done); and
- 2.) Bond the portion of Piatt Road which provides the frontage for the townhomes;

*A technical review was held on November 12, 2019, after which the applicant has addressed all of the*

*required changes.*

### **Staff Recommendation**

Staff recommends *Conditional Preliminary Approval of Evans Farm Marketplace Townhomes West* to the DCRPC, subject to:

- 1.) *Fulfilling the Delaware County Engineer's requirements regarding the construction and platting of Piatt Road as noted.*

### **Commission / Public Comments**

Mr. Thom Reis with Terrain Evolution along with Mr. Bob Kuederle was present.

Mr. Loveless asked where the parking would be. Mr. Sanders stated that on-street parking is shown on Red Oak and each unit faces the road with a garage in the rear. There is some parking for the other commercial area to the south that could be utilized once developed.

*Mrs. Kuba made a motion for Conditional Preliminary Approval of Evans Farm Marketplace Townhomes West, subject to staff recommendation. Mr. Boysel seconded the motion. VOTE: Majority For, 0 Opposed, 4 Abstained (Porter Twp., Mr. Platte, Mr. Dowley and Mrs. Scott). Motion carried.*

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### **OTHER BUSINESS**

- Consideration for Approval: 2020 DCRPC meeting schedule

*Having no comment on the meeting schedule, Mr. Platte made a motion to Approve the 2020 DCRC meeting schedule as presented. Mr. Boysel seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

- Consideration for Approval: 2020 Budget

*Mr. Boysel made a motion for Approval of the 2020 DCRPC Budget as presented. Mr. Vidor seconded the motion. VOTE: Majority For, 0 Opposed, 3 Abstained (Mr. Platte, Mr. Dowley and Mrs. Scott). Motion carried.*

### **RPC STAFF AND MEMBER NEWS**

- Appointment of Nominating Committee for Executive Committee member

Chairman Stites informed the Commission that Jeff George resigned from his position at Berkshire Township therefore leaving a vacancy on the Executive Committee. He appointed Fred Fowler (740-833-2201), Mike Dattilo (740-272-7136) and Steve Burke (740-203-2062) to the Nominating

Committee. Anyone interested in serving on the Executive Committee should contact one of those individuals. Mr. Stites thanked Jeff for being a solid member of the RPC and a valuable member of the Executive Committee and will miss his presence but wished him well in his future endeavors.

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

***The next meeting of the Delaware County Regional Planning Commission will be Thursday, December 19, 2019, 6:30 PM at the Frank B. Willis Building, 2079 US 23 North, Conference Room, Delaware, Ohio 43015.***

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Dave Stites, Chairman

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Stephanie Matlack, Executive Administrative Assistant