

# 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



*\*These are staff-level reviews for the cases that were scheduled for the March 26, 2020 RPC meeting which was cancelled based on Delaware County's response to the COVID-19 pandemic\**

Thursday, March 26, 2020 at 6:30 PM  
Frank B. Willis Building, 2079 US 23 North, Conference Room,  
Delaware, Ohio 43015

## ADMINISTRATIVE BUSINESS

- Call to order
- Roll Call
- Approval of February 27, 2020 RPC Minutes
- Executive Committee Minutes of March 18, 2020
- Statement of Policy

## CONSENT AGENDA

		Township	Lots/Acres
12-17.2	The Pines, Section 2	Berlin	29 lots / 14.27 acres
12-17.3	The Pines, Section 3	Berlin	60 lots / 69.986 acres
01-18	Grace's Place	Genoa	14 lots / 09.542 acres
11-19	T Hyatts Crossing	Liberty	02 lots / 20.351 acres

## ZONING MAP/TEXT AMENDMENTS

05-20 ZON	JBeckner Construction LLC - Harlem. Twp. - 5.24 acres - PCD - Dvlpt. plan amndmt.
06-20 ZON	Starfall LLC - Harlem Twp. - 5.299 acres from AR-1 to FR-1
07-20 ZON	Glenn & Mary Morgan - Berkshire Twp. - 6.84 acres from A-1 to FR-1
08-20 ZON	North Farms Dvlpt. LLC - Orange Twp. - 24.019 acres from SFPRD to MFPRD
09-20 ZON	Roberta & Eddie Herd - Trenton Twp. - .5745 acres from FR to RR
10-20 ZON	M/I Homes - Berlin Twp. - 62.7 acres - FR-1 to R3 with PRD overlay

## SUBDIVISION PROJECTS

	Township	Lots/Acres
<u>Preliminary</u>		
28-19.2	Piatt Preserve, Section 2	Berlin
		22 lots / 20.6 acres

**ADMINISTRATIVE BUSINESS**

- Call to Order
- Roll Call
- Approval of the February 27, 2020 RPC Minutes
- March 18, 2020 Executive Committee Minutes

**1. Call to order**

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

**2. Approval of Executive Committee Minutes from February 19, 2020**

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

**3. New Business**

- Financial / Activity Reports for February

REGIONAL PLANNING RECEIPTS		FEBRUARY	YTD TOTAL
General Fees (Lot Split)	(4201)	\$1,230.00	\$1,435.00
Fees A (Site Review)	(4202)	\$1,200.00	\$1,500.00
Insp. Fees (Lot Line Transfer)	(4203)	\$200.00	\$800.00
Membership Fees	(4204)	\$26,243.00	\$235,285.00
Planning Surcharge (Twp. Plan. Assist.)	(4205)		\$0.00
Assoc. Membership	(4206)		\$0.00
General Sales	(4220)		\$0.00
Charges for Serv. A (Prel. Appl.)	(4230)	\$580.00	\$2,380.00
Charges for Serv. B (Final. Appl.)	(4231)	\$4,100.00	\$4,100.00
Charges for Serv. C (Ext. Fee)	(4232)		\$600.00
Charges for Serv. D (Table Fee)	(4233)		\$0.00
Charges for Serv. E (Appeal/Var.)	(4234)	\$300.00	\$900.00
Charges for Serv. F (Planned District Zoning)	(4235)	\$600.00	\$600.00
OTHER DEPT. RECEIPTS			
Health Dept. Fees	(4242)	\$200.00	\$200.00
Soil & Water Fees	(4243)	\$775.00	\$1,100.00
Commissioner's fees	(4244)		\$0.00
MISCELLANEOUS REVENUE			
Other Reimbursements	(4720)		\$0.00
Other Reimbursements A	(4721)		\$0.00

Other Misc. Revenue (GIS maps)	(4730)		\$0.00
Misc. Non-Revenue Receipts	(4733)		\$0.00
Sale of Fixed Assets	(4804)		\$0.00
<b>TOTAL RECEIPTS</b>		<b>\$35,428.00</b>	<b>\$248,900.00</b>

Balance after receipts	\$1,258,581.40
Expenditures	<u>\$ 41,204.13</u>
End of February balance (carry forward)	\$1,217,377.27

*Mrs. Kuba 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.*

- March RPC Preliminary Agenda

- 1.) CONSENT AGENDA

- The Pines, Section 2                      Berlin                      29 lots / 14.27 acres
- The Pines, Section 3                      Berlin                      60 lots / 69.986 acres
- Grace’s Place                              Genoa                      14 lots / 09.542 acres
- Hyatts Crossing                              Liberty                      02 lots / 20.351 acres

- 2.) ZONING MAP/TEXT AMENDMENTS

- JBeckner Construction LLC - Harlem. Twp. - 5.24 acres - PCD - Dvlpt. plan amndmt.
- Starfall LLC - Harlem Twp. - 5.299 acres from AR-1 to FR-1
- Glenn & Mary Morgan - Berkshire Twp. - 6.84 acres from A-1 to FR-1
- North Farms Dvlpt. LLC - Orange Twp. - 24.019 acres from SFPRD to MFPRD
- Roberta & Eddie Herd - Trenton Twp. - .5745 acres from FR to RR
- M/I Homes - Berlin Twp. - 62.7 acres - FR-1 to R3 with PRD overlay

- 3.) SUBDIVISION PROJECTS

Preliminary

- Piatt Preserve, Section 2                      Berlin                      22 lots / 20.6 acres

- Consideration of Approval: Records Retention Schedule and Appointing Scott Sanders as responsible official for signature.

*Mr. Frommer made a motion to Approve the Records Retention Schedule and Appointing Scott Sanders as responsible official for signature. Mr. Merrell seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

- Director’s Report

- 1.) **Annual Report** – complete;
- 2.) **Analytics** – now tracking website visit numbers;
- 3.) **Records Retention Schedule** – need a vote today;
- 4.) **Attended State of the County** – 2/25;
- 5.) **Attended Orange Township overlay meeting, township reps, development community,**

- Pres. Parks** – evening, 3/2; future meetings are scheduled to be virtual;
- 6.) **MORPC Transportation Advisory Committee** (monthly) – attended on 3/4;
  - 7.) **2020 Census** – Session on WDLR on 3/6 with Dave Efland, Lee Yokum and Requests have been mailed (I received mine), had some discussion with OWU regarding sending word to college students that they should go online and submit as if they were at school;
  - 8.) **Berlin Overlay – NBBJ standards meetings** – 2/3, 2/10, with utilities to discuss ROW, easements, and setbacks;
  - 9.) **Harlem Comp Plan** – Jonathan hosted a successful open house and gathered input. Committee is creating a survey to be mailed;
  - 10.) **Zoning Commission/BZA Training** – have been in contact with our legal counsel regarding a zoning workshop that we would host in the early fall. Will reach out to see what topics are most relevant but will definitely have a “basics” presentation for both, then possibly current trends, like overlays, etc.

#### 4. Other Business

- Consideration of funding request \$75,000 by Economic Development to support corridor studies and other planning and zoning activity in the county.

Chairman Stites expressed his support of a formal partnership on a project specific basis. Mr. Frommer agreed with the need of a clear outline of expectations, timelines, deliverables, the responsibilities of the parties and something that relates the requested amount to costs, as well as committed funding from other sources.

Discussed the recommendations of RPC legal representative, Pete Griggs. Miss Boni to provide staff with example contract used by Orange Twp. More discussion to follow.

- Reimbursement for expenditure

Mr. Sanders requested reimbursement for mileage and office supplies including a docking station from Dell in the amount of \$273.28. This amount includes \$10.22 tax.

***Mr. Merrell made a motion to Approve the reimbursement for Mr. Sanders including the tax. Miss Boni seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.***

- Determining meeting procedures

In light of the COVID-19 pandemic, RPC office will follow procedures put in place at similar county agencies (County Engineer and Sanitary Engineer) in limiting access to the office with notice that applicants can leave documents in our door or call the office for assistance. The Committee agreed that the Regional Planning Commission monthly meeting on March 26, 2020 would be canceled. Notice will be sent via email to applicants on the agenda. Staff reports for rezoning applications will be sent to the Townships and applicants. Items will appear on the April agenda for Commission action. Due to ORC 711.10 (C), the 3 final plats will be given approval and signed by the Director. Hyatts Crossing has asked for a tabling.

***In following the protocols set in place by the governor, Mr. Frommer made a motion to cancel the***

*March 26, 2020 RPC meeting. Miss Boni seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

Staff will be working on procedures for implementing virtual meetings until further notice.

## 5. Adjourn

*Having no further business, Mr. Merrell made a motion to adjourn the meeting at 10:00 a.m. Mrs. Kuba seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

The next regular Executive Committee meeting will be Wednesday, April 22, 2020 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

12-17.2            **The Pines, Section 2 – Berlin Twp. - 29 lots / 14.27 acres**

### Conditions

**Applicant:** M/I Homes of Central Ohio, LLC

**Subdivision Type:** Planned Residential

**Location:** West side of Lackey Old State Rd., south of Berlin Station Rd.

**Zoned:** R-2 with PRD overlay

**Preliminary Approval:** 07/27/17

**Utilities:** Del-Co Water, central sanitary sewer

**School District:** Olentangy

**Engineer:** EMH & T

### Staff Comments

The Pines is a 176-lot single-family subdivision with frontage on Lackey Old State Road. Its main entrance is via Lackey Old State Road, but it will have eventual access via the extension of Piatt Road, across from the new high school.

This plat is for Section 2 of the development – Sections 1A and 1B have already been platted. Section 2 includes 29 buildable single-family lots (9.657 total acres/average lot size of 0.33 acres) and 2 open space lots (2.48 total acres).

Section 2 is accessed through the extension of Whitehill Drive from Section 1A. An east/west road, Ellister Drive, extends west from Whitehill Drive to provide an additional connection to Section 3 of the development.

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 Pines, Section 2** to the DCRPC. In accordance with ORC 711.10(C), the plat will be approved 30 days after submission.

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12-17.3            **The Pines, Section 3 – Berlin Twp. - 60 lots / 69.986 acres**

**Conditions**

- Applicant:** M/I Homes of Central Ohio, LLC
- Subdivision Type:** Planned Residential
- Location:** West side of Lackey Old State Rd., south of Berlin Station Rd.
- Zoned:** R-2 with PRD overlay
- Preliminary Approval:** 07/27/17
- Utilities:** Del-Co Water, central sanitary sewer
- School District:** Olentangy
- Engineer:** EMH & T

**Staff Comments**

The Pines is a 176-lot single-family subdivision with frontage on Lackey Old State Road. Its main entrance is via Lackey Old State Road, but it will have eventual access via the extension of Piatt Road, across from the new high school.

This plat is for Section 3 of the development – Sections 1A and 1B have already been platted, and Section 2 has been submitted for approval in conjunction with Section 3. Section 3 includes 60 buildable single-family lots (22.115 total acres/average lot size of 0.37 acres) and 3 open space lots (39.87 total acres).

Section 3 is accessed primarily through a connection with Piatt Road. Secondary access points to this section are through the extension of Whitehill Drive and Ellister Drive from Section 2.

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 Pines, Section 3** to the DCRPC. In accordance with ORC 711.10(C), the plat will be approved 30 days after submission.

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01-18                    **Grace's Place - Genoa Twp. - 14 lots / 09.542 acres**

**Conditions**

**Applicant:** Romanelli Schrock Road Investments LLC  
**Subdivision Type:** Single Family Residential  
**Location:** East side of South Old 3c Hwy., south of Charles Rd.  
**Zoned:** Suburban Residential (SR)  
**Preliminary Approval:** 01/25/2018  
**Utilities:** Del-Co Water and central sanitary sewer  
**School District:** Westerville City  
**Engineer:** Stantec

**Staff Comments**

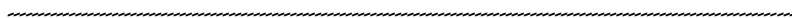
Grace's Place is a 14-lot single-family subdivision with frontage on the east side of South Old 3C Highway, from which it takes its access. A single road enters the site heading east and ends in a cul-de-sac. The lots range from 20,005 to 34,897 square feet in size, and 4' wide sidewalks are provided on both sides of the street.

No reserves are being platted, although five detention basins are proposed. The site largely includes woods and brush.

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 **Grace's Place** to the DCRPC. In accordance with ORC 711.10(C), the plat will be approved 30 days after submission.



11-19                    **Hyatts Crossing – Liberty Twp. - 02 lots / 20.351 acres**

**Conditions**

**Applicant:** Pulte Homes  
**Engineer:** CESO Inc.

**Staff Comments**

Applicant is applying for a 90-day tabling of the final plat for Hyatts Crossing.

**Staff Recommendation**

Staff recommends *Approval* of the 90-day tabling request by Pulte Homes for **Hyatts Crossing** to the DCRPC. This project will be automatically moved to the April agenda.



## ZONING MAP/TEXT AMENDMENTS

05-20 ZON      JBeckner Construction LLC – Harlem. Twp. – 5.24 acres – PCD – Dvlpt. plan amndmt.

### Request

The applicant, JBeckner Construction, LLC, is seeking an amendment to the current zoning district – Planned Commercial District.

### Conditions

**Location:** South side of Fancher Rd., east of Harlem Rd.

**Present Zoning:** Planned Commercial District (PCD)

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

**Present Use(s):** Two commercial building structures

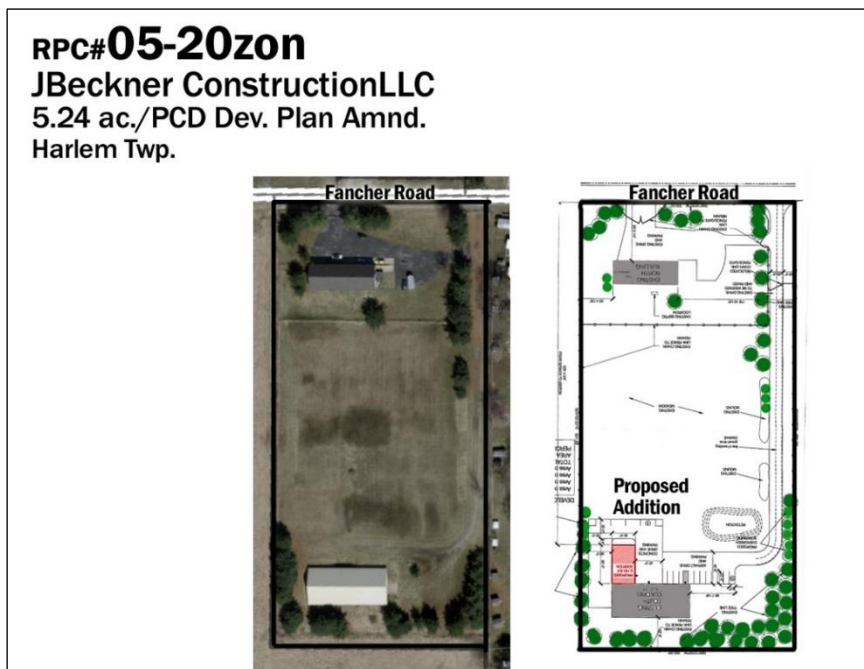
**Proposed Use(s):** addition to one commercial structure

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

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

**Critical Resources:** none

**Soils:** BeB



### Introduction

The application proposes an amendment to the development plan under the current zoning district in order to construct a 2,160 square foot addition to one of the existing structures on the property. The proposed addition will not affect the properties usage or hours, but will result in the construction of an asphalt and concrete drive, parking lot, and detention basin.

### Comprehensive Plan

Harlem Township's 2007 Comprehensive Plan indicates this area would be developed at higher intensities in an effort to address potential annexation efforts. As an amendment to an existing use, the proposal falls in line with Comprehensive Plan recommendations.

### Issues

**Sanitary Treatment:** The increased usage may provide a challenge for existing septic systems. Connection to sanitary sewer should occur when feasible.

### Divergences

No divergences are requested.



### Staff Recommendations

Staff recommends **Conditional Approval** of the rezoning request by JBeckner Construction, LLC from PCD to PCD to the DCRPC, Harlem Twp. Zoning Commission and Harlem Twp. Trustees, *subject to*:

- 1.) *The submission of a MOU with Harlem Township that the property will connect to sanitary sewer is constructed within 300 feet of the property line.*

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**06-20 ZON**      **Starfall LLC – Harlem Twp. – 5.299 acres from AR-1 to FR-1**

### Request

The applicant, Starfall LLC, is requesting a 5.299-acre rezoning from AR-1 to FR-1 to allow the lot to be split into two residential lots.

### Conditions

**Location:** North side of Bevelheimer Rd., east of SR 605

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

**Proposed Zoning:**  
Farm Residential (FR-1)

**Present Use(s):** Vacant

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

**Existing Density:** 5-acre minimum lot size

**Proposed Density:** 2-acre minimum lot size

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

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

**Critical Resources:** stream/drainage course

**Soils:** BeA, CeB

**RPC#06-20zon**  
**Starfall**  
**5.299 ac./A-1 to FR-1**  
**Harlem Twp.**



### Introduction

The applicant is proposing to rezone the 5.299 gross acre property from AR-1 to FR-1 to facilitate a lot split. The subject property has about 429 feet of frontage onto Bevelheimer Road and is bounded on both the east and west sides by flag lots. Harlem Township's Zoning Resolution requires a 5-acre minimum in the AR-1 zoning classification, while the FR-1 zoning classification requires a 2-acre minimum. Rezoning to FR-1 would allow the property to be split into 2 lots. Each lot should include the required amount of frontage to avoid back-to-back flag lots.

### Comprehensive Plan

Harlem Township's 2007 Comprehensive Plan indicates this area would be a good location to permit higher

densities and/or more intense uses to help relieve potential annexation pressures. The proposed 2-acre minimum is in line with the Comprehensive Plan recommendations for property absent sewer connections.

### Issues

**Sanitary Treatment:** The utilization of septic systems is necessary due to the lack of sewer capabilities in the area, however, connections to sewer facilities should be required when they become available.

After rezoning, the applicant would file a No Plat lot split which would be reviewed by all required agencies before approval. The Health District will approve conceptual plans for treatment.

### Staff Recommendations

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

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07-20 ZON      Glenn & Mary Morgan – Berkshire Twp. – 6.84 acres from A-1 to FR-1

### Request

The applicants, Glenn and Mary Morgan, are requesting a 6.84-acre rezoning from A-1 to FR-1 to allow the lot to be split into two residential lots.

### Conditions

**Location:** 1930 Blayne Rd.

**Present Zoning:**

Agricultural Residential (A-1)

**Proposed Zoning:**

Farm Residential (FR-1)

**Present Use(s):**

One single-family house

**Proposed Use(s):**

Two single-family house lots

**Existing Density:**

5-acre minimum lot size

**Proposed Density:**

2-acre minimum lot size

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

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

**Critical Resources:** wetland

**Soils:** CaB, CaC2, PwA

**RPC#07-20zon**  
**Glenn & Mary Morgan**  
**6.84 ac./A-1 to FR-1**  
**Berkshire Twp.**



### Introduction

The applicant is proposing to rezone the 6.84 gross acre property from A-1 to FR-1 to facilitate a lot split. The

subject property has about 425 feet of frontage onto Blayne Road and is bounded on both the east and west sides by flag lots. Berkshire Township's Zoning Resolution requires a 5-acre minimum in the A-1 zoning classification, while the FR-1 zoning classification requires a 1.95-acre minimum. Rezoning to FR-1 would the property to be split into 2 lots, as presented.

### **Comprehensive Plan**

Berkshire Township's 2017 Comprehensive Plan indicates this area is located in Sub Area 8, immediately adjacent to Sub Area 4. This Sub Area recommends that residential properties be developed as single-family residential with 1-acre lot sizes, well below the proposed acreages.

### **Issues**

**Sanitary Treatment:** Septic is acceptable considering the absence of sanitary sewer capabilities, however, the mortgage deed for the split should require the future property owners to connect to sanitary sewer facilities when they become available.

After rezoning, the applicant would file a No Plat lot split which would be reviewed by all required agencies before approval. The Health District will approve conceptual plans for treatment.

**Access:** The submitted plan shows both properties utilizing separate access points. The Berkshire Township Zoning Resolution, however, prohibits flag lots unless utilizing a Common Access Driveway or shared access point driveways. Either of these will need to be utilized to facilitate the lot split as proposed to remain compliant with the Zoning Resolution.

### **Staff Recommendations**

Staff recommends **Conditional Approval** of the rezoning request by Glenn and Mary Morgan from A-1 to FR-1 to the DCRPC, Berkshire Twp. Zoning Commission and Berkshire Twp. Trustees, *subject to:*

- 1.) *The property, if not constructed as a Common Access Driveway subdivision, will utilize a shared access point driveway.*

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**08-20 ZON North Farms Dvlpt. LLC – Orange Twp. – 24.019 acres from SFPRD to MFPRD**

**Request**

The applicant, North Farms Dvlpt. LLC, is requesting a 24.019-acre rezoning from SFPRD to MFPRD for the development of The Reserve at North Farms, a 144 multi-family unit development.

**Conditions**

**Location:** south side of Shanahan Rd., east of North Rd.

**Present Zoning:**

Single Family Planned Residential District (SFPRD)

**Proposed Zoning:**

Multi-Family Planned Residential District (MFPRD)

**Present Use(s):**

One single-family house

**Proposed Use(s):** 144 unit multi-family development

**Existing Density:** 3 du / acre

**Proposed Density:** 5.99 +/- du /acre

**School District:** Olentangy

**Utilities Available:** Del-Co Water and central sanitary sewer

**Critical Resources:** none

**Soils:** BoA, PwA, GwB

**Introduction**

The request is to rezone 24.019 acres from SFPRD to MFPRD to allow the development of 144 multi-family housing units. The area under consideration is the undeveloped portion of the North Farms subdivision, which was originally approved for 248 lots on 124.9 acres. The final two sections of this subdivision have not been built or platted, but if completed could include 43 lots as well as passive open space areas.

The development is proposed to contain 9 structures, each with 16 units. Half of these units are proposed to be 2-bedroom units (1,097 to 1,101 square feet each), with the other half being 3-bedroom units (1,361 square feet). The proposed development gains access from a single point on North Road, in alignment with the entrance to existing sections of North Farms (Farnham Street) and including an emergency access to the south.

**Comprehensive Plan**

Orange Township’s 2010 Comprehensive Plan indicates this area would be residential in nature with densities



of 2 units per acre when sanitary sewer is available, as in this particular case. The Comprehensive Plan does not, however, provide any recommendations or mentions multi-family uses in this Subarea (Subarea 13).

### Issues

**Traffic and access:** 144 multi-family units will need more than a single access point. An additional access point onto North Road, an extension of Hibbing Lane from North Farms, Section 9, or an access point onto Shanahan Road should be included to improve circulation.

**Open Space / Health:** There is not much *useable* open space included in the proposal. The open space acreage proposed is predominantly occupied by detention/retention basins and mounding. With that many residents, more outdoor, useable open space should be included, in addition to a multi-use path along North Road.

**Density:** The submitted proposal has a gross density of 5.995 units per acre – substantially higher than the 2 units per acre recommendation for single-family homes recommended in the Comprehensive Plan. This density is also 50% greater than the density permitted in the Orange Township Zoning Resolution for the proposed zoning classification, and double the density of the existing zoning classification. Additionally, those densities are concentrated within structures such that the maximum number of dwelling units on one acre also exceeds the amount permitted in the requested zoning by at least 100%, potentially more depending on how the acre is oriented and measured.

### Divergences

Three divergences are requested:

1. A divergence from Section 11.07(a) to increase the permitted density in the Zoning Resolution from 4 units per acre to 5.99 units per acre.

*Staff Comment:* The requested divergence is excessive in that it would increase the permitted density by 50%. Compounding the excessive nature of the request is that multi-family uses are not recommended in this Subarea, and single-family uses are recommended at a density of 2 units per acre. Considering the recommended density, the requested density is an increase of 200% over the recommended density.

2. A divergence from Section 11.07(b) to increase the permitted number of units on any single acre from 8 to permit the proposed number of units and structure configuration.

*Staff Comment:* The requested divergence is excessive in that it would increase the permitted number of units on a single acre by a minimum of 100% as a single structure contains 16 units, possibly more depending on how the acre is oriented and measured. Section 11.07(b) exists to ensure that units are not inordinately overloaded to one portion of a development and provide space between units, as well as avoid the construction of large multi-unit structures such as the one proposed.

3. A divergence from Section 21.01(e)(3) to decrease the number of required parking units from 3 spaces per unit to 2 spaces per unit.

*Staff Comment:* The requested divergence is reasonable provided that visitor parking is provided. A few extra parking spaces are included around the clubhouse, but some additional general visitor spaces would benefit the development and future residents.

### Process

Staff is concerned about imposing a new Planned District upon an existing Planned District and questions whether the previous district needs to be amended first. Second, the current residents within North Farms had a reasonable expectation that the remainder of the subdivision would be built as planned and should be provided significant input in whether this change should be approved.

Additionally, multi-family uses within this vicinity are limited to multi-unit condos closer to US 23 with impacts from the high school stadium, existing single-unit condos behind the Kroger Marketplace center, and future Evans Farm townhomes and live/work units, which are designed to be walkable and integrated into other uses. This standalone apartment community is out of character with the current and future development in the area.

### Staff Recommendations

Staff recommends **Denial** of the rezoning request by North Farms Dvlpt. LLC from SFPRD to MFPRD to the DCRPC, Orange Twp. Zoning Commission and Orange Twp. Trustees, based on concerns regarding the rezoning process, the impact on existing residents of North Farms, and the requested divergences.

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### 09-20 ZON      Roberta & Eddie Herd – Trenton Twp. – 5.01 acres from FR to RR

#### Request

The applicants, Roberta and Eddie Herd, are requesting a 5.01-acre rezoning from FR to RR to allow an adjacent property transfer.

#### Conditions

**Location:** 4030 State Route 3

**Present Zoning:**

Farm Residential (FR)

**Proposed Zoning:**

Rural Residential (RR)

**Present Use(s):** One single-family house on 5.01 acres

**Proposed Use(s):** One single-family house on 4.44 acres

**Existing Density:**

5-acre minimum lot size

**Proposed Density:**

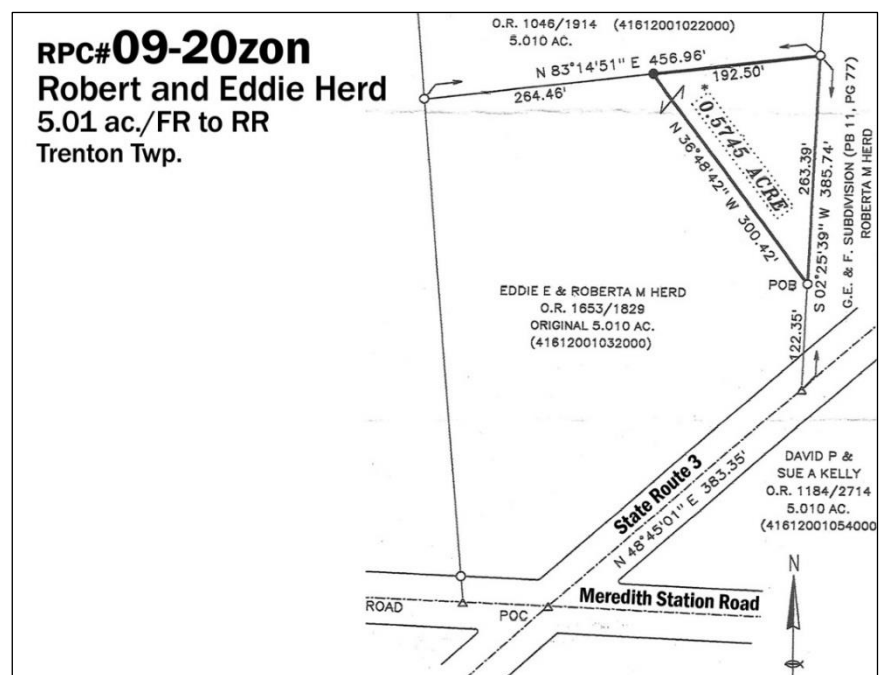
3-acre minimum lot size

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

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

**Critical Resources:** stream/drainage course, wetland

**Soils:** CeB, CeC2, LsA, SnA



### Introduction

The applicant is requesting to rezone a 5.01-acre parcel from FR to RR to facilitate an adjacent property transfer. The subject property is located at the northwest corner of State Route 3 and Meredith State Road, and is divided by Perfect Creek. Rezoning this acreage will allow a 0.5745-acre portion of the property (the section separated from the rest of the property by Perfect Creek) to be transferred to the neighboring property to the north along State Route 3, thus reducing the existing lot below the 5-acre minimum under the current zoning.

### Comprehensive Plan

Trenton Township's 2004 Comprehensive Plan indicates this area would be residential with minimum lot sizes of 3 acres for Rural Residential (RR) properties. In this particular instance, however, no additional sites are being constructed, and no land uses are being altered.

### Issues

None.

### Staff Recommendations

Staff recommends Approval of the rezoning request by Roberta and Eddie Herd from FR to RR to the DCRPC, Trenton Twp. Zoning Commission and Trenton Twp. Trustees.

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10-20 ZON M/I Homes – Berlin Twp. – 62.7 acres – FR-1 to R3 with PRD overlay

### Request

The applicant, M/I Homes, is requesting a 62.7-acre rezoning from FR-1 to R-3 with PRD overlay for the development of Berlin Farms Subdivision.

### Conditions

**Location:** North side of Berlin Station Rd., west of Dale Ford Rd., east side of Piatt Rd extension

**Present Zoning:**

Farm Residential (FR-1)

**Proposed Zoning:**

R-3 with PRD overlay

**Present Use(s):** Vacant

**Proposed Use(s):**

91 single-family house lots

**Existing Density:** 1 acre minimum lot size

**Proposed Density:** 1.85 du / net developable acre (1.45 du / gross acre)

**School District:** Olentangy

**Utilities Available:** Del-Co Water and central sanitary sewer



**Critical Resources:** Streams/drainage

**Soils:** BoA, BoB, GwB, and PwA

### Introduction

This application is a proposal to rezone a 62.7-acre parcel from FR-1 to R-3/PRD to allow for the development of the property as a 91 lot, single-family subdivision. The existing zoning requires a minimum lot size of 1 acre, while the proposed zoning allows a development density of up to 1.85 units per acre, and a minimum lot size of 0.25 acres (10,890 square feet).

The development plan submitted with the rezoning request shows the development gaining access from two points on the future extension of Piatt Road which is currently under design and will be built in conjunction with Longhill Farms to the west and this development. As part of that extension, an oblong roundabout will be built, impacted by existing lot constraints. Interior circulation is achieved through three loop roads and a cul-de-sac. The minimum lot size presented in the application is 12,000 square feet (above the minimum required), and open space accounts for 30.6% (19.2 acres) of the property – well above the 20% required by the Berlin Township Zoning Resolution.

### Comprehensive Plan

Berlin Township's 2010 Comprehensive Plan indicates this area should be residential, developing either as large-lot (2-acre) single-family residences or Planned Residential Development at a density of 1.25 units per net developable acre if sewer is available – lower than the proposed density of Berlin Farms.

### Issues

**Density:** The proposal for 91 single-family residences exceeds the recommended 1.25 units per net developable acre in the Comprehensive Plan. However, the proposed density as designed, may be suitable based on the parcel's adjacency to Subarea 4a, which recommends densities of 1.85 units per net developable acre and transitions from the Longhill Farms development to the west to the large-lot residences to the east. Additionally, staff understand this development will be responsible for partial funding or building of the extension of Piatt Road as an arterial project. For these reasons, it is reasonable to approve this density if the existing homeowners to the east can be protected with appropriate buffering and/or mounding. The proposed locations of detention basins suggest that it may be difficult to achieve such buffering.

**Traffic and access:** The proposal for 91 single-family residences utilizes two access points, both onto the future Piatt Road extension. The two access points are separated by 800 feet. The design may be improved by converting the cul-de-sac to the north to a full access while the northern access is removed to create a larger separation between the two access points. Staff recommends continued work with the County Engineer's office in coordination with the Longhill design to the west.

**Signage/Lighting:** The proposed development signage at the roundabout of the future Piatt Road extension and Berlin Station Road contains two carriage lights on stone columns which face the roundabout. A divergence is requested from the lighting requirements to install these lights. With the lights directly facing the proposed roundabout, specifically traffic travelling northbound on Piatt Road or eastbound on Berlin Station Road, a hazard may be present by approving these lights which may be unsafe and harmful to motorists.

**Multi-Use Paths:** A multi-use path is proposed along the future Piatt Road extension and Berlin Station Road. The proposed path, however, curves and loops back into the development on the east end of the property's



frontage along Berlin Station Road and terminates before the end of the property along the future Piatt Road extension. The path should be extended and stubbed into the neighboring property on Berlin Station Road, and split and extended north and east along the remaining west and north property frontage. Ideally, the path will loop again to connect into the sidewalk network or multi-use path along Berlin Station Road to create a complete network.

### Divergences

Four divergences are requested:

1. A divergence is requested from Section 11.08(Q), and subsequently Section 9.06(F), to reduce the side-yard setback from 12.5 feet to accommodate eaves, overhangs, bay windows, and fences.  
*Staff Comment:* Typically, eaves, overhangs, and fences are not structures which apply to setback regulations, so Staff is not opposed to supporting the divergence in theory. Staff prefers and would support a divergence which exempts eaves, overhangs, bay windows, and fences from the 12.5-foot setback requirement, as opposed to a blank reduction which opens the possibilities of other structures encroaching in this side yard setback area like sheds, air-conditioning units, etc.
2. A divergence is requested from Section 11.08(S), and subsequently Section 9.06(B), to modify the lot frontage requirement to use the minimum building setback line to assess the 80-foot frontage requirement as opposed to the linear road frontage for lots on curved roads and cul-de-sacs.  
*Staff Comment:* Staff is in favor of supporting this divergence. Most zoning codes contain a clarifier which permits measuring frontage in this manner for cul-de-sac lots and lots on curved roads.
3. A divergence is requested from Section 11.08(CC) to allow signs not covered by Article 25 of the Berlin Township Zoning Resolution, such as Open House, Model Home, and Information Center signs.  
*Staff Comment:* Staff is in favor of this divergence as well. It could be argued that the proposed signs act as quasi-directional signs (directional signs are not regulated under Article 25).
4. A divergence is requested from Section 11.08(EE) to permit two carriage lights on the entry feature at the northeast corner of Piatt Road and Berlin Station Road.  
*Staff Comment:* Staff has concerns about lights at this location based on the orientation towards a non-traditional roundabout. Lights at this location, particularly based on their shielding and brightness, may be reasonable provided a lighting diagram is presented which shows that the lights will not result in decreased safety or present a hazard to motorists at this location.

### Staff Recommendations

Staff recommends **Conditional Approval** of the rezoning request by M/I Homes from FR-1 to R3 with PRD overlay to the DCRPC, Berlin Twp. Zoning Commission and Berlin Twp. Trustees, *subject to:*

- 1.) Approval of a divergence from Section 11.08(Q) and 9.06(F), but exempting eaves, overhangs, bay windows, and fences from the 12.5-foot side yard setback requirement rather than allowing a reduced setback;
- 2.) Approval of a divergence which permits using the minimum building setback line to measure road frontage on curved roads and the bulbs of cul-de-sacs;
- 3.) Approval of the requested divergence #3 above (directional signs);
- 4.) Denial of the requested divergence #4 above, subject to the submission of exhibits which prove that the request will not adversely affect motorists; and

- 5.) Expansion of the multi-use trail network to include stubs and improved routing/connections as outlined within the report.
- 6.) Continued discussion of additional buffering provided to the existing homes to the east to achieve a better transition between this development and those homes.

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## SUBDIVISION PROJECTS

### Preliminary

28-19.2            Piatt Preserve, Section 2 – Berlin Twp. - 22 lots / 20.6 acres

### Conditions

**Applicant:** Westport Homes

**Subdivision Type:** Planned Residential Community

**Location:** East side of Piatt Rd., north of Cheshire Rd.

**Current Land Use:** Vacant

**Zoned:** R-2 with PRD overlay

**Zoning Approval:** 01/23/17

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

**School District:** Olentangy

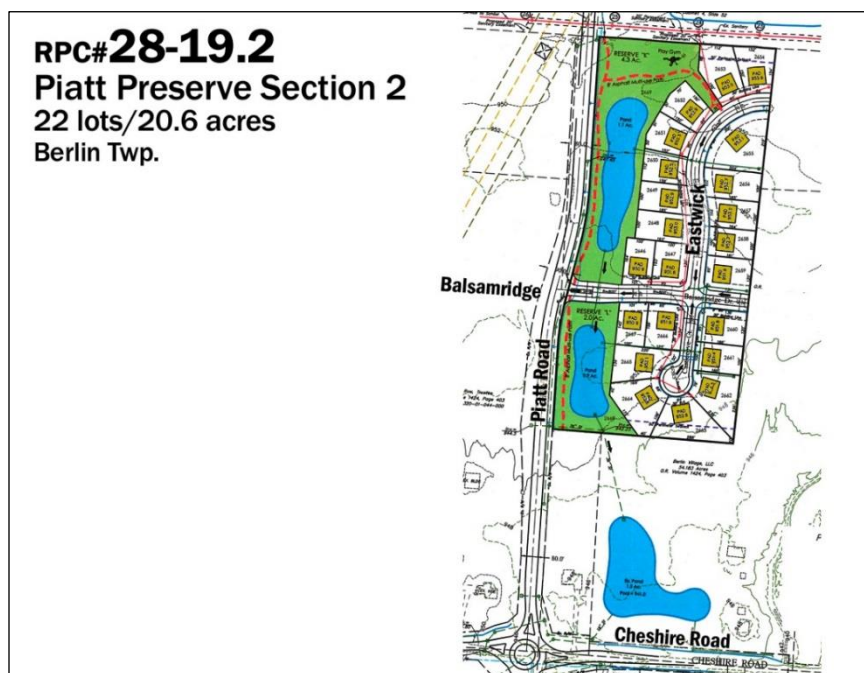
**Engineer:** Watcon

### Staff Comments

Piatt Preserve was originally a 104-lot single-family subdivision which received preliminary approval at the November 21, 2019 RPC Meeting. This request is to break the original approval into two separate projects so they can be aligned with the County Engineer’s review processes and drainage policies. This area will be titled “Piatt Preserve” Section 2 and consists of 22 single-family lots on the east side of Piatt Road, north of Cheshire Road.

Primary access to this section will be through Balsamridge Drive, extending east from Piatt Road. That access will continue through this section into the Berlin Manor subdivision. Another street within this section extends north and curves east to connect with another street, also in the Berlin Manor subdivision as well. These two streets, along with a cul-de-sac, provide all of the frontage for the 22 proposed lots. The average lot size is about 15,000 square feet (0.344 acres).

Open space in this section occupies 6.3 acres, or 31% of the gross area of the development. The open space is accumulated entirely along the western boundary of the development, buffering the subdivision from Piatt Road. A multi-use path is planned along the entirety of Piatt Road and connects to the sidewalks of the



development with a playground on the northern end.

**Staff Recommendation**

Staff recommends *Preliminary Approval* of **Piatt Preserve, Section 2** to the DCRPC.

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*The next meeting of the Delaware County Regional Planning Commission will be electronic, on or before April 30, 2020. More details will be forthcoming.*