

# Delaware County Regional Planning Commission

109 North Sandusky Street  
P.O. Box 8006, Delaware, Ohio 43015  
740-833-2260 [www.dcrpc.org](http://www.dcrpc.org)  
Scott B. Sanders, AICP Executive Director



## *\*AGENDA\**

Thursday, October 27, 2022 at 6:30 PM

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

### ADMINISTRATIVE BUSINESS

- Call to order
- Roll Call
- Approval of September 29, 2022 RPC Minutes
- Executive Committee Minutes of October 19, 2022
- Statement of Policy

### CONSENT AGENDA (Final Plats)

		Township	Lots/Acres
01-21.1	Berlin Farm, Section 1	Berlin	49 lots / 34.804 acres
31-19	Jennings Sports Park at Evans Farm	Berlin / Orange	1 lot / 55.514 acres
28-21	Zortman CAD	Kingston	3 lots / 24.24 acres
05-22	The Fairways at Blue Church, Sec 1, Lot 171, Div. #1	Kingston	5 lots / 13.519 acres

### ZONING MAP/TEXT AMENDMENTS

33-22 ZON	Lai Yee Woo - Harlem Twp. - 6 acres from AR-1 to FR-1
34-22 ZON	Robert & Rhonda Piper - Harlem Twp. - 6.513 acres - AR-1 to FR-1
35-22 ZON	Romanelli & Hughes - Genoa Twp. - 182.1 acres from RR to PRD
36-22 ZON	Vinita Patel - Berkshire Twp. - 3.3 acres - PMUD Art. 16
37-22 ZON	George Nanes - Trenton Twp. - 6 acres from FR to RR
38-22 ZON	The Shire LLC - Berlin Twp. - 11 acres - NC to OCPUD

### SUBDIVISION PROJECTS

#### Preliminary/Final

		Township	Lots/Acres
10-20	Meijer 143, Sec. 2, Lot 3551, Div #1	Orange	2 lots / 2.7 acres

### EXTENSIONS

20-20	Evans Farm, Section 4	Berlin	125 lots / 42.81 acres
22-20	Porshi	Orange	19 lots / 9.68 acres

### OTHER BUSINESS

- 2023 Budget - 1<sup>st</sup> review
- 2023 Meeting schedule - 1<sup>st</sup> review

### POLICY / EDUCATION DISCUSSION

### RPC STAFF AND MEMBER NEWS

## ADMINISTRATIVE BUSINESS

- Call to Order
- Roll Call
- Approval of the September 29, 2022 RPC Minutes
- October 19, 2022 Executive Committee Minutes

### 1. Call to order

Chairman Stites called the meeting to order at 8:30 a.m. Present: Dave Stites, Joe Shafer, Michele Boni, and Tiffany Maag. Staff: Scott Sanders and Stephanie Matlack.

### 2. Approval of Executive Committee Minutes from September 21, 2022

*Mrs. Maag made a motion to Approve the minutes from the last meeting. Mr. Shafer seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Miss Boni). Motion carried.*

### 3. New Business

- Financial / Activity Reports for September

REGIONAL PLANNING RECEIPTS		SEPTEMBER	YTD TOTAL
General Fees (Lot Split)	(4201)	\$820.00	\$9,840.00
Fees A (Site Review)	(4202)	\$300.00	\$5,305.00
Insp. Fees (Lot Line Transfer)	(4203)	\$200.00	\$3,800.00
Membership Fees	(4204)		\$204,312.00
Planning Surcharge (Twp. Plan. Assist.)	(4205)		\$3,224.48
Assoc. Membership	(4206)		
General Sales	(4220)		\$8.00
Charges for Serv. A (Prel. Appl.)	(4230)	\$1,200.00	\$147,891.50
Charges for Serv. B (Final. Appl.)	(4231)	\$11,706.00	\$67,673.10
Charges for Serv. C (Ext. Fee)	(4232)		\$1,800.00
Charges for Serv. D (Table Fee)	(4233)	\$200.00	\$1,600.00
Charges for Serv. E (Appeal/Var.)	(4234)		\$1,800.00
Charges for Serv. F (Planned District Zoning)	(4235)	\$600.00	\$4,500.00
OTHER DEPT. RECEIPTS			
Health Dept. Fees	(4242)	\$1,620.00	\$21,080.00
Soil & Water Fees	(4243)	\$325.00	\$6,475.00
Commissioner's fees	(4244)	\$261.00	\$1,151.00
MISCELLANEOUS REVENUE			
Other Reimbursements	(4720)		
Other Reimbursements A	(4721)		

Other Misc. Revenue (GIS maps)	(4730)		
Misc. Non-Revenue Receipts	(4733)		
Sale of Fixed Assets	(4804)		
<b>TOTAL RECEIPTS</b>		<b>\$17,232.00</b>	<b>\$480,460.08</b>

Balance after receipts	\$1,224,723.34
Expenditures	<u>\$ 39,413.26</u>
End of September balance (carry forward)	\$1,185,310.08

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

- October RPC Preliminary Agenda

- SKETCH PLANS
 

	<u>Township</u>	<u>Lots/Acres</u>
• District at Berkshire	Berkshire	1 lot / 25 acres
• Rosewood Village	Liberty	4 lots / 19.4 acres
- ZONING MAP/TEXT AMENDMENTS
  - Lai Yee Woo – Harlem Twp. – 6 acres from AR-1 to FR-1
  - Robert & Rhonda Piper – Harlem Twp. – 6.513 acres – AR-1 to FR-1
  - Romanelli & Hughes – Genoa Twp. – 182.1 acres from RR to PRD
  - Vinita Patel – Berkshire Twp. – 3.3 acres – PMUD Art. 16
  - George Nanes – Trenton Twp. – 6 acres – FR to RR
  - The Shire LLC – Berlin Twp. – 11 acres – NC/OCPUD
- SUBDIVISION PROJECTS
 

	<u>Township</u>	<u>Lots/Acres</u>
<u>Preliminary / Final</u>		
• Meijer 143, Sec. 2, Lot 3551, Div. #1	Orange	2 lots / 2.7 acres
Final		
• Berlin Farm, Section 1	Berlin	49 lots / 34.804 acres
• Jennings Sports Park at Evans Farm	Berlin / Orange	1 lot / 55.514 acres
• Zortman CAD	Kingston	3 lots / 24.24 acres
• The Fairways at Blue Church, Sec 1, Lot 171, Div. #1	Kingston	5 lots / 13.519 acres
Extensions		
• Evans Farm, Section 4 acres	Berlin	125 lots / 42.81
• Porshi acres	Orange	19 lots / 9.68

- Director's Report
  - 1.) **Zoning Inspectors** – hosted Zoom and in-person on September 27;

- 2.) **Delaware Public Health District staff** met with Brad and me to discuss health initiatives, including their Creating Healthy Communities Grant and general ways we do and can interact on development projects;
  - 3.) Attended MORPC **Transportation Advisory** and **Attributable Funds** meetings in-person on October 5;
  - 4.) **Berlin Township Comp Plan** –Zoning Commission approved, but decided to have another meeting to approve by Resolution before sending to Trustees;
  - 5.) **Berlin Township** – also attended a session with ODOT and DCEO to discuss Berlin Business Park-related access and transportation issues;
  - 6.) **Berlin Business Park** Utility Meeting (quarterly) – attended on October 6;
  - 7.) **Liberty Township Comp Plan** – on September 22, reviewed community meeting input, presented current county development trends, introduced Economic Development chapter; Next meeting on October 20;
  - 8.) **Ostrander** – NDC completed a final draft of their report, setting up the steering committee for remainder of work;
  - 9.) **Office Space** – no update, general discussion on furnishings with Tracie Davies but specific information for budgeting purposes is not yet ready;
  - 10.) Intern completed his term and all **Subdivision Files** are now boxed! With previously boxed **Zoning Files**, all basement files are now in boxes for future long-term storage room; and
  - 11.) **GIS** – working on population projections as part of budget, Genoa and Berkshire mapping, and new Commercial Rate Taxation maps for communities.
- 2023 Budget – Preliminary Discussion

Mr. Sanders presented a budget that used actual and predicted revenue and expenses for 2023. In addition to staff's draft projections, the following are included in the draft:

The proposed budget includes:

- 1.) Projected platting revenue is conservative at \$225,000;
- 2.) Salaries: 4% increase, Staffing includes an intern for 36 weeks;
- 3.) Health Insurance rates to be provided by the County Administrator;
- 4.) Materials and supplies are conservative estimates. Proposed significant expenses include new computer for Planner and monitors as needed;
- 5.) Services and Charges include the ongoing Trakit software maintenance, estimated moving expenses and funds for RPC hosted conferences;
- 6.) Membership dues (\$212,918) were calculated with a 45¢ per capita credit for those

- jurisdictions that are current, applied to the existing \$1.04 per capita dues amount;
- 7.) Projected carry forward to 2024 - \$912,498; and
- 8.) After discussions, \$35,000 was added for furniture expenses for the move to the Byxbe campus.

The full Commission will discuss this draft budget at the October RPC meeting. The Executive Committee will consider input at and after that meeting and prepare a recommendation to be presented at the November RPC meeting for a vote.

- 2023 Meeting Calendar

#### 4. Adjourn

*Having no further business, Mr. Shafer made a motion to adjourn the meeting at 10:35 a.m. Miss Boni seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

The next regular Executive Committee meeting will be Wednesday, November 9, 2022 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 (Final Plats)

##### 01-21.1 Berlin Farm, Section 1 – Berlin Twp. - 49 lots / 34.804 acres

###### Conditions

**Applicant:** M/I Homes / **Engineer:** EMH & T

**Subdivision Type:** Planned Residential Community

**Location:** West side of Roloson-Piatt Rd., north of Berlin Station Rd.

**Zoned:** R-3, PRD

**Preliminary Approval:** 01/28/21 (overall)

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

**School District:** Olentangy

###### Staff Comments

The Berlin Farm Preliminary Plan was approved on January 28, 2021. The applicant is now requesting Final Plat approval of Section 1. The subject site is 34.804-acres in size, includes 49 developable lots and 3 reserves. The Final Plat for Section 2 has been submitted and is currently under review.

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 **Berlin Farm, Section 1** to the DCRPC.

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31-19                    **Jennings Sports Park at Evans Farm - Berlin / Orange Twp. - 1 lot / 55.514 acres**

**Conditions**

**Applicant:** Evans Farm / **Engineer:** Terrain Evolution  
**Subdivision Type:** Planned Commercial  
**Location:** south side of Shanahan Rd., west of Piatt Rd.  
**Zoned:** SFPRD  
**Preliminary Approval:** 11/21/19  
**Utilities:** Del-Co Water, central sanitary sewer  
**School District:** Olentangy

**Staff Comments**

The Jennings Sports Park at Evans Farm Preliminary Plan was approved on November 21, 2019. The applicant is now requesting Final Plat approval. The subject site is 55.514-acres in size, includes 1 developable lot and no reserves. There is no change proposed to the existing lot configuration, however extensive easements (water, drainage, electric, gas, utility, and sanitary) require the lot to be platted. The property is being developed as a single lot with four soccer fields, seven baseball diamonds, and two batting cages.

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 **Jennings Sports Park at Evans Farm** to the DCRPC.

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28-21                    **Zortman CAD - Kingston Twp. - 3 lots / 24.24 acres**

**Conditions**

**Applicant:** Michael & Jill Zortman / **Consultant:** A to Zoning  
**Subdivision Type:** Single Family Residential, Common Access Driveway  
**Location:** north side of Kilbourne Rd., east of N.3 B's & K Rd.  
**Zoned:** FR-1 (Farm Residential)  
**Preliminary Approval:** 10/28/21  
**Utilities:** Del-Co Water, private on-lot treatment systems  
**School District:** Buckeye Valley

**Staff Comments**

The Zortman CAD Preliminary Plan was approved on October 28, 2021. The applicant is now requesting Final Plat approval. The site is 24.24-acre in size and a Common Access Driveway will serve as access for all 3 lots.

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 **Zortman CAD** to the DCRPC.

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05-22            The Fairways at Blue Church, Sec 1, Lot 171, Div. #1 – Kingston Twp. - 5 lots / 13.519 acres

**Conditions**

**Applicant:** Seimer Land LLC / **Engineer:** Geo-graphics

**Subdivision Type:** Planned Residential Community

**Location:** south east of Wilson Rd., north west of Blue Church Rd.

**Zoned:** Planned Residential

**Preliminary Approval:** 02/24/22

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

**School District:** Big Walnut

**Staff Comments**

The Fairways at Blue Church, Section 1, Lot 171, Division #1 Preliminary Plan was approved on February 24, 2022. The applicant is now requesting Final Plat approval. The site is 13.519-acres in size, includes 5 developable lots and no reserves.

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 Fairways at Blue Church, Section 1, Lot 171, Div. #1** to the DCRPC.

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## ZONING MAP/TEXT AMENDMENTS

33-22 ZON    Lai Yee Woo – Harlem Twp. – 6 acres from AR-1 to FR-1

### Request

The applicant, Lai Yee Woo, is requesting to rezone the subject site from the Agricultural District (AR-1) to the Farm Residential District (FR-1).

### Conditions

**Location:** north side of Gorsuch Rd., west of Lakewood Dr.

**Present Zoning:** Agricultural (AR-1) / **Proposed Zoning:** Farm Residential (FR-1)

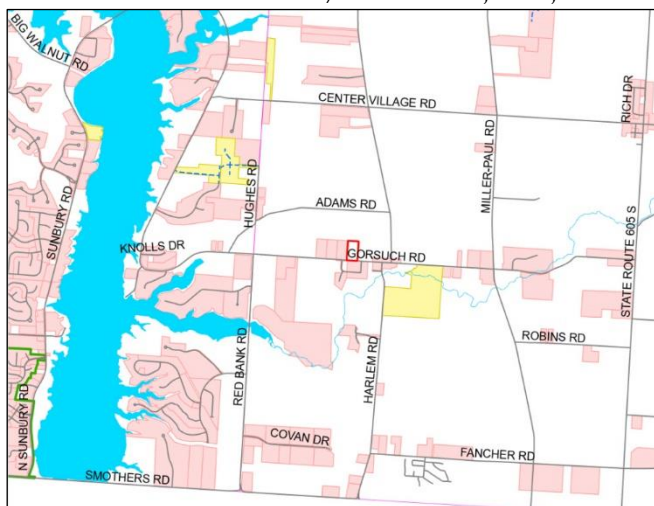
**Present Use(s):** vacant / **Proposed Use(s):** Two single-family house lots

**Existing Density:** 1 du / 5 acres **Proposed Density:** 1 du / 2 acres

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

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

**Critical Resources:** none / **Soils:** BeA, BeB, PwA



### Introduction

The applicant seeks to rezone a vacant 6-acre lot to the FR-1 District. The FR-1 district allows for one single-family dwelling on a lot not less than 2-acres in size. The site fronts on Gorsuch Road, just west of Harlem Road, and is currently an active agricultural field. Based on the survey, the current frontage of the parcel is 376 feet. No site plan or survey was submitted to show how the lot may be reconfigured. However, at least one new lot could be split from the parent tract with both lots meeting all applicable zoning requirements. Zoning requires 175 feet of frontage for lots between 2 and 3 acres in size and 210 feet of frontage for lots between 3 and 4 acres in size. Flag lots are allowed if separated by a full-frontage lot.

### Comprehensive Plan

Harlem Township's 2021 Comprehensive Plan recommends preserving the Township's rural character and maintaining a 2-net acre minimum lot size for all lot splits and rezonings for residential developments that do not utilize sewer facilities. Staff believes the proposal conforms to these recommendations.



## **Issues**

### **Traffic and access:**

The site, and any new lots created if split will gain access from Gorsuch Road. The Delaware County Thoroughfare Plan recommends 60 feet total ROW (or 30' from centerline on each side) along Gorsuch Road. If dedicated as ROW and not Highway Easement, the overall acreage would be reduced by approximately 0.25-acres.

### **Drainage:**

Roadside drainage is located within future ROW.

### **Sanitary Treatment:**

The site and any new lots created will be served by on-site wastewater treatment systems as sanitary sewer is not yet available in this area.

## **Staff Recommendations**

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

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**34-22 ZON Robert & Rhonda Piper – Harlem Twp. – 6.513 acres – AR-1 to FR-1**

### Request

The applicants, Robert and Rhonda Piper, are requesting to rezone the subject site from the Agricultural District (AR-1) to the Farm Residential District (FR-1).

### Conditions

**Location:** west side of Green Cook Rd. at Needles Rd.

**Present Zoning:** Agricultural (AR-1) / **Proposed Zoning:** Farm Residential (FR-1)

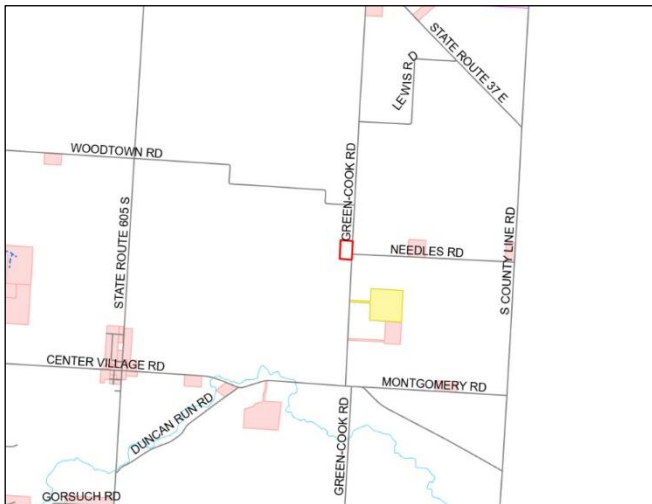
**Present Use(s):** vacant / **Proposed Use(s):** Two single-family house lots

**Existing Density:** 1 du / 5 acres **Proposed Density:** 1 du / 2 acres

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

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

**Critical Resources:** none / **Soils:** BeA, PwA



### Introduction

The applicant seeks to rezone a vacant 6.513-acre portion of the 40.524-acre site to the FR-1 District. The FR-1 district allows for one single-family dwelling on a lot not less than 2-acres in size. The 6.513-acre site fronts on Green-Cook Road, just west of Needles Road, and is currently an active agricultural field. A survey of the area to be rezoned was submitted, however no development plan or any indication of additional splits were included. However, the area to be rezoned could potentially be split into 3 total lots and meet all applicable zoning requirements.

### Comprehensive Plan

Harlem Township's 2021 Comprehensive Plan recommends preserving the Township's rural character and maintaining a 2-net acre minimum lot size for all lot splits and rezonings for residential developments that do not utilize sewer facilities. Staff believes the proposal conforms to these recommendations.

### Issues

#### **Traffic and access:**

The site, and any new lots created if split will gain access from Green-Cook Road.

The Delaware County Thoroughfare Plan recommends 60 feet total ROW (or 30' from centerline on each side) along Green-Cook Road. The applicant indicates that ROW within the area to be rezoned is 0.454-acres.

**Drainage:**

Roadside drainage is located within future ROW. However, based on the contours of the site it appears it may naturally drain to the west. Additionally, there is a drainage easement to the north and west of the area to be rezoned that was recorded on August 2, 2022. The area to be rezoned may need to extend that easement to provide for the site to drain properly. This should be reviewed at the time a zoning compliance and building permit are submitted when the site intends to develop.

**Sanitary Treatment:**

The site and any new lots created will be served by on-site wastewater treatment systems as sanitary sewer is not yet available in this area.

**Staff Recommendations**

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

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### 35-22 ZON Romanelli & Hughes – Genoa Twp. – 182.1 acres from RR to PRD

#### Request

The applicant, Romanelli & Hughes Building Company, is requesting to rezone 182.1-acres from the Rural Residential District (RR) to the Planned Residential District (PRD) to allow the development of a single-family residential subdivision of 231 lots.

#### Conditions

**Location:** west side of Rome Corners Rd., north of Lewis Center Rd.

**Present Zoning:** Rural Residential (RR) / **Proposed Zoning:** Planned Residential (PRD)

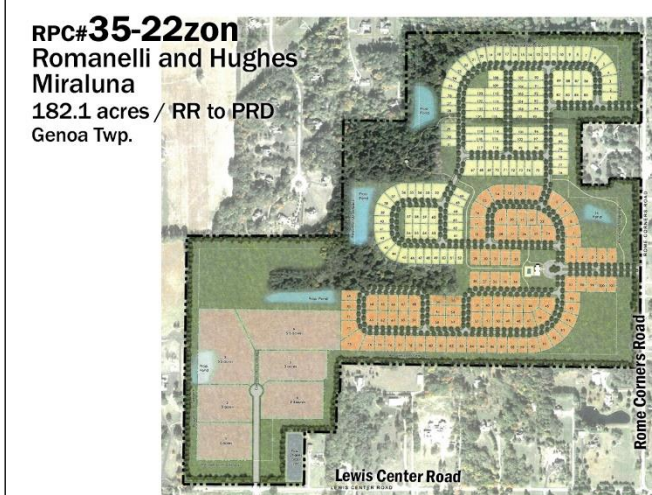
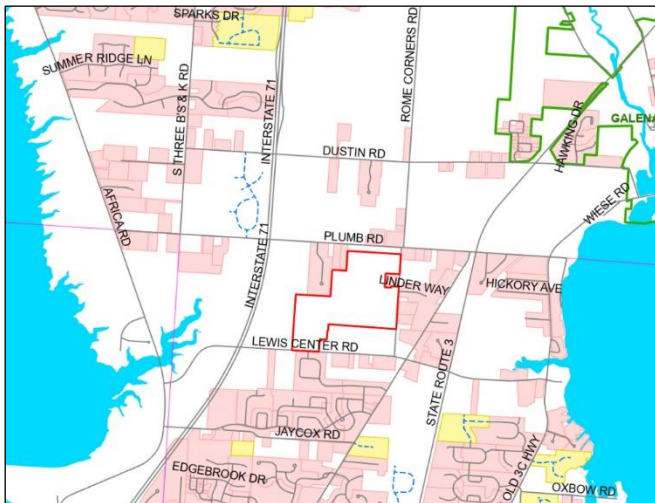
**Present Use(s):** residential and vacant / **Proposed Use(s):** 123 patio homes, 102 SF home lots and a 6 lot CAD

**Existing Density:** 1 du / 2 acres **Proposed Density:** 1.62 du/NDA

**Number of units requested:** 231

**School District:** Big Walnut Local School District / **Utilities Available:** Del-Co water and central sanitary sewer

**Critical Resources:** none / **Soils:** BeA, BeB, PwA, CaB, CnA



#### Introduction

The applicant seeks to rezone 182.1 acres to the Planned Residential District to allow for 123 patio-style homes lots, 102 single-family home lots and 6 estate-type lots. A total of 231 single-family lots are proposed.

The site plan shows two access points to Rome Corners Road, one designed as a typical cross-section and one as a boulevard with planted median. Multiple loop roads provide frontage throughout the subdivision. The estates lots are separated from the greater development, gaining access from Lewis Center Road. Three of those lots are proposed to access a CAD that extends off the cul-de-sac.

The development consists of three sub areas; Sub area A is 65.57-acres to the north and includes single-family patio homes, Sub area B is 63.93-acres adjacent and south of Sub area A and includes traditional single-family homes, and Sub area C is 52.60-acres to the southwest and includes estate lots and one traditional frontage lot intended for the Glass Family (current owner of estate lot land area).

A club house, pool, and 20 parking spaces are located where the boulevard intersects with an internal road. There are sidewalks proposed on both sides of all interior streets, walking paths for the smaller single-family lots, tree lined streets, and the entire subdivision is buffered with landscaping. The amenities in Sub areas A and B will not be accessible to Sub area C, the estate lots. No sidewalks are proposed along the road that provides frontage for the estate lots. This must be addressed as the Subdivision Regulations require sidewalks on at least one side on any street.

### **Comprehensive Plan**

Genoa Township's 2019 Comprehensive Plan includes the subject site in Sub Area 5, which is recommended for Residential or Planned Residential development at densities in accordance with the Zoning Code. The required development density and other goals within the plan have been met, such as emphasizing creative design with conservation development, networking greenspace, and preserving wetlands, woodlands and drainage.

### **Issues**

**Access:** There is no road connection between the estate lots and the smaller-lot subareas. This issue was informally accepted by DCEO and RPC staff, based on the overall layout and separation of building types. However, as the density of Subareas A and B is benefitted from the inclusion of land in the estate lots, it's reasonable to expect a pedestrian connection through the open space down to Mirasol Drive. This would provide a connection through Mirasol and Sheffield Park to a larger network of trails.

### **Density:**

Permitted: 1.8 du/nda    Proposed: 1.62 du/nda

### **Drainage:**

There are storm sewers throughout the development, outletting to five stormwater ponds and eventually to the streams to the west.

### **Signage:**

Three monument style entry signs are proposed, one at each entryway. The sign located at the boulevard entrance is within the road ROW.

### **Lighting:**

The Development will comply with all Lighting Standards in Article 21 that are applicable. No street lights will be installed in the development. Each dwelling unit shall have a standard yard coach light which may vary by

Sub Area, except in Sub Area C where estate lots are not required to have a standard yard coach light but may install a unique yard light feature.

**Sanitary Treatment:**

The development will be served by sanitary sewer, which must be extended from the south side of Jaycox Road near I-71.

**Open Space / Health:**

- Required: 40% (72.84-acres) / Proposed: 42% (76.38-acres)
- Required: 15% (27.32-acres) of gross acreage be Common Open Space / Proposed: 30% (55.21-acres)
- Sidewalks and trails are provided through Subareas A and B. See related comments in this report regarding additional pedestrian facilities.

**Divergences**

Three divergences have been requested:

1. **Sec. 909.01(A(1))** – Minimum Lot Size: 10,000 sq. ft. or greater for any detached dwelling situated on its own individual Lot.
  - The request is for 8,000 sq. ft. lots (62'x130') in Sub area A, a reduction by 2,000 sq. ft. The applicant stated that this divergence is justified by the fact that only 36% of the Development will be subject to this divergence and the granting of this divergence allows for a maintenance-free housing alternative within the Township for existing and new residents looking to downsize. Additionally, patio homes will put less stress on the school system than traditional single family homes.

***Staff Comment:** Staff notes that the proposed patio home approach, with lot frontages of 62 feet would be out of character with the area. However, the overall required density has been met, the entire subdivision will be buffered, and large areas of useable open space have been provided.*

2. **Sec. 909.01(B(1))** – Minimum Yard Setbacks: 20 ft. to any other residential dwelling and 30 ft. to any private street or public ROW.
  - The patio home lots in Sub Area A have 6' side yard setbacks for a minimum separation between dwellings of 12'. The single family homes in Sub Area B have 7.5' side yard setbacks for a minimum separation between dwellings of 15'. All patio homes in Sub Area A and all single family homes in Sub Area B have a minimum front setback of 25'. The applicant states that this divergence is justified based on contemporary land planning and design principles and other comparable zonings within the Township with similar setbacks. In the case of the patio homes in Sub Area A, residents in such a product design smaller homes on smaller lots.

***Staff Comment:** Staff is in support of the request to reduce the front setback for houses and reduce side yard setbacks somewhat, as this will help to increase acreage dedicated to open space and no other reviewing agencies expressed any concerns.*

3. **Sec. 1802.05(A)/(B)** – A) Sign Structures, and any Sign affixed to a Sign Structure, shall not be erected within, nor project into, any public ROW unless otherwise specified within this Article or

authorized by the entity owning said ROW. B) Signs shall not be erected on, or project over, any public property unless otherwise authorized by the public entity owning said property. Written proof of such authorization shall be required at the time of permit application.

- The entry signage for the development on Rome Corners Road at the entrance to Sub Area B single family homes is located within the boulevard entryway which is a public ROW and public property. The applicant stated that these divergences, as well as to Sec. 1805.07 are justified by the fact that the placement of signage in this area is appropriate and functional and is a high quality signage protocol for the Development.

***Staff Comment:** Staff has no concern with this request as the sign is proposed within the landscaped area of the boulevard entrance and should not cause any sight-distance issues.*

4. **Sec. 1805.07 – Setbacks:** All Signs shall be set back a minimum of ten (10) feet from the ROW unless otherwise permitted by this Resolution.

***Staff Comment:** Again, Staff has no concern with this request as the sign is proposed within the landscaped area of the boulevard entrance. Ensure that the sign is outside the intersection sight-triangle.*

#### **Staff Recommendations**

Staff recommends **Conditional Approval** of the rezoning request by Romanelli & Hughes from RR to PRD to the DCRPC, Genoa Twp. Zoning Commission and Genoa Twp. Trustees, subject to:

- 1.) The road in Subarea C should be built without the use of a CAD to County standard and extended to provide frontage and access for all estate lots. This road, whether public or private, should include a sidewalk on at least one side to provide safety for pedestrians;
  - 2.) The Charles Glass lot must be divided prior to other platting, or gain access from the proposed estate lot road; and
  - 3.) Recommend a path, trail, or easement from Lewis Center Road to Subareas A and B.
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**36-22 ZON**    **Vinita Patel – Berkshire Twp. – 3.3 acres – PMUD Art. 16**

**Request**

The applicant, Vinita Patel, is requesting adoption of the PMUD Art. 16 Overlay for the 3.3-acre site.

**Conditions**

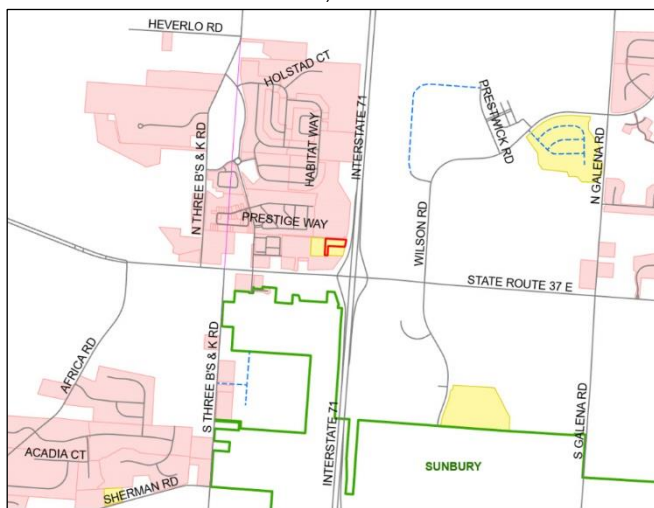
**Location:** 7329 SR 37 East

**Present Zoning:** Planned Commercial (PCD) / **Proposed Zoning:** PMUD Art. 16

**Present Use(s):** hotel / **Proposed Use(s):** hotel

**School District:** Olentangy / **Utilities Available:** Del-Co Water and central sanitary sewer

**Critical Resources:** none / **Soils:** BeA



**RPC#36-22zon**  
**Vinita Patel**  
**Town Place by Marriott**  
**3.3 acres / PMUD Art. 16**  
**Berkshire Twp.**



**Introduction**

The applicant seeks to adopt the PMUD overlay for the 3.3-acres to allow for the development of a new hotel. Based on the Development Plan submitted, the existing Hampton Inn site is 1.554-acres and the proposed hotel site is 1.746-acres. If zoning and a Final Plat are approved to allow the proposed use, construction of the new hotel is anticipated to begin in May of 2023.



### **History**

RPC conditionally approved the Preliminary Plan to replat this site on June 30, 2022. One condition was that the applicant must successfully rezone the site to allow for the split and intended use prior to filing a Final Plat. A Draft Final Plat is currently under review. In order to formally adopt the overlay, the Berkshire Township Zoning Commission approves the application and development plan, which will remove the underlying zoning district.

### **Comprehensive Plan**

Berkshire Township's 2017 Comprehensive Plan includes the site in Sub Area 1 and recommends continuing planned commercial development. New commercial development should limit direct access to US-36, only use low-level, downward-cast lighting, billboards and pole signs should be prohibited and extensive landscaping should be required within parking lots. Traffic impact should be mitigated by the developer if deemed necessary by the Delaware County Engineer's office.

### **Issues**

#### **Traffic and access:**

Both properties will gain access from Eastwind Drive, which is a private drive owned by Bob Evans Farms, Inc. A TIS was reviewed and approved by the DCEO on July 27, 2022. A drive and sidewalk connection are proposed between the site and the hotel property to the west.

#### **Drainage:**

The site is proposed to drain to a large stormwater pond to the north through existing and proposed drainage easements.

#### **Signage:**

A signage plan was submitted, which includes examples of monument signs, pole signs, directional signs and wall signs. Exact locations of all signs were not identified on the Development Plan. There appears to be an existing monument sign at the entrance that will remain.

#### **Lighting:**

A photometric plan was submitted and down lighting is proposed throughout the parking lot.

### **Divergences**

Four divergences have been requested:

1. Sec. 16.08(D(3)) – Required Minimum Rear Yard Setback: 25 ft. / Proposed: 13.4 ft.

***Staff Comment:** Staff is in support of this divergence as the land area immediately adjacent to the north is a 20 foot wide strip of land that is undevelopable and serves as access to pole signs located along I-71. Additionally, just to the north of this strip of land, and to the rear of the site is a 24.54-acre reserve located in the Northlake Woods subdivision, which includes a storm water pond that is approximately 15-acres in size and tree line.*

2. Sec. 16.08(J(6)) – Required Minimum Parked Spaces are 1 per 250 sq. ft. of building area. The building area was not provided; however, it appears the required parking spaces would be

approximately 60 / Proposed: 169.

**Staff Comment:** The Divergence should be requested from Section 21.01(E): Required Off-street Parking. Required for Hotels/Motels: one per rental unit plus one per employee on largest shift plus one for each four seats in the dining room or restaurant area. The applicant indicated that 159 spaces are required. Staff is generally in support of this request.

3. Sec. 16.08(E(1)) – Lot Coverage. The ground area occupied by all the buildings, structures, driveways, traffic circulation areas, parking areas, sidewalks and all other Impervious Surfaces shall not exceed in the aggregate 70% of the total area of the tract. Proposed for new hotel: 74% / Proposed for existing hotel: 79%.

**Staff Comment:** With the number of divergences needed based on the submitted materials, Staff is not in support of this request. The overall development should be reduced to meet the lot coverage requirement.

4. Sec. 16.08(K) – Open Space. A minimum of 30% of the total acreage shall remain and be utilized as Open Space. 20% open space must be located on-site. 10% open space may be located off-site within the township. The decision to allow off-site open space shall be made by the Zoning Commission. Proposed for new hotel: 26% / Proposed for existing hotel: 21%. The applicant requests credit for the large area they were able to secure into a permanent easement adjacent to this site.

**Staff Comment:** Staff does not support the Lot Coverage or Open Space request as that “large area” mentioned is already dedicated open space located in a Reserve (lot 1263) in the Northlake Woods subdivision. This land area was used to meet the required open space for this subdivision.

Staff determined that two additional divergences are required.

5. Sec. 16.08(D(1)) – Frontage. Lots shall front upon and/or have access to an improved, public road. Out lots may be located on an improved, public or private road. Road frontage in either case shall be no less than 52 feet.

**Staff Comment:** The existing Hampton Inn lot will not have any road frontage. The applicant provided a Cross Access Easement that will allow the Hampton Inn lot to gain access to the private road. The proposed hotel lot will only have approximately 40 feet of frontage on a private road (Eastwind Dr.). Staff would be in support of this request provided condition number 3 for the Preliminary Plan is met; provide proof that the proposed lots may gain access from the private drive prior to Final Plat approval.

6. Sec. 16.08(J(3)) – Parking Lot Islands. Interior tree islands shall be required within parking lots and shall be of sufficient number and size to provide for a ratio of one (1) shade tree for every 12 parking spaces or fractions thereof. 159 parking spaces are provided, therefore 14 tree islands are required. There are sufficient islands, however only 8 of them include tree plantings. Five more tree plantings are required.

**Staff Comment:** Staff believes this requirement could easily be met and does not support the divergence if requested.

### **Reviewing Agency Comments**

- B.S.T. & G. Fire District provided a letter indicating the proposal is acceptable. Additional plans must be submitted prior to approval of construction.
- Delaware County Regional Sewer District provided a letter indicating sewer is available to the site.
- Del-Co Water provided a letter indicating water is available to the site.

### **Staff Recommendations**

Staff recommends **Conditional Approval** of the rezoning request by Vinita Patel for PMUD Article 16 to the DCRPC, Berkshire Twp. Zoning Commission and Berkshire Twp. Trustees, *subject to:*

- 1.) *Reconfigure the proposed development to meet the lot coverage and open space requirements;*
  - 2.) *Include tree plantings in at least 14 of the tree islands as required.*
  - 3.) *Provide proof that the proposed lots may gain access from the private drive prior to Final Plat approval.*
-

**37-22 ZON George Nanes – Trenton Twp. – 6 acres from FR to RR**

**Request**

The applicant, George Nanes, is requesting to rezone 6-acres from Farm Residential (FR) to Rural Residential (RR) to allow the lot to be split into two residential lots.

**Conditions**

**Location:** east side of Dent Rd., north of SR 37

**Present Zoning:** Farm Residential (FR) / **Proposed Zoning:** Rural Residential (RR)

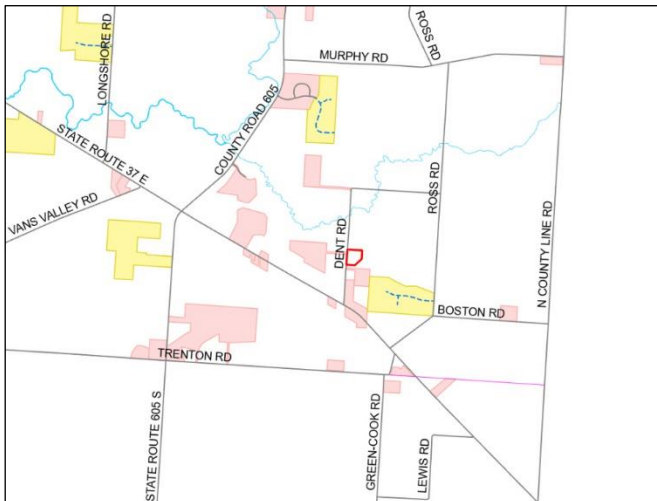
**Present Use(s):** vacant / **Proposed Use(s):** Two single-family house lots

**Existing Density:** 1 du / 5 acres **Proposed Density:** 1 du / 3 acres

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

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

**Critical Resources:** none / **Soils:** BeA, BeB



**Introduction**

The applicant seeks to rezone a vacant 6-acre lot to the RR District. The RR district allows for one single-family dwelling on a lot 3-acres or greater and 250 feet of frontage. The site fronts on Dent Road, just north of US-37, is completely wooded, and indicates 546.10 feet of frontage. Flag lots are not currently allowed in the resolution. No site plan or survey was submitted to show how the lot may be reconfigured. However, at least one new lot could be split from the parent tract with both lots meeting all applicable zoning requirements.

**Comprehensive Plan**

Trenton Township's 2004 Comprehensive Plan includes objectives that recommend retaining single-family densities of at least one unit per 3 acres where there is no centralized sanitary sewer provided. Staff believes the request meets this recommendation.

**Staff Recommendations**

Staff recommends **Approval** of the rezoning request by George Nanes from FR to RR to the DCRPC, Trenton Twp. Zoning Commission and Trenton Twp. Trustees.

**38-22 ZON The Shire LLC – Berlin Twp. – 11 acres – NC to OCPUD**

**Request**

The applicant, The Shire LLC., is requesting to apply the Old Cheshire PUD overlay zoning to an 11-acre site currently in the Neighborhood Commercial District (NC).

**Conditions**

**Location:** north side of Cheshire Rd., east of Africa Rd.

**Present Zoning:** Neighborhood Commercial / **Proposed Zoning:** Old Cheshire Planned Unit District (OCPUD)

**Present Use(s):** vacant / **Proposed Use(s):** 10 unit condo development

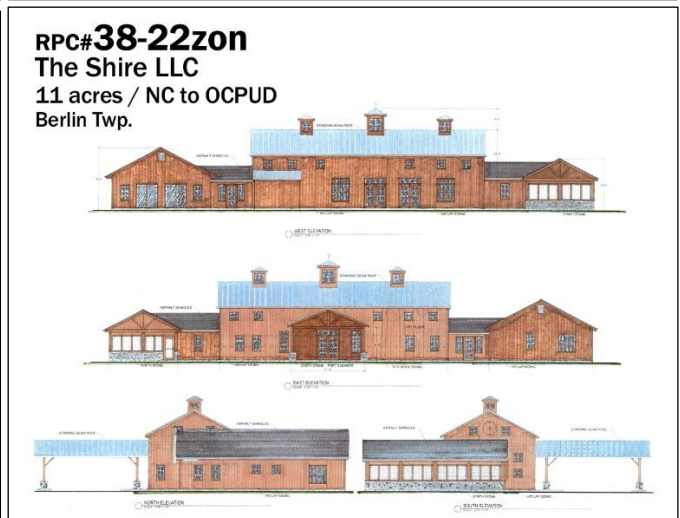
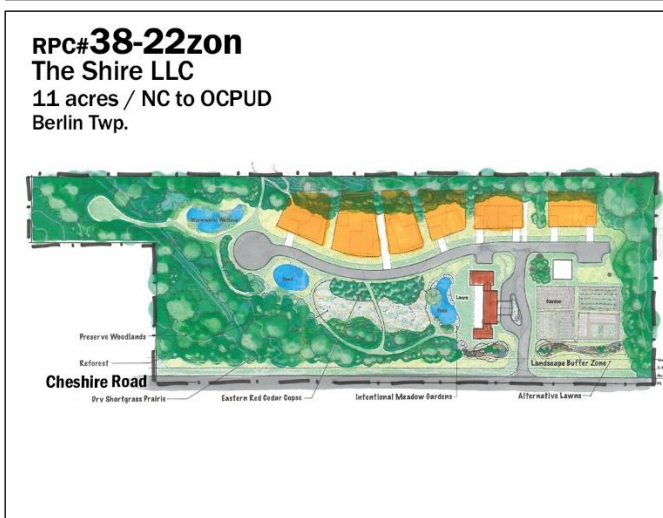
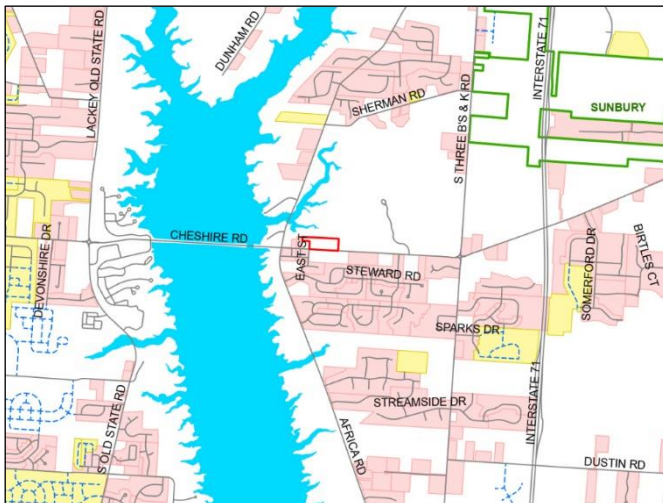
**Existing Density:** N/A / **Proposed Density:** 1.02 du / 11 acre

**Number of units requested:** 6 or 10 (see detail)

**School District:** Olentangy

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

**Critical Resources:** stream / **Soils:** BeA, BeB, CaB



**Introduction**

The applicant seeks to apply the OCPUD to the 11-acre site to allow for the development of single-family detached and two-family attached dwellings, for a total of 6 or 10 residential units. It also includes a relocated

barn(s)/workshop, greenhouse, and residential-scaled solar and wind uses. If zoning is approved to allow the proposed uses, construction is anticipated to begin in 2023 and continue through 2028.

### **Comprehensive Plan**

Berlin Township's 2010 Comprehensive Plan includes the site in planning area Nine – Historic Village of Cheshire. Recommended uses and development standards include: multi-family in single-use structures should be townhomes with rear garages near parks, single-family lots with at least 80' of frontage, common open space, sidewalks, street trees and 2 parking spaces per residential unit. General Guidelines of the Plan also encourage the conservation of natural resources (steep slopes, woodlands, wooded ravines, floodplains, etc.) as part of a subdivision's open space.

Staff notes that the residential uses are supported by the Plan. Although this is a condo-style development without platted lots, the building area is a minimum of 75' wide with building spacing of 25'. Open space of 85% is provided, distributed throughout the development and include steep slopes and woodlands. A gravel drive is proposed to serve the site, with no sidewalks or street trees. Based on the number of units on site, Staff believes the drive should be upgraded to a road that is built to County standards, include sidewalks on the north side of the street and include street trees as recommended by the Plan.

### **Issues**

#### **Uses:**

The text proposes a maximum of 10 dwelling units while the various exhibits indicate 6 building pads, two with apparent duplex units, plus a "proposed building" and a "future building." There are also references to green technologies such as solar and wind uses.

***Staff comments:** The maximum number of dwellings needs to be defined. Additional information should be provided for any solar or wind structures.*

#### **Traffic and access:**

A 20-foot-wide gravel drive is proposed to provide a single access from Cheshire Road. The drive terminates to the east with four guest parking spaces, eight-foot wide gravel emergency access drive to the north and terminated to the west with a cul-de-sac. The Delaware County Thoroughfare Plan recommends 100' ROW (50' from centerline) along Cheshire Road, which is identified on the Development Plan. The application notes that "as a residential community consisting of 6 residential buildings pads on 11.0 acres, a traffic impact analysis was not conducted."

***Staff response:** DCEO will require a memo documenting the projected traffic.*

*Given the private nature of the site and the commitment to create any divisions through a condominium declaration, gravel is unusual, but is up to the township to approve. The Zoning Commission should confer with the Berlin Fire Department before approving the development plan. The Delaware County Engineer's Office will require pavement within the Cheshire Road right-of-way. Staff also recommends pavement at least up to the cross-street. It is conceivable that activities may occur at the barn/workshop that result in additional use of the entry road by guests and visitors.*

#### **Drainage:**

The drive design shows an open ditch on both sides. There are storm structures throughout the development,

outletting to three stormwater ponds and eventually to the streams to the west.

**Lighting:**

No lighting plan was submitted, however the Development Text states that lighting regulations will be met.

**Sanitary Treatment:**

The site will be served by sanitary sewer. The Delaware County Regional Sewer District confirmed that connection is available.

**Open Space / Health:**

No percentage is required. Open space of 9.5-acres (86% of land area) is proposed. The applicant indicates that the wooded areas shown on the plan that are outside of building areas and narrow corridors of necessary infrastructure extensions will be preserved. However, the plan does not identify any no-build zone or tree preservation areas.

The Development Text stated that Condominium Documents will establish the methods and structures for the operation and maintenance of the community. Staff notes that document was not included with this submission.

**Staff Recommendations**

No action is required by the Commission. Staff recommends that the Zoning Commission consider the following items as they review the Development Plan for the application of this overlay:

- 1.) *Complete a traffic memo through DCEO that documents traffic projections;*
  - 2.) *Recommend building the gravel drive to County standards, including a walkway on at least one side of the street; as a second option, staff recommends paving the drive to the intersection to provide proper circulation and maintenance for possible additional guest and visitor traffic;*
  - 3.) *Consider moving the “Potential Building Areas” outside of the steep slope area. The three western buildings encroach into this area;*
  - 4.) *Consider identifying a stream buffer or no-build zone around the stream to the west, potentially 20 feet from stream centerline on both sides. Reach out to the DSWCD for recommendations on stream protection measures;*
  - 5.) *Preserve the wooded areas that will not be impacted by development by including them in a no-build zone or tree preservation area; and*
  - 6.) *If outdoor lighting is proposed, include a Lighting Plan, as well as any additional information on any wind-related structure(s).*
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## SUBDIVISIONS

### Preliminary / Final

10-20 Meijer 143, Sec. 2, Lot 3551, Div #1 – Orange Twp. - 2 lots / 2.7 acres

### Conditions

**Applicant:** Tim Donut US Limited / **Engineer:** Sands Decker

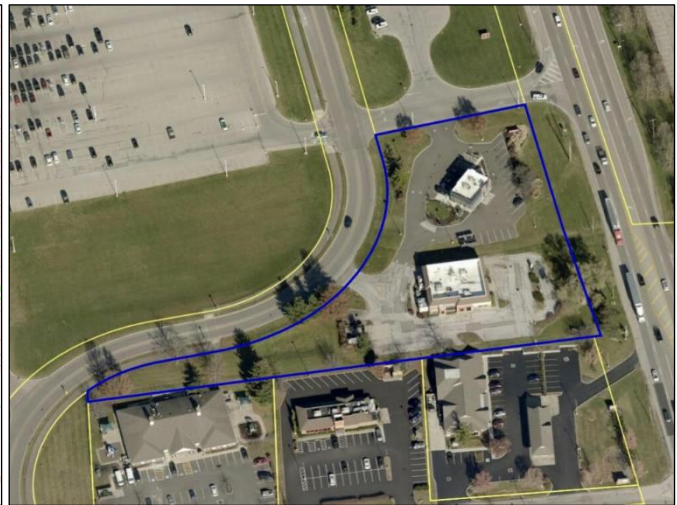
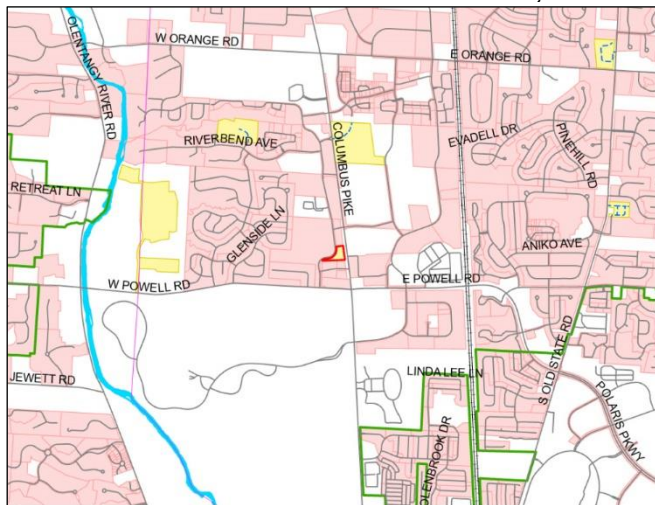
**Subdivision Type:** Commercial

**Location:** East side of Owenfield Dr., west of Columbus Pike

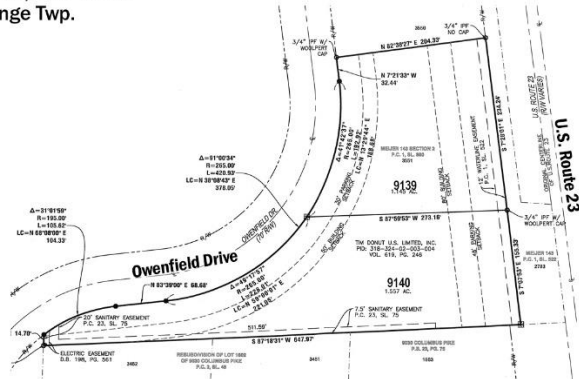
**Current Land Use:** Vacant

**Zoned:** Planned Commercial / **Zoning Approval:**

**Utilities:** Del-Co water and central sanitary sewer / **School District:** Olentangy



**RPC#10-20**  
**Meijer 143 Sec. 2 Lot 3551 Div. #1**  
2 lots / 2.7 acres  
Orange Twp.



### Staff Comments

This is a commercial subdivision that was platted in 1997, creating four buildable lots and one non-buildable lot. The request is to replat the southern-most 2.702-acre developable lot to create two total lots. The request will create a 1.145 and 1.557-acre sized lots. The site is located on the west side of US-23, north of Powell Road and gains access from Owenfield Drive. A new Tim Horton's building has been constructed on the 1.145-acre lot and the old Tim Horton's building is on the 1.557-acre lot.



The applicant is requesting a Combined Action for Preliminary Plan and Final Plat. Staff notes that all required information has been submitted and the development meets all zoning and subdivision requirements.

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

### Staff Recommendation

Staff recommends *Preliminary and Final Approval* of Meijer 143, Section 2, Lot 3551, Div. #1 to the DCRPC.

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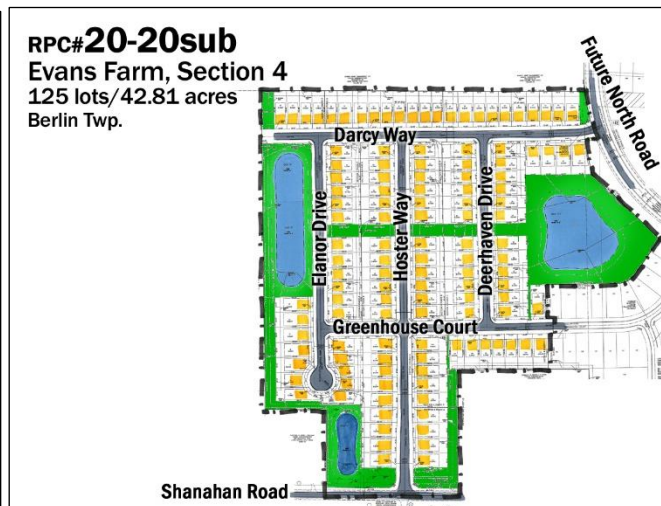
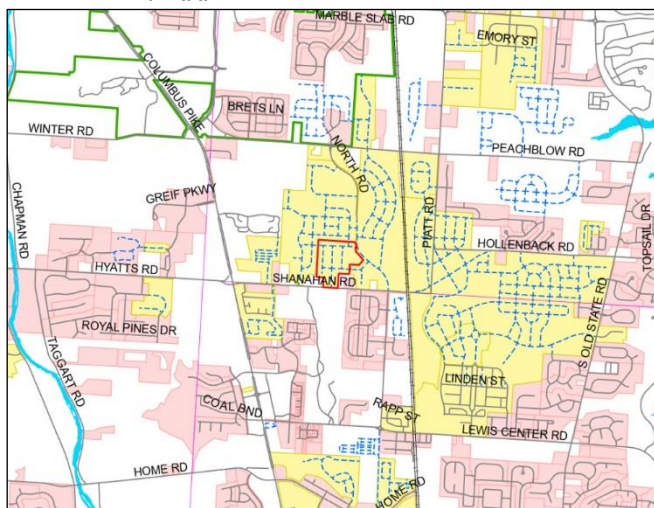
## EXTENSIONS

20-20                      Evans Farm, Section 4 – Berlin Twp. - 125 lots / 42.81 acres

**Applicant:** Zenios, Bavelis Zenios Development, LLC.

**Engineer:** Terrain Evolution

**Preliminary approval:** 10/29/20



### Staff Comments

The applicant is requesting a 1-year extension for Evans Farm, Section 4, “due to delays based on current market conditions and access to sanitary sewer.”

### Staff Recommendation

Staff recommends *Approval* of a 12-month Extension for Evans Farm, Section 4, to the RPC.

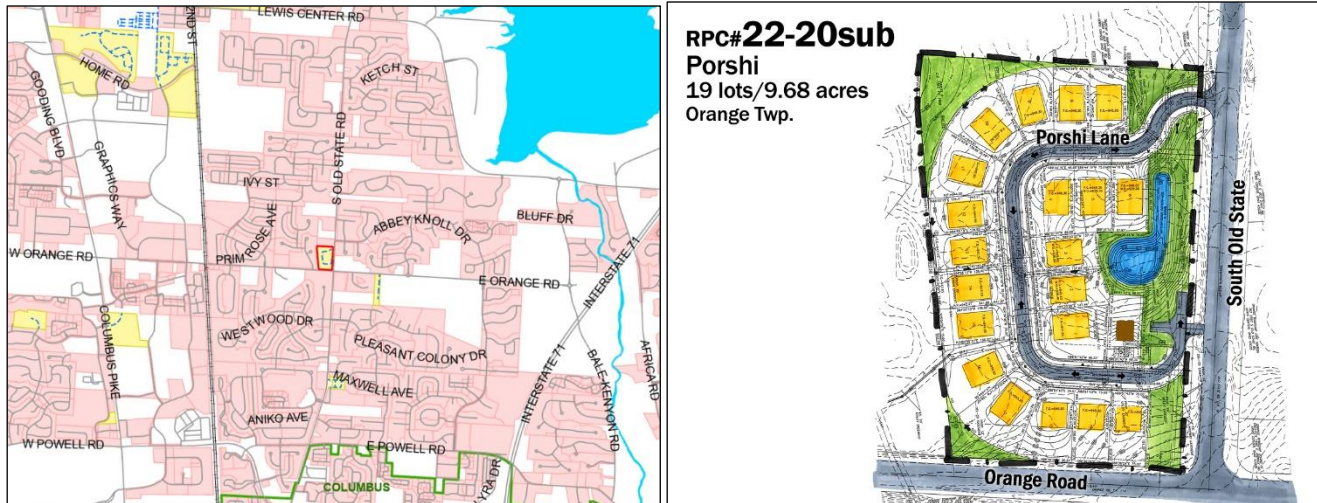
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22-20 Porshi – Orange Twp. - 19 lots / 9.68 acres

**Applicant:** Porshi Development

**Engineer:** Shafi Alam, PE, EDB International Inc.

**Preliminary approval:** 10/29/20



**Staff Comments**

The applicant is requesting a 1-year extension for the Porshi Subdivision.

**Staff Recommendation**

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

**OTHER BUSINESS**

- 2023 Budget – 1<sup>st</sup> review
- 2023 Meeting Schedule – 1<sup>st</sup> review

**POLICY / EDUCATION DISCUSSION**

**RPC STAFF AND MEMBER NEWS**

*The next meeting of the Delaware County Regional Planning Commission will be Thursday, November 17, 2022, 6:30 PM at the Frank B. Willis Building, 2079 US 23 North, Conference Room, Delaware, Ohio 43015.*