

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 17, 2022 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 27, 2022 RPC Minutes
- Executive Committee Minutes of November 9, 2022
- Statement of Policy

CONSENT AGENDA (Final Plats)		Township	Lots/Acres
08-17.2	Berlin Manor, Section 2	Berlin	22 lots / 12.654 acres
04-22	Maeve Meadows	Berlin	35 lots / 23.83 acres
24-16.5	Woodcrest Crossing, Section 5	Liberty	45 lots / 10.479 acres

ZONING MAP/TEXT AMENDMENTS

39-22 ZON	Daniel Bino - Genoa Twp. - 1.209 acres from RR to PCD
40-22 ZON	Vision Development, Inc. - Berkshire Twp. - 26.4 acres - PMUD Art. 16
41-22 ZON	CBS Construction LLC - Berlin Twp. - 15.20 acres from FR-1 to R-3,PRD
42-22 ZON	CBS Construction LLC - Berlin Twp. - 3.04 acres from FR-1 to PCD

SUBDIVISION PROJECTS		Township	Lots/Acres
<u>Preliminary</u>			
28-22	Summer Crest Drive	Berlin	10 lots / 18.76 acres
29-22	Royal Green Estates	Kingston	12 lots / 28.55 acres

OTHER BUSINESS

- Consideration for Approval: 2023 Budget
- Consideration for Approval: 2023 Meeting Schedule/Time

ADMINISTRATIVE BUSINESS

▪ Call to Order

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

▪ Roll Call

Representatives: Jim Nelson, David Weade, Ric Irvine, Duane Matlack, Gary Merrell, Jeff Benton, Sarah Holt, Joe Shafer, Dave Stites, Ed Snodgrass, Mike Dattilo and Doug Price. *Alternates:* Meghan Raehl, Ian Capwell, Glynnis Dunfee, Brad Stanton, Mike Love, Brett Weimken.

▪ Approval of the October 27, 2022 RPC Minutes

Mr. Price made a motion to Approve the minutes from the October meeting, seconded by Mr. Irvine. VOTE: Unanimously For, 0 Opposed. Motion carried.

▪ November 9, 2022 Executive Committee Minutes

1. Call to order

Chairman Stites called the meeting to order at 8:45 a.m. Present: Dave Stites, Gary Merrell, Joe Shafer and Michele Boni. Tiffany Maag was absent. Staff: Scott Sanders and Stephanie Matlack.

2. Approval of Executive Committee Minutes from October 19, 2022

Mr. Merrell made a motion to Approve the minutes from the October 19th meeting. Miss Boni seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

3. New Business

- Financial / Activity Reports for October
-

• REGIONAL PLANNING RECEIPTS		SEPTEMBER	YTD TOTAL
General Fees (Lot Split)	(4201)	\$1,845.00	\$11,685.00
Fees A (Site Review)	(4202)	\$1,200.00	\$6,505.00
Insp. Fees (Lot Line Transfer)	(4203)	\$2,300.00	\$6,100.00
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)	\$2,370.20	\$150,261.70
Charges for Serv. B (Final. Appl.)	(4231)	\$27,324.60	\$94,997.70
Charges for Serv. C (Ext. Fee)	(4232)	\$400.00	\$2,200.00
Charges for Serv. D (Table Fee)	(4233)		\$1,600.00
Charges for Serv. E (Appeal/Var.)	(4234)	\$125.00	\$1,925.00
Charges for Serv. F (Planned District Zoning)	(4235)	\$900.00	\$5,400.00
OTHER DEPT. RECEIPTS			
Health Dept. Fees	(4242)	\$3,240.00	\$24,320.00

Soil & Water Fees	(4243)	\$700.00	\$7,175.00
Commissioner's fees	(4244)	\$543.00	\$1,694.00
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)		
TOTAL RECEIPTS		\$40,947.80	\$521,407.88

Balance after receipts	\$1,226,257.88
Expenditures	<u>- \$ 36,412.41</u>
End of October balance (carry forward)	\$1,189,845.47

Mr. Merrell 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

- November RPC Preliminary Agenda

- SKETCH PLANS

	<u>Township</u>	<u>Lots/Acres</u>
• Northstar, Sec. 1, Ph A, Lot 1822, Div. #1	Berkshire	3 lots / 205.828 acres
• Greenhill - Engleman Subd.	Berkshire	161 lots / 62.831 acres
- ZONING MAP/TEXT AMENDMENTS
 - Daniel Bino - Genoa Twp. - 1.209 acres from RR to PCD
 - Vision Development, Inc. - Berkshire Twp. - 26.4 acres - PMUD Art. 16
 - CBS Construction LLC - Berlin Twp. - 15.20 acres from FR-1 to R-3, PRD
 - CBS Construction LLC - Berlin Twp. - 3.04 acres from FR-1 to PCD

- SUBDIVISION PROJECTS

	<u>Township</u>	<u>Lots/Acres</u>
• Summer Crest Drive	Berlin	10 lots / 18.76 acres
• Royal Green Estates	Kingston	12 lots / 28.55 acres

Final

- | | | |
|---------------------------------|---------|------------------------|
| • Berlin Manor, Section 2 | Berlin | 22 lots / 12.654 acres |
| • Maeve Meadows | Berlin | 35 lots / 23.83 acres |
| • Woodcrest Crossing, Section 5 | Liberty | 45 lots / 10.479 acres |

- Director's Report
 - 1) Attended MORPC **Transportation Advisory** and **Attributable Funds** meetings in-person on November 2. Delaware County projects requesting funding include Phase B and C of the Sunbury Parkway, and City of Delaware projects include East Central and Lake intersection, a Trail Study for a connector from Mingo Park to the Olentangy Trail, and paving and

streetscape upgrade for East Central Avenue;

- 2) **Berlin Township Comp Plan** –Zoning Commission approved, now moving to Trustees;
 - 3) **Liberty Township Comp Plan** – on October 20, reviewed a number of chapters and other material; Next meeting on December 7;
 - 4) **Office Space** – furniture meeting tomorrow (November 10), also reviewed and commented on signage; and
 - 5) **Housing Alliance** – attended Zoom meeting of about 35 people, hosted by consultants Urban Partners, reviewed first draft of the background report for the Housing Strategy effort to address affordable housing.
- Consideration for Recommendation of Approval: 2023 Budget

Staff has received no comments or questions from Commission members regarding the first draft of the 2023 Budget.

Mr. Shafer made a motion to recommend Approval of the 2023 DCRPC Budget as presented. Miss Boni seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

- Consideration for Recommendation of Approval: 2023 Meeting Calendar

Miss Boni made a motion to recommend Approval of the 2023 DCRPC meeting schedule including changing the monthly RPC meeting start time to 6:00 p.m. Mr. Shafer seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

- Consideration for Approval: Intergovernmental agreement for employee benefits participation

Miss Boni made a motion to Approve the Intergovernmental agreement for employee benefits participation between the DCRPC and Delaware County and to authorize the Director to sign the agreement. Mr. Shafer seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

4. Other Business

Mr. Shafer thanked Mr. Sanders and RPC staff for their assistance on recent data research and mapping requests.

5. Adjourn

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

The next regular Executive Committee meeting will be Wednesday, December 14, 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)

08-17.2 Berlin Manor, Section 2 – Berlin Twp. - 22 lots / 12.654 acres

Conditions

Applicant: Berlin Manor One LLC. / **Engineer:** Advanced Civil Design

Subdivision Type: Single Family Planned Residential

Location: North side of Berlin manor Dr., west of Voss Dr.

Zoned: R-2, PRD Planned Residential / **Preliminary Approval:** 5/25/17

Utilities: Del-Co Water, County sanitary sewer / **School District:** Olentangy

Staff Comments

The Berlin Manor Preliminary Plan was approved on May 25, 2017. The applicant is now requesting Final Plat approval of Section 2. The subject site is 12.654-acres in size, includes 22 developable lots and 2 reserves. Berlin Manor, Section 1 was recorded in 2018 and is almost fully developed. Berlin Manor, Section 3 was recorded in 2021 and is also almost fully developed.

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 Manor, Section 2** to the DCRPC.

Commission / Public Comments

Mr. Matlack made a motion for Final Approval of Berlin Manor, Section 2. Mr. Price seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

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04-22 Maeve Meadows – Berlin Twp. - 35 lots / 23.83 acres

Conditions

Applicant: Pulte Homes / **Engineer:** Kimley Horn

Subdivision Type: Planned Residential Community / **Location:** south of Cheshire Rd., east of Piatt Rd.

Zoned: R-3 with PRD overlay / **Preliminary Approval:** 02/24/22

Utilities: Del-Co Water, County sanitary sewer / **School District:** Olentangy

Staff Comments

The Maeve Meadows Preliminary Plan was approved on February 24, 2022. The applicant is now requesting Final Plat approval. The subject site is 23.83-acres in size, includes 35 developable lots and 2 reserves. Maeve Meadows will be developed in one phase and make a connection to Howard Farms, Section 3 subdivision to the east.

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 Maeve Meadows to the DCRPC.

Commission / Public Comments

Mr. Matlack made a motion for Final Approval of Maeve Meadows. Mr. Price seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

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24-16.5 Woodcrest Crossing, Section 5 – Liberty Twp. - 45 lots / 10.479 acres

Conditions

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

Subdivision Type: Single Family Planned Residential

Location: Eastern extension of Shadowfair Lane, west of Whitestone Trail

Zoned: Planned Residential District (PRD) / **Preliminary Approval:** 12/19/19

Utilities: Del-Co Water, County sanitary sewer / **School District:** Olentangy

Staff Comments

The Woodcrest Crossing Preliminary Plan was approved on December 19, 2019. The applicant is now requesting Final Plat approval. The subject site is 10.479-acres in size, includes 45 developable lots and one reserve. Woodcrest Crossing, Sections 1-4 have been recorded and are currently under 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 Woodcrest Crossing, Section 5 to the DCRPC.

Commission / Public Comments

Mr. Matlack made a motion for Final Approval of Woodcrest Crossing, Section 5. Mr. Price seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

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ZONING MAP/TEXT AMENDMENTS

39-22 ZON **Daniel Bino – Genoa Twp. – 1.209 acres from RR to PCD**

Request

The applicant, Daniel Bino, is requesting a 1.209-acre rezoning from RR to PCD for Multi-Sounds Studios.

Conditions

Location: 6463 Maxtown Rd.

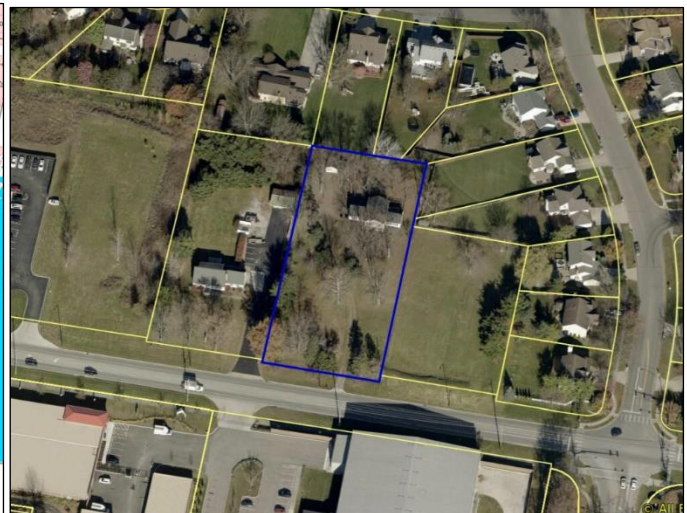
Present Zoning: Rural Residential (RR) / **Proposed Zoning:** Planned Commercial (PCD)

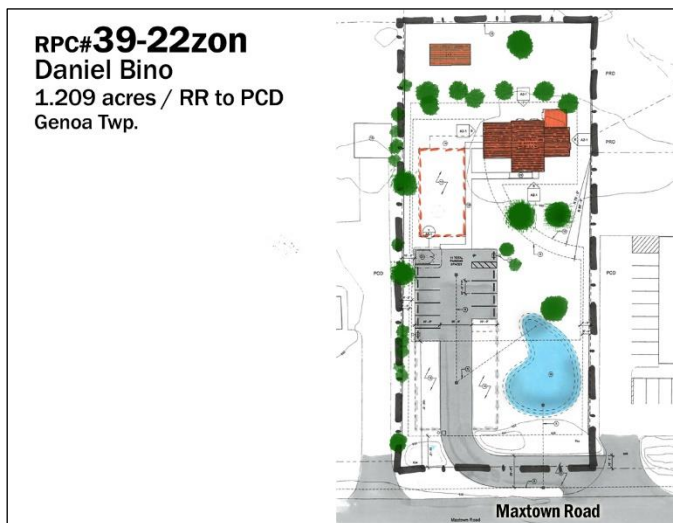
Present Use(s): One single-family house / **Proposed Use(s):** sound studio and office

School District: Westerville

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

Critical Resources: none / **Soils:** UdB





Introduction

The applicant seeks to rezone a 1.209-acre lot that is developed with a single-family home to the PC District to allow for a sound studio that will serve as a rentable rehearsal space for musicians. The permitted uses include an office and sound studio. The site is located on the north side of Maxtown Road, east of SR-3.

Comprehensive Plan

Genoa Township's 2019 Comprehensive Plan recommends the subject site and adjacent properties to the east and west for Planned Commercial development. The Plan states that the site and the adjacent lot to the east may be considered for Commercial-Office (planned) or Neighborhood-Scale Commercial (planned) use provided they include significant visual screening and noise barriers for the single-family homes to the north.

The request conforms to the Plan's recommendations as the request is for PCD and a visual screen and noise barrier is proposed along the west, north and east property lines. However, the Development Text states that a fence will be provided along the northern property line and sheet AS-2 of the Development Plan states that there will be a new 5'-6" brick wall that serves as a barrier along the west, north and east property lines. The plan and text should be updated to be consistent.

Issues

Traffic and access:

A shared access easement is in place to allow the site to share an access point with the adjacent property to the east, with the ingress/egress point being fully located on the adjacent property.

Drainage:

Intend to preserve and utilize natural topography and geological features, trees and prevent the disruption of natural drainage patterns by designing storm management compliant with Delaware County standards.

Signage and Lighting:

No signage is identified on the Plan, however the Text states that proposed plan is compliant with all the provisions of Article 18. All exterior lighting is down cast and wall-mounted on the exterior of building. No parking lot site lighting is proposed.

Sanitary Treatment:

Existing septic system will remain and serve the site.

Open Space / Health:

Required: 25% (0.30-acres) Proposed: 73% (0.88-acres)

The application states that the proposed open space is 92.6% (1.12-acres), however sheet A-INF of the Development Plan indicates the proposed impervious surface is 73% (0.88-acres). Staff determined that 73% open space appears to be accurate.

No sidewalk is proposed along the frontage of Maxtown Rd. There are nearby sidewalks at the intersection of Maxtown Rd. and Hilmar Dr., and there is a multi-use path on the south side of Maxtown Rd. that would be easily accessible if sidewalks were to extend to the east. Additionally, installing sidewalks with this project would set a precedent for the adjacent property to the east, also zoned PC, to include a sidewalk as well, provided the City of Westerville approves of a sidewalk within the ROW.

Divergences

Four divergences are requested:

1. Sec. 1203.01: Minimum lot size to be rezoned to the PCD is 5-acres. The site is only 1.209-acre. A divergence of 3.791-acres has been requested.
Staff Comment: Staff has no concern with this request.
2. Sec. 1203.03(A): A 75-foot undeveloped green strip must separate the site from the residentially zoned property to the north. The existing shed is approximately 17 feet from the northern property line and the home is approximately 78 feet from the northern property line. A divergence is request to reduce the undeveloped green strip to 63 feet to allow for site improvements, such as walkways and ramps and to allow the shed to remain.
3. Sec. 1203.03(B): A visual and mechanical barrier that is 5' 6" in height, 75 feet from the northern property line is required. The applicant stated that a fence (or wall?) is proposed along the northern property line and existing trees already provide a visual barrier.
Staff Comment: Staff has no concerns with the second and third request. This is a low intensity use and the proposed screening and buffering appear to be acceptable. However, the Township should determine if the existing trees are an appropriate visual barrier or if additional landscaping is needed along the northern property border.
4. Sec. 1208.01: Required building separation is 50 feet and no building shall be closer than 100 feet to a District boundary line. Based on Staff's measurements, the shed is approximately 48 feet from the home, 18 from the northern property line, and the home is approximately 79 feet from the northern property line.
Staff Comment: Staff has no concerns with these requests as the shed and home are existing buildings, and no major renovations are proposed that will bring them closer to the northern property line.

Staff Recommendations

Staff recommends **Conditional Approval** of the rezoning request by Daniel Bino from RR to PCD to the DCRPC, Genoa Twp. Zoning Commission and Genoa Twp. Trustees, *subject to:*

- 1.) If signage is proposed, a sign plan should be included with this submission,
- 2.) The applicant should clarify whether a fence (including material) or brick wall is proposed along the perimeter of the site, and
- 3.) Identify the shared access easement for PID #31734105003000 (directly east) on the plan.

Commission / Public Comments

Mr. and Mrs. Bino were present to answer questions from the Commission.

Mrs. Raehl expressed concern with noise from the studios and if neighbors had been notified of the rezoning. Mr. Bino explained that the rooms would be soundproofed. Mr. Shafer stated that neighbors within 500' would be notified prior to the Zoning Commission hearing on December 12th.

Mr. Merrell made a motion to recommend Conditional Approval of the rezoning request by Daniel Bino from RR to PCD, subject to staff recommendations #1-3. Mr. Irvine seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Genoa Twp.). Motion carried.

40-22 ZON Vision Development, Inc. – Berkshire Twp. – 26.4 acres – PMUD Art. 16

Request

The applicant, Vision Development, Inc., is requesting adoption of the PMUD Art. 16 Overlay for the 26.4-acre site.

Conditions

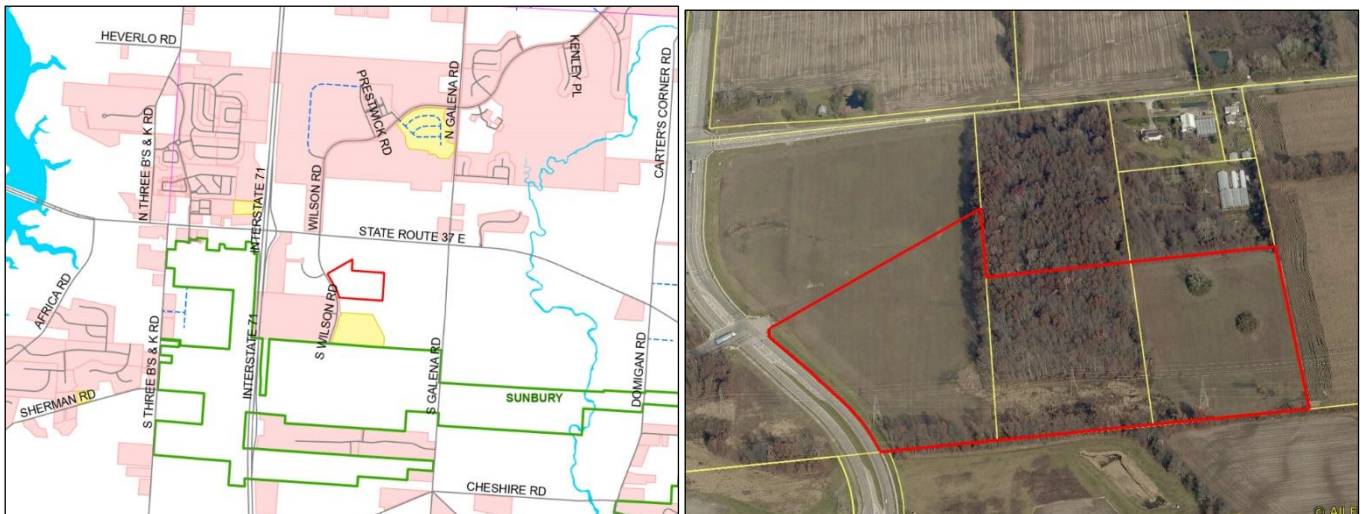
Location: south east side of Wilson and Rider Rd. intersection

Present Zoning: Agricultural (A-1) / **Proposed Zoning:** PMUD Art. 16

Present Use(s): vacant / **Proposed Use(s):** multi-family

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

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





Staff Comments

The request is for adoption of the PMUD Article 16 Overlay for the 26.4-acre subject site. A summary of the proposal is in the paragraph below. In order to formally apply the overlay, the Berkshire Township Zoning Commission approves the application and development plan, which removes the underlying zoning district.

Project Overview

The site is divided into two parts bisected with an open space including two existing wetlands. The project will be accessed via an extension of Rider Road. The cross-section of the extension shows paved pedestrian connections to the existing trail along S. Wilson Road.

Staff comment: Additional paved pedestrian access should be provided from the parking area just south of Building 1 (southern building along S. Wilson Road.)

The Development Plan calls for 306 multi-family units in 19 buildings, 13 garage buildings, a clubhouse, swimming pool, and fitness building. There are three types of floor plans; 700 sq. ft. one bedroom, 900 sq. ft. two bedroom, and 1,100 sq. ft. three bedroom. The proposed number of 306 multi-family units is within the permitted number of units in the combined area of the northeast and southeast quadrant. A 300 multi-family residential project (The District at Berkshire) has been approved for zoning at this time in this quadrant. The approval of this project would result in 94 units remaining for future projects.

Buildings are proposed in four styles. One 36-unit building (3-stories) is located in the southeastern corner of the site. Nine buildings (3-stories) include 24 units, and eight (2-story with loft) townhouse-style buildings appear each to have 4 units. Two garage buildings have a second floor, each of which appear to include 2 residential units.

Staff comment: it is difficult to determine the total number of units based on number of units in each building. Staff recommends the applicant provide an exhibit showing the total number of units in each building, including additional detail on access and configuration of the loft units in the townhouse buildings.

Staff also questions the layout and appearance of the garage units. These buildings appear to be designed so they are surrounded by pavement. Staff recommends landscaping be provided on the ends of each building.

Based on the acreage of the property, the proposed units will result in a density (11.6 units/acre) that is within

the maximum and minimum thresholds of the overlay (8 units minimum to 12.5 units maximum).

Reviewing Agency Comments

- **B.S.T. & G. Fire District** provided a letter indicating they are the primary provider for these properties. 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 from an existing 12-inch waterline located on Wilson Rd.

Platting: Based on the configuration of the land and the requirement to dedicate a portion of Rider Road, development will require a plat. The Sketch Plan phase will determine the applicants' responsibility for the construction of Rider Road and the related dedication of right-of-way.

Staff Recommendations

Staff recommends **Conditional Approval** of the rezoning request by Vision Development Inc. for PMUD Article 16 to the DCRPC, Berkshire Twp. Zoning Commission and Berkshire Twp. Trustees, *subject to the staff comments within the report.*

Commission / Public Comments

Mr. Todd Foley, POD Design, was present to represent the applicant.

Mr. Love stated that this portion of Wilson Road will have to be dedicated as part of the plat. He also stated that the road planned on the east side, if that is against their platted property will need to be bonded (north/south). Mr. Sanders explained that when the sketch plan is submitted, these details can be worked out.

No vote was required for this application.

41-22 ZON CBS Construction LLC – Berlin Twp. – 15.20 acres from FR-1 to R-3/PRD

Request

The applicant, CBS Construction LLC, is requesting a 15.20-acre rezoning from FR-1 to R-3/PRD to allow the development of a 22 lot single-family development.

Conditions

Location: east side of Piatt Rd., north of Glenmead Dr.

Present Zoning: Farm Residential (FR-1) / **Proposed Zoning:** R-3, PRD

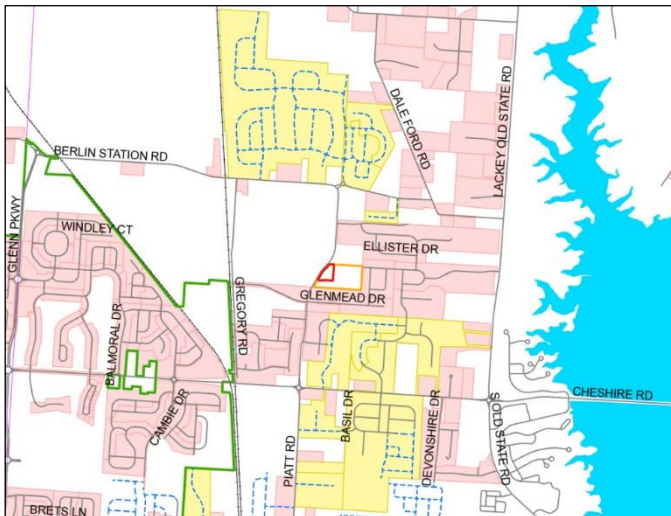
Present Use(s): vacant / **Proposed Use(s):** 22 single-family house lots

Existing Density: 1 du / acre **Proposed Density:** 1.81 du / acre (net)

Number of units requested: 22 / **School District:** Olentangy

Utilities Available: Del-Co Water and central sanitary sewer

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



RPC#41-22zon
CBS Construction LLC
15.2 acres / FR-1 to R-3/PRD
Berlin Twp.



Introduction

The applicant seeks to rezone a 15.20-acre vacant lot to the R-3 with PRD overlay to allow for a 22-lot, single-family subdivision. The development will be completed in one phase and include a public street, three reserves,

stormwater basin, sidewalks, multi-use paths, playground, shelter, entry sign, and a CBU mailbox. The site is located on the east side of Piatt Rd., just north of Glenmead Dr., and will connect to Glenbrook Drive in Sec. 2 of the Glenmead subdivision.

Comprehensive Plan

Berlin Township's 2010 Comprehensive Plan (and the current draft going through the approval process) includes the site in planning area four – Suburban Transition, Sub-Area 4b. This area is recommended to develop with a net density of 1.25 du/acre within a PRD. The Plan's Goals include promoting passive/active recreational activities, including linking developments with green spaces and paths, and encouraging commercial development in a Planned Commercial zoning district.

The request does not comply with the recommended net density of 1.25 du/acre, as the proposed net density is 1.81 du/acre. The proposed R-3 underlying zoning district allows for 1.85 du/acre and the proposed gross density is 1.45 du/acre while the plan recommends R-2 standards with 100' frontages. This may be mitigated by including some of the acreage in the proposed commercial rezoning into this residential rezoning proposal. The request adheres to the other recommendations and goals of the Plan as passive/active recreational activities are included, connections will be made to the adjacent subdivision.

Issues

Traffic and access:

One public roadway that will gain access from Piatt Road and provide a connection to Glenbrook Dr. Access has been aligned with, and across from the Olentangy Berlin Middle School drive.

Drainage:

The site will drain to the stormwater basin and off-site through storm sewers.

Signage and Lighting:

One, double sided entry sign will be located at the southeast corner of Piatt Rd. and Glenbrook Dr., outside of the ROW. No street lights are proposed.

Sanitary Treatment:

Sanitary sewer will be provided by Delaware County.

Open Space / Health:

Required: 20% (3.04-acres) Proposed: 32.2% (4.9-acres)

Sidewalks, multi-use path, and a playground are proposed to promote a healthy, active lifestyle.

Landscaping:

The Illustrative Plan identifies mounding with landscaping to the southeast, landscaping along the northern property line, a buffer between lot 22 and the proposed commercial lot, street trees along Glenbrook Dr., and a landscaped entry feature.

Divergences

Three divergences are requested:

1. Sec. 9.06(B) – Minimum Lot Frontage is 80'. Proposed is 74', 4". This reduction applies to lots 7-12.

***Staff Comment:** Staff does not support this request since the density is higher than the Comp. Plan recommendation. Lot width should conform to the requirements. The development directly east of this site is built with lots at 100' of frontage.*

2. Sec. 11.08(B) – No building shall be constructed within 50' of the perimeter property line of the overall PRD tract. This reduction only applies to lot 15, and would allow for a minimum perimeter setback to the north of 15'. The applicant stated that this reduction is consistent with the side yard setbacks in Glenmead Subdivision, maintaining consistent setbacks between this subdivision and Glenmead.

***Staff Comment:** Staff is in support of this request as it only affects lot 15, and the setback is similar to what is shown in the Glenmead subdivision adjacent and to the east. Staff would support a similar reduction for lot 14, if the frontage of all lots were increased as noted above.*

3. Sec. 11.08(G) – Minimum overall tract size for a PRD is 20 acres, unless adjacent to a neighborhood of comparable density or design, in which case the Zoning Commission may permit the tract size to be reduced to 10 acres. The area to be rezoned is 15.2-acres.

***Staff Comment:** Staff is in support of this request as this development is comparable in density and design to the Glenmead subdivision.*

Reviewing Agency Comments

- DCEO provided a letter to the applicant on October 21, 2022, with the following comments:
 1. A Traffic Access Study (TAS) will be required for this development (the MOU has been approved).
 2. Adequate sight distance: the access point to the site will need to meet DCEO standards.
 3. Verify that there are adequate drainage outlets that exist for the site.
 4. Provide curb ramps/crosswalk across Piatt Road at the proposed intersection.
 5. Provide R/W to the parcel to the north (PID #41832001001004) near lot 15.
 6. Width of Glenbrook Drive near Piatt Road shall be 36' (Length TBD).
- DCSEO provided a letter to the applicant confirming sewer service is available.
- Del-Co provided a letter to the applicant confirming water service is available.

Staff Recommendations

Staff recommends **Conditional Approval** of the rezoning request by CBS Construction LLC from FR-1 to R-3/PRD to the DCRPC, Berlin Twp. Zoning Commission and Berlin Twp. Trustees, *subject to:*

1. Address all DCEO comments prior to Final Plat approval, and
2. Reduction in density to the recommended 1.25 units per Net Developable Acre while increasing the lot frontage – this may be aided by including more of the proposed commercial acreage into the residential zoning.

Commission / Public Comments

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

Mrs. Raehl questioned why the density and frontage divergences were requested beyond what the Comprehensive Plan allows. Mr. Faris explained the lot frontage divergence has been asked for by several different applicants within the Township. He said that typically lot frontage is measured at the build line but Berlin Twp. is one of the only ones that measures it at the ROW. It has been granted for the most part for all the other times it has been requested. Through preliminary conversations with different members of the planning commission, lot sizes and standards have been discussed and they have indicated no issue with the R3 designation.

Mrs. Raehl asked if there will be a multi-use path along Piatt Rd. due to the proximity of the schools and walkability for this community. Mr. Fisher stated the plan shows a path but was not sure if it was designated as multi-use. Mr. Faris said that is what is intended to continue from the commercial area through to the residential area. He stated that it appears to disappear at Glenmead Dr. but will get direction as the process continues.

Mrs. Raehl explained that both the former and current proposed comprehensive plan that the Trustees are currently considering have this area at 1.25 du/acreage, so she feels it's important to preserve the characteristic feel of the entire community surrounding this particular development.

Mr. Matlack made a motion to recommend Conditional Approval of the rezoning request by CBS Construction LLC from FR-1 to R-3/PRD subject to staff comments #1-2. Mr. Shafer seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Berlin Twp.). Motion carried.

42-22 ZON CBS Construction LLC – Berlin Twp. – 3.04 acres from FR-1 to PCD

Request

The applicant, CBS Construction LLC, is requesting a 3.04-acre rezoning from FR-1 to PCD (Planned Commercial and Office) for the development of a commercial building and parking lot.

Conditions

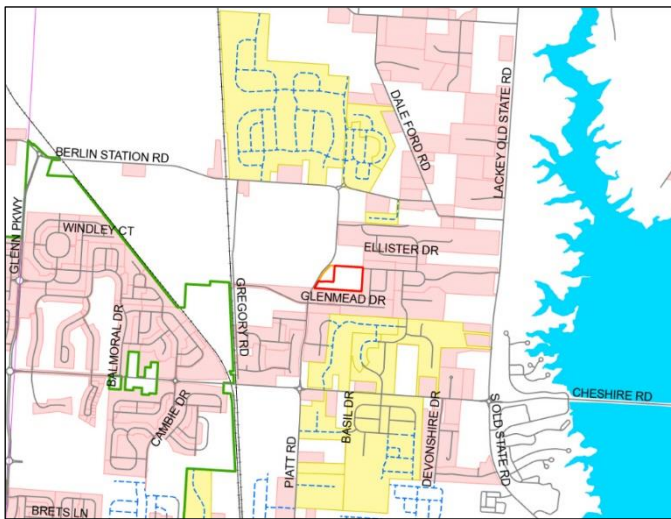
Location: east side of Piatt Rd., north of Glenmead Dr.

Present Zoning: Farm Residential (FR-1) / **Proposed Zoning:** Planned Commercial & Office District (PCD)

Present Use(s): vacant / **Proposed Use(s):** commercial building and parking

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

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



RPC#42-22zon
CBS Construction LLC
3.04 acres / FR-1 to PCD
Berlin Twp.



Introduction

The applicant seeks to rezone a 3.04-acre area to the Planned Commercial and Office district to allow for a daycare use. The development will be completed in one phase and include a day care, parking lot, and a multi-use path that connects to sidewalks along Piatt Rd. and the proposed 22-lot subdivision to the south and east. The site is located on the east side of Piatt Rd., just north of Glenmead Dr., and will gain access from the proposed Glenbrook Dr. extension.

Comprehensive Plan

Berlin Township's 2010 Comprehensive Plan (and the current draft going through the approval process) includes the site in planning area four – Suburban Transition, Sub-Area 4b. The Plan's Goals include promoting passive/active recreational activities, including linking developments with green spaces and paths, and encouraging commercial development in planned districts.

The request adheres to the Plan's recommendations as this is commercial development that will provide adequate green space and include a multi-use path that will connect the residential development to the east to sidewalks along Piatt Rd. The Plan did not anticipate a commercial use in the middle of the Suburban Transition area, particularly within this "education corridor" which includes a high school, middle school, and

elementary. However, if the allowed use is extremely narrow and the site is designed with the residential development in mind, this may be an appropriate use for the site.

Issues

Use, elevations, and access.

One access point is proposed onto the Glenbrook Drive extension. Only required setbacks are provided.

Staff understands the Preliminary Development Plan phase does not require detailed elevations and specific designs. However, this is a commercial use proposed in a proposed residential area. One reduced Site Plan was included indicating a building and parking lot. If this is the configuration, landscaping should be increased along the street frontage to reduce headlight impact on homes along Glenbrook.

The parking shown on the conceptual site plan appears to be excessive. Similar daycare facilities appear to have approximately 25-30 parking spaces where the site plan indicates approximately 50 spaces. The development text notes that no other use shall be permitted other than Child Day Care Services – NAICS 624410. Staff concurs with this limitation.

Lighting and Signage:

Parking lot lights shall be down lights. Signage detail will be provided with the Final Development Plan.

Sanitary Treatment:

Sanitary sewer will be provided by Delaware County.

Open Space:

Required: 20%; Proposed: Not identified. However, the electric easement area alone provides over 42% open space of the proposed acreage.

Divergences

Two divergences are requested:

1. Sec. 17.05(A(2)) – Minimum tract size is 10 acres. Proposed is 3.04 acres. The applicant stated that 10 acres is not needed for a single user, and this location is not suitable for more commercial types of uses. *(The Sec. was mislabeled in the Development Text as 17.05(B).)*

Staff Comment: *Staff is in support of this request as the daycare could provide a service to the growing community and more than twice the required open space will be provided.*

2. Sec. 17.05(F) – In no case shall the side yard setback be less than 100' from any Residential Zoning District or Planned Residential District, or as approved per plan. The request is to reduce the setback to 50' from the PRD to the east. The applicant stated that the height of the building will not exceed 35', and with the conceptual building size the 1/3 of height and depth would be 50'. Also, because the PRD it borders is being developed by the applicant, measures will be taken to adequately screen the two parcels from each other. *(The Section was mislabeled in the Development Text as 17.05(B).)*

Staff Comment: *Staff is in support of this request. The PRD to the east provides open space and landscaping between this commercial site and the one residential lot that could be impacted by this setback reduction. With the proposed 50' setback, and the 30' wide open space between lots, there is an 80' separation between the*

commercial lot and lot 22 in the proposed PRD. As noted previously, landscaping should be sufficient to minimize headlight impact on the neighboring property.

Reviewing Agency Comments

- DCEO provided a letter to the applicant on October 21, 2022, with the following comments:
 1. A Traffic Access Study (TAS) will be required for this development (the MOU has been approved).
 2. Adequate sight distance: the access point to the site will need to meet DCEO standards.
 3. Verify that there are adequate drainage outlets that exist for the site.
 4. Provide curb ramps/crosswalk across Piatt Road at the proposed intersection.
 5. Provide R/W to the parcel to the north (PID #41832001001004) near lot 15.
 6. Width of Glenbrook Drive near Piatt Road shall be 36' (Length TBD).
- DCSEO provided a letter to the applicant confirming sewer service is available.
- Del-Co provided a letter to the applicant confirming water service is available.

Staff Recommendations

Staff recommends **Conditional Approval** of the rezoning request by CBS Construction LLC from FR-1 to PCD to the DCRPC, Berlin Twp. Zoning Commission and Berlin Twp. Trustees; *subject to*

1. Address all DCEO comments prior to Final Plat approval;
2. Parking should be sufficient, but minimal to minimize the impact on the surrounding residential area; and
3. During Final Development Plan approval, ensure sufficient landscaping is proposed along Glenbrook Drive and buffering the property to the east.
4. Commercial lot must take access from the public road as proposed in the previous zoning case, 41-22 ZON.

Commission / Public Comments

Mr. Todd Faris, Faris Planning and Design, was present. He stated that the client is going to market the project as a daycare if the zoning is successful. The layout is just a sample building to prove that it would fit. They will meet all codes for screening and buffering.

Mr. Weade asked if the two projects (residential and commercial) are dependent on each other with regards to the divergences. Mr. Faris stated that they know where the curb cut location is going to be, so if the commercial gets approved but the residential doesn't, it still would stand alone on its own. He doesn't feel they are dependent on each other to be successful.

Mr. Love stated that the daycare must take access from the proposed residential road. Mr. Faris agrees it would be the best for safety reasons. Mr. Stites asked the Commission if there was agreement that this item should be added as condition #4. The members agreed.

Mr. Shafer made a motion to recommend Conditional Approval of the rezoning request by CBS Construction LLC from FR-1 to PCD, subject to:

1. Address all DCEO comments prior to Final Plat approval;
2. Parking should be sufficient, but minimal to minimize the impact on the surrounding residential area; and
3. During Final Development Plan approval, ensure sufficient landscaping is proposed along Glenbrook Drive and buffering the property to the east.

4. Commercial lot must take access from the public road as proposed in the previous zoning case, 41-22 ZON.

Mrs. Holt seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Berlin Twp.). Motion carried.

SUBDIVISION PROJECTS

Preliminary

28-22 Summer Crest Drive – Berlin Twp. - 10 lots / 18.76 acres

Conditions

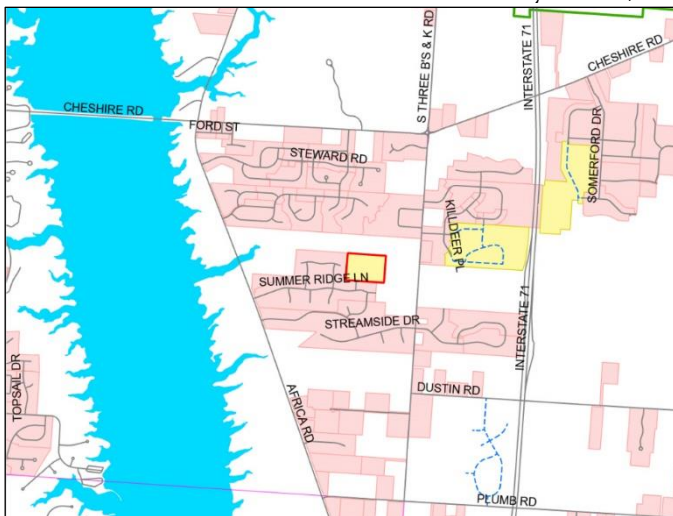
Applicant: M & R Land Holdings LLC. / **Consultant:** Plan 4 Land

Subdivision Type: Single Family residential + CAD

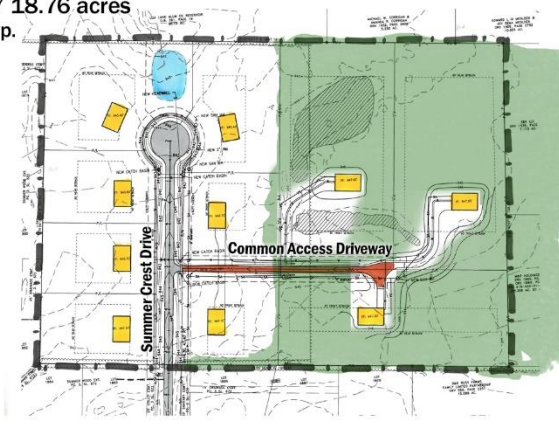
Location: North extension of Summer Crest Dr., north of Summer Ridge Lane

Current Land Use: Vacant / **Zoned:** Farm Residential (FR-1)

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



RPC#28-22sub
Summer Crest Drive
10 lots / 18.76 acres
Berlin Twp.



Staff Comments

Summer Crest Drive subdivision is a 10-lot, single-family subdivision that will take access off the northern extension of Summer Crest Drive in the Summerwood Extension subdivision. The proposal includes seven lots along the Summer Crest Drive extension, a stormwater detention basin located on lot four, and three lots that only front on a Common Access Driveway that is 225' north of the proposed road extension. Lots six and ten will also gain access from the CAD for a total of 5 lots on the CAD.

Reviewing Agency Comments

- **Soil and Water Conservation District** stated that the retention basin outlet will need a drainage easement and the owner of lot 1884 in the Summer Wood Ext. states there is a lot of water that comes from the North.
- **Del-Co** provided the following comments:
 1. Provide PDFs of the engineering drawings, Plan Submittal Checklist, and appropriate plan review fees for review and approval.
 2. Construction cannot begin until Del-Co Water has received Ohio EPA approval. It is the developer's responsibility to make the required submittals and obtain Ohio EPA approval.
 3. Sign the Del-Co Water Subdivider's Agreement.
 4. Obtain written approval from the fire department that has jurisdiction over this development.
 5. The project must achieve final acceptance before Del-Co will accept payment of tap fees.

A technical review was held on November 8, 2022, after which the applicant has addressed all of the required changes.

Staff Recommendation

Staff recommends *Conditional Preliminary Approval* of **Summer Crest Drive Subdivision** to the DCRPC, subject to the following:

1. *Drainage for the site must be reviewed and approved by the Delaware Soil and Water Conservation District prior to Final Plat approval; and*
2. *Comments made by Del-Co must be resolved prior to Final Plat approval.*

Commission / Public Comments

Mr. Joe Clase, Plan 4 Land, was present.

Mr. Matlack made a motion for Conditional Preliminary Approval of Summer Crest Drive Subdivision, subject to staff recommendations #1-2. Mr. Price seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Berlin Twp.). Motion carried.

29-22

Royal Green Estates – Kingston Twp. - 12 lots / 28.55 acres

Conditions

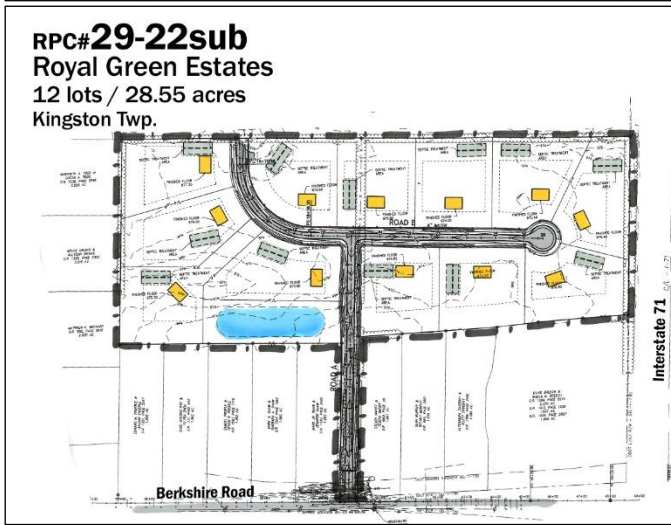
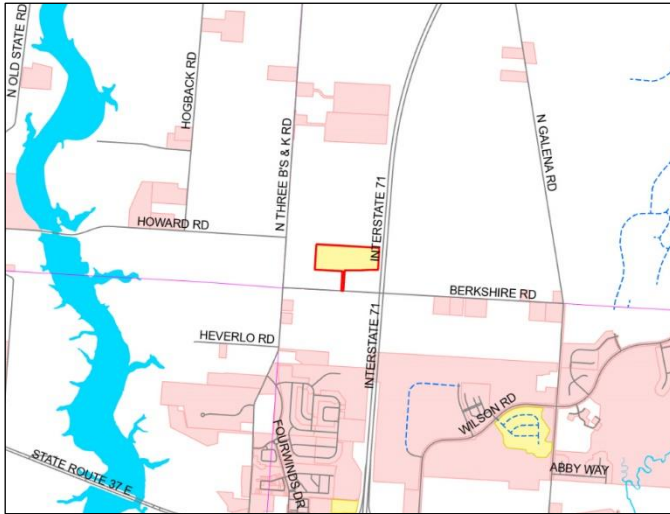
Applicant: Heena Patel / **Consultant:** Plan 4 Land

Subdivision Type: Single Family Residential

Location: North side of Berkshire Rd., east of North 3 B's & K Rd.

Current Land Use: Vacant / **Zoned:** Farm Residential (FR-1)

Utilities: Del-Co water and private on-lot treatment system / **School District:** Buckeye Valley



Staff Comments

Royal Green Estates subdivision is a 12-lot, single-family subdivision that will take access from Berkshire Rd. The proposal includes two private streets, a road stub to the north for future development, a CBU mailbox, and a stormwater detention basin that is located within a reserve.

Reviewing Agency Comments

Soil and Water Conservation District stated that the drive crosses a County Drainage Maintenance Easement along Berkshire Rd. The culvert installation must be reviewed and approved prior to Final Plat approval. Also, a 25' top of bank easement on the north side of the stream and an easement up to the ROW is required.

A technical review was held on November 8, 2022, after which the applicant has addressed all of the required changes.

Staff Recommendation

Staff recommends Conditional Preliminary Approval of **Royal Green Estates** to the DCRPC, subject to the following:

1. Drainage for the site must be reviewed and approved by the Delaware Soil and Water Conservation District prior to Final Plat approval.

Commission / Public Comments

Mr. Joe Clase, Plan 4 Land, was present.

Mr. Weade questioned the road stub to the north since the road is private. Mr. Love explained that these are fee simple lots and that the road wouldn't be private forever. Mr. Clase stated that the setbacks meet public road standards.

Mr. Snodgrass asked if the County Engineer inspects the construction of private roads. Mr. Love said they do.

Mr. Price made a motion for Conditional Preliminary Approval of Royal Green Estates, subject to staff recommendation. Mrs. Raehl seconded the motion. VOTE: Majority For, 1 Opposed (Berkshire Twp.). Motion carried.

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OTHER BUSINESS

- Consideration for Approval: 2023 Budget

There have been no questions or comments from representatives or alternates on the draft Budget that was distributed at the last meeting. The 2023 Budget is conservative in expenditures and revenues. The Executive Committee recommended approval at their November 9th meeting.

Mr. Price made a motion to Approve the 2023 DCRPC Budget as presented. Mrs. Raehl seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

- Consideration for Approval: 2023 Meeting Schedule including meeting time change to 6:00 p.m.

Mr. Price made a motion to Approve the 2023 DCRPC meeting schedule including changing the start time to 6:00 p.m. Mr. Weade seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

Having no further business, Mrs. Raehl made a motion to adjourn the meeting at 7:20 p.m. Mr. Merrell seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

The next meeting of the Delaware County Regional Planning Commission will be Thursday, December 14, 2022, 6:30 PM at the Frank B. Willis Building, 2079 US 23 North, Conference Room, Delaware, Ohio 43015.

Dave Stites, Chairman

Stephanie Matlack, Executive Administrative Assistant