

# 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



## *\*MINUTES\**

Thursday, December 22, 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 November 17, 2022 RPC Minutes
- Executive Committee Minutes of December 14, 2022
- Statement of Policy

### CONSENT AGENDA (Final Plats)

		Township	Lots/Acres
19-19	The Conservation Club CAD	Brown	6 lots / 41.99 acres
03-21	Riverwood Farm CAD	Liberty / Orange	6 lots / 51.683 acres

### VARIANCES / EXTENSIONS

20-14.V Rockford Homes - Liberty Twp. - Olentangy Falls East - Sec. 204.04 - additional extension

### ZONING MAP/TEXT AMENDMENTS

43-22 ZON	Vaughan & Co. - Liberty Twp. - 20.23 acres - FR-1 to PC
44-22 ZON	Sarnovsky Family Trust - Trenton Twp. - 7.921 acres - FR to RR
45-22 ZON	Sarnovsky Preservation Trust - Trenton Twp. - 3.445 acres FR to RR

### SUBDIVISION PROJECTS

#### Preliminary

		Township	Lots/Acres
31-22	Rosewood Village	Liberty	1 lot / 19.4 acres
24-22	Anthony CAD on SR 605	Trenton	5 lots / 63.846 acres

#### Preliminary / Final

		Township	Lots/Acres
30-22	Meijer 143, Lot 2782, Division #1	Orange	1 lot / 2.00 acres

### OTHER BUSINESS

- Consideration for recommendation of Approval: Health Dist. Fees \$25,770.00 and SWCD fees \$8,075.00.

## ADMINISTRATIVE BUSINESS

- **Call to Order**

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

- **Roll Call**

*Representatives:* David Weade, Steve Lisano, Duane Matlack, Gary Merrell, Jeff Benton, Dustin Kent, Sarah Holt, Dave Stites, Jeffrey Warner, Michele Boni, Joe Proemm, James Hatten, Ed Snodgrass, Herb Ligocki, and Mike Dattilo. *Alternates:* Cheryl Friend, Brad Stanton, and Mike Love. *Staff:* Scott Sanders, Da-Wei Liou and Stephanie Matlack.

- **Approval of the November 17, 2022 RPC Minutes**

*Mr. Matlack made a motion to Approve the minutes from the last meeting, seconded by Mr. Merrell.*

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

- **December 14, 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, Tiffany Maag, Joe Shafer and Michele Boni. Staff: Scott Sanders and Stephanie Matlack.

2. **Approval of Executive Committee Minutes from November 9, 2022**

*Mr. Merrell made a motion to Approve the minutes from the last meeting, seconded by Mr. Shafer.*

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

3. **New Business**

- Financial / Activity Reports for November

REGIONAL PLANNING RECEIPTS		NOVEMBER	YTD TOTAL
General Fees (Lot Split)	(4201)	\$205.00	\$11,890.00
Fees A (Site Review)	(4202)		\$6,505.00
Insp. Fees (Lot Line Transfer)	(4203)	\$100.00	\$6,200.00
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)	\$3,740.00	\$154,001.70
Charges for Serv. B (Final. Appl.)	(4231)	\$1,200.00	\$96,197.70
Charges for Serv. C (Ext. Fee)	(4232)	\$200.00	\$2,400.00
Charges for Serv. D (Table Fee)	(4233)		\$1,600.00
Charges for Serv. E (Appeal/Var.)	(4234)	\$300.00	\$2,225.00
Charges for Serv. F (Planned District Zoning)	(4235)	\$1,200.00	\$6,600.00
OTHER DEPT. RECEIPTS			
Health Dept. Fees	(4242)	\$1,350.00	\$25,670.00

Soil & Water Fees	(4243)	\$250.00	\$7,425.00
Commissioner's fees	(4244)	\$18.00	\$1,712.00
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>\$8,563.00</b>	<b>\$529,970.88</b>

Balance after receipts	\$1,198,408.47
Expenditures	<u>- \$ 39,461.78</u>
End of November balance (carry forward)	\$1,158,946.69

*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*

- December RPC Preliminary Agenda

- SKETCH PLANS
 

	<u>Township</u>	<u>Lots/Acres</u>
• Sayers Pointe acres	Scioto	39 lots / 121.199
- ZONING MAP/TEXT AMENDMENTS
  - Vaughan & Co. – Liberty Twp. – 20.23 acres – FR-1 to PC
  - Sarnovsky Family Trust – Trenton Twp. – 7.921 acres – FR to RR
  - Sarnovsky Preservation Trust – Trenton Twp. – 3.445 acres FR to RR
- SUBDIVISION PROJECTS
 

	<u>Township</u>	<u>Lots/Acres</u>
<u>Preliminary</u>		
• Rosewood Village	Liberty	1 lot / 19.4 acres
• Anthony CAD on SR 605	Trenton	5 lots / 63.846 acres
<u>Final</u>		
• The Conservation Club CAD	Brown	6 lots / 41.99 acres
• Riverwood Farm CAD	Liberty/Orange	6 lots / 51.683 acres
<u>Preliminary/Final</u>		
• Meijer 143, Lot 2782, Div. #1	Orange	1 lot / 2.00 acres

- Director's Report
  - 1.) Cases reviewed in 2022:
    - **Preliminary Non Residential Lots** reviewed – 33 (up from 13 in 2021);
    - **Final Non Residential Lots** reviewed – 16 (up from 13 in 2021);
    - **Preliminary Residential Lots** reviewed – 1,388 (up from 510 in 2021);
    - **Final Residential Lots** reviewed – 632 (down from 966 in 2021);
    - **Zoning Cases** reviewed – 40 map cases, 6 text cases (up from 36 and 9 in 2021);
    - **Zoning Acres** reviewed – 871 acres (up from 565 in 2021)
  - 2.) Attended **County Engineer luncheon**/presentation on November 16;
  - 3.) Hosted **Development Team Meeting** on November 17 (the first one with Econ Dev Director Connors);
  - 4.) Attended County **Intel “Steering Committee”** meeting on November 28. Emily Smith and Kevin Hoggatt presented information about Intel impacts. ODOT and County Engineer presented plans and focus areas for study;
  - 5.) Early stages of working with **Economic Development** on a small presentation to market the county – Intel-related and Berlin Business Park related;
  - 6.) Attended MORPC **Transportation Advisory** and **Attributable Funds** meetings in-person on November 30 (December meeting). Continued discussion of previous projects;
  - 7.) **Kingston Township Comp Plan** – sent final changes to committee to discuss final steps/adoption;
  - 8.) **Berlin Township Comp Plan** – pending at Trustees; township is also seeking trail planning support from MORPC, for which I prepared a letter of support on behalf of RPC and the Trail Committee.
  - 9.) **Prosecutor Training** – December 1, Brad and I attended first session related to zoning resolutions;
  - 10.) **Liberty Township Comp Plan** – met on December 7, remainder of background chapters, will start taking about land use on January 19;
  - 11.) **County Planning Directors Association** at CCAO – December 8, continuing as Secretary. One topic was AirBNB-type uses (short-term rentals), the state legislature is circulating language to prevent townships and counties from having any authority over regulation;
  - 12.) **Village of Ostrander** – Brad attended meeting on December 8 with village and Neighborhood Design Center to discuss future steps timing;
  - 13.) **Troy Township Zoning Code** – attending tonight (December 14), hopefully finalizing a set

of amendments after many months of discussion, possible Comprehensive Plan update in 2023;

14.) **Harlem Township Zoning Code** – finalizing contract to work on Zoning Code review and amendments to current sections to begin working in January; and

15.) **GIS** – Da-Wei reorganized the **Demographics** landing page (promoted through monthly e-mail), also continued to work on map showing taxable commercial property values, and a “road directory map” for Orange Township. Continuing to work on these.

- Director Evaluation – Chairman Stites explained that he would be working on the Director Evaluation with input from the Committee.

*At 9:53 a.m., Mr. Merrell made a motion to go into Executive Session per ORC 121.22 (G) (1) to consider the appointment, employment, dismissal, discipline, promotion, demotion or compensation of a public employee. Mrs. Maag seconded the motion. Vote: Unanimously For, 0 Opposed. Motion carried.*

*At 10:10 a.m. Mr. Merrell made a motion to return to regular session, seconded by Mrs. Maag. VOTE: Unanimously For, 0 Opposed. Motion carried.*

#### 4. Old Business

- Wage Study update – Chairman Stites is continuing to work with Fishel Downey on the Salary Survey. Several agencies have still not responded to the survey request.

#### 5. Other Business

- Consideration for recommendation of Approval: Health Dist. Fees \$25,770.00 and SWCD fees \$8,075.00. (Commissioner fees \$1,715.00)

Money collected on behalf of the Commissioners in the amount of \$1,715.00 has already been submitted for payment. This request was approved by the Executive Director and the Executive Committee Chairman as it falls under the allowable amount for their approvals.

*Mr. Shafer made a motion to recommend Approval of the transfer of revenues collected on behalf of the Health District, \$25,770.00 and SWCD, \$8,075.00. Miss Boni seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Mr. Merrell). Motion carried.*

#### 6. Adjourn

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

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- **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)**

**19-19                    The Conservation Club CAD – Brown Twp. - 6 lots / 41.482 acres**

### **Conditions**

**Applicant:** Damboy Invst. LLC. / **Consultant:** Plan 4 Land

**Subdivision Type:** Single Family Residential, Common Access Driveway

**Location:** east side of Beard Rd., north of Kilbourne Rd.

**Zoned:** FR-1 (Farm Residential) / **Preliminary Approval:** 12/19/19

**Utilities:** Del-Co Water, private on-lot treatment systems / **School District:** Buckeye Valley

### **Staff Comments**

The Conservation Club CAD is a 6-lot CAD located on the east side of Beard Road about 3,300 feet north of Kilbourne Road. The project received a variance to permit an additional buildable lot through RPC Variance #19-19.V at the July 25, 2019 RPC meeting based on several parcels already having road frontage on Beard Road.

The CAD is accessed from Beard Road and extends east and curves north where it terminates at the end of the property. The applicant has also included a 17.558-acre open space, no-build area to preserve wetland areas. All lots comply with minimum lot size and frontage requirements, ranging in size from 3.182 to 5.694-acres with frontages falling within their respective size categories.

The lots will be served by Del-Co water and on-lot treatment systems. The CAD is paved with concrete and has been completed.

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 Conservation Club CAD** to the DCRPC.

### **Commission / Public Comments**

**Mr. Merrell made a motion for Final Approval of The Conservation Club CAD. Mr. Benton seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.**

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03-21                      Riverwood Farm CAD - Liberty and Orange Twps. - 6 lots / 51.683 acres

**Conditions**

**Applicant:** Wills Creek Development Services LLC. / **Engineer:** EP Ferris

**Subdivision Type:** Single Family Residential, Common Access Driveway

**Location:** : North side of SR 750, east of SR 315

**Zoned:** FR-1 (Farm Residential) / **Preliminary Approval:** 05/27/21

**Utilities:** Del-Co Water, private on-lot treatment systems and central sanitary sewer

**School District:** Olentangy

**Staff Comments**

This application is for a 6-lot Common Access Driveway subdivision, located on the north side of Powell Road just east of the Olentangy River. The applicant received a variance for the number of permitted lots under Application #03-21.V at the DCRPC meeting on February 25, 2021. The CAD will be created from 5 existing parcels; two of which include existing residences. The remaining acreage west of the proposed CAD will be retained as a sheep farm, while the remaining acreage east of the proposed CAD has been placed in a conservation easement; a component of the variance request. Confirmation of the recorded easement has been provided to the RPC office.

There are several areas with sensitive natural resources on the property; including slopes, drainage courses with associated wetlands, and wooded areas. Since the driveway is already constructed, the impact will be limited to only building pads areas. These areas should only impact the wooded areas.

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 **Riverwood Farm CAD** to the DCRPC.

**Commission / Public Comments**

***Mr. Merrell made a motion for Final Approval of Riverwood Farm CAD. Mr. Benton seconded the motion.***

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

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## VARIANCES/ EXTENSIONS

### 20-14.V      Rockford Homes – Liberty Twp. - Olentangy Falls East – Sec. 204.04 – additional extension

**Applicant:** Rockford Homes

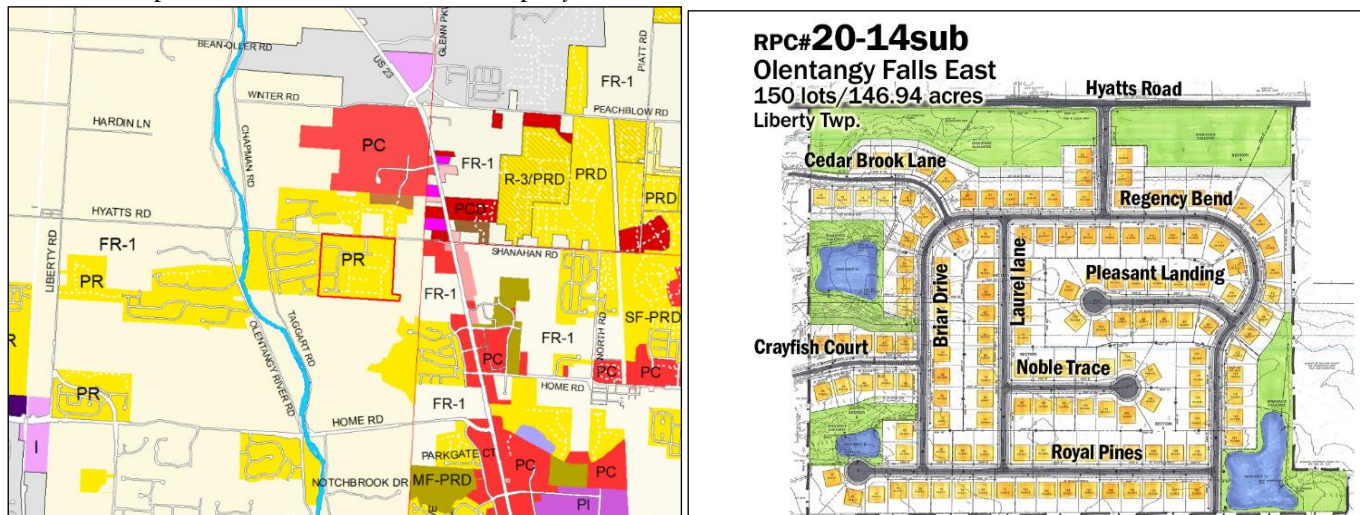
**Engineer:** CEC, Inc.

**Preliminary approval:** 09/25/14

**Extensions:** 12/17/20 – 12/17/21, 12/16/21 - 12/16/22 (via variance)

#### Request

The applicant, Rockford Homes, is requesting a second one-year extension via Variance for Olentangy Falls East to complete the final Section of the project.



#### Facts

- 1) The Subdivision Regulations state that “the approval of a Final plat for the first phase of the subdivision shall serve to extend the Preliminary Plan approval period to five (5) years from the date the Final Plat for the first phase is recorded.”
- 2) Olentangy Falls East received Preliminary approval on September 25, 2014;
- 3) Olentangy Falls East, Section 1 was recorded December 29, 2015, which held the Preliminary approval until December 2020;
- 4) Section 2 was recorded December 2017, Section 3 was recorded March 2021 and Section 5 was recorded October 2021;
- 5) The applicant received a one-year extension of the remaining lots in December 2020 to December 2021; and
- 6) The applicant received a second one-year extension via Variance for 1 year December 2021 to December 2022.

#### Criteria For a Variance

The burden is on the applicant to demonstrate in writing, each of the following:

- 1) The granting of this variance request shall not be detrimental to the public health, safety and welfare and not injurious to other property.



- 2) The conditions upon which this variance request is based are unique to the property for which this variance is sought.
- 3) Due to the physical surroundings, shape, or characteristics of the property, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of the Delaware County Subdivision Regulations were carried out.
- 4) The granting of this variance will not vary the provisions of the applicable zoning regulations, comprehensive plans, or other existing development guidelines and regulations, nor shall it otherwise impair the intent and purpose of these regulations, or the desirable development of the neighborhood and community.

***Applicant's Response:*** "In our opinion, the granting of the variance will not be detrimental to the health, safety, and welfare of the public or other properties. The development complies to the existing zoning requirements within Liberty Township as well as the county subdivision regulations and engineering standards."

***Staff comments:*** Similar to the previously-approved variance request for a one-year extension, Staff agrees with the response that the variance will not be detrimental to the health, safety, and welfare of the area. Section 4 is the final remaining section to be completed, which will fully connect Regency Bend road.

While there is nothing particularly unique about this request, nor is there a particular hardship that would occur should the variance be denied, staff does not believe the request would have any negative effect on the existing zoning or other subdivision regulations. Staff is reluctant to recommend approval of this extension and variance request, especially being that a one-year extension has already been approved for this section of the subdivision with no hardships identified by the applicant. However, section 4 is an integral part of this subdivision that will make sidewalk and roadway connections that will benefit the community.

#### **Staff Recommendation**

DCRPC staff recommends that based on the Findings of Fact under Criteria for a Variance above, the variance request from Sec. 102.03 & 204.04 and a one-year extension for **Olentangy Falls East Section 4** be Approved.

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

Mr. Adam Young, CEC Inc., was present.

***Mrs. Holt made a motion to Approve the Variance request, based on the Findings of Fact, along with a one year extension for Olentangy Falls East Section 4. Mr. Benton seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.***

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## ZONING MAP/TEXT AMENDMENTS

43-22 ZON      Vaughan & Co. – Liberty Twp. – 20.23 acres – FR-1 to PC

### Request

The applicant, Vaughan & Co., is requesting a 20.23-acre rezoning from Farm Residential (FR-1) to Planned Commercial (PC) for the development of a design and business office, including interior and exterior operations facilities and accessory buildings for equipment storage. Additional planned primary buildings include a retail center with café, event center, demonstration patios, public play area with splashpad, formal gardens, community gardens, outdoor wedding ceremony area, play fields and decorative ponds.

### Conditions

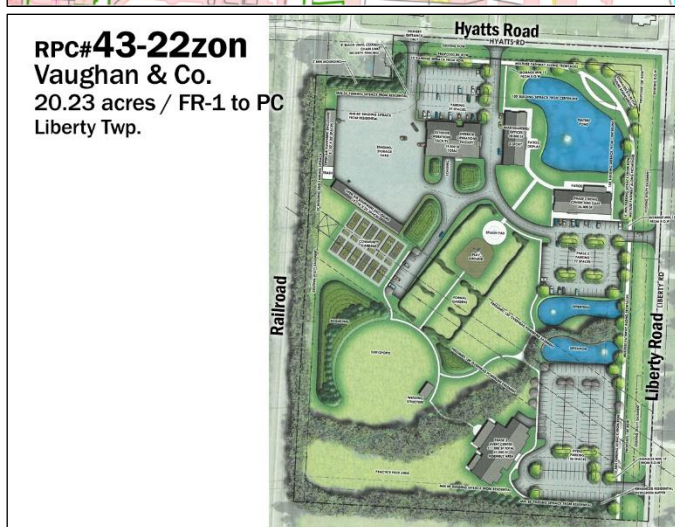
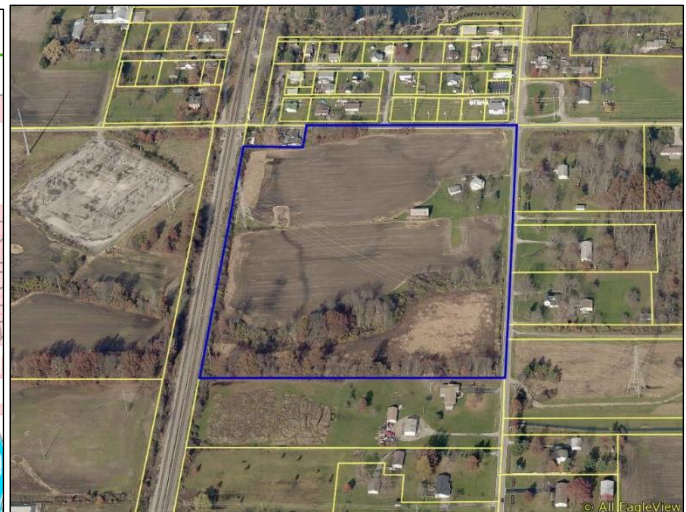
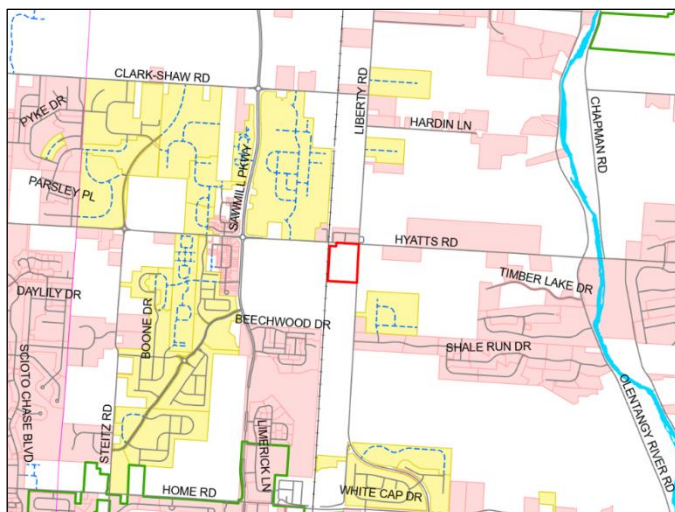
**Location:** 6060 Liberty Rd.

**Present Zoning:** Farm Residential (FR-1) / **Proposed Zoning:** Planned Commercial (PC)

**Present Use(s):** residential, agricultural fields / **Proposed Use(s):** design business office and related facilities

**School District:** Olentangy / **Utilities Available:** Del-Co Water, private on-lot treatment systems and central sanitary sewer

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



### **Introduction**

The applicant is requesting to rezone 20.23-acres from FR-1 to PC to allow for a list of commercial uses associated with Vaughan and Company's headquarters. The facilities and phasing are shown in the following:

**Phase 1:** 8,800 s.f. Headquarters Offices, 9,500 s.f. Interior/Exterior Operations building with loading area, Outdoor Staging and Storage area, Open Area Equipment enclosures, and 59-space Parking;

**Phase 2:** 6400 s.f. Retail Center and Café, Splash Pad, Playground, Turf Sports area, Wedding structure, and 77-space Parking;

**Phase 3:** 11,000 s.f. Event Center, 7,000 s.f. Assembly area and 156-space Parking.

The site is proposed to have four total points of ingress/egress, multi-use paths, stormwater ponds, parking areas, and landscaping throughout the site. High-voltage powerlines bisect the property from the northwest to southeast with one structure located adjacent to the railroad. Development is proposed on this single lot in three phases, however these phases will be determined at the Final Development Plan phase.

### **Comprehensive Plan**

Liberty Township's 2018 Comprehensive Plan includes this area in Sub Area II – Olentangy West Highlands. The site is recommended for residential development within a planned residential zoning district with a maximum net density of 1.25 dwelling units per acre and provide a minimum 20 percent open space. The Plan also recommends preserving historic structures, natural resources, wildlife corridors, encourage greenways and trails and include park lands. The Comprehensive Plan Map also identifies three potential wetlands on site.

Staff recognizes that additional open space would be added to the area, over 20 percent of this site is shown as preserved and the existing wildlife corridor to the south may benefit, but this commercial use is much more intense than the recommended single-family residential use.

### **Issues**

#### **Development Standards:**

All requirements other than the divergences requested appear to have been met.

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

There will be two points of ingress/egress along Hyatts Road; the western access is dedicated for deliveries only with the other being full access. There are two points of ingress/egress along Liberty Road, both are full access. All interior drives will be private.

DCEO has plans to install a round-a-bout at the Hyatts Road and Liberty Road intersection. Dedication of additional ROW will be determined at a later date. A Traffic Impact Study is being completed and will be submitted once available.

#### **Drainage:**

The site drainage will be served by three stormwater ponds and storm sewers.

#### **Signage:**

Three monument signs will be located at the three main entrances, outside of the ROW. Final signage plans will be submitted with the Final Development Plan.

### **Lighting:**

All lighting will comply with the Zoning Resolution requirements and a Lighting Plan will be submitted with a Final Development Plan.

### **Sanitary Treatment:**

Public sanitary sewer is not available at this time. A private on-site wastewater treatment system will be utilized. The applicant believes the event center may reach the extents of sanitary service to the site.

A preliminary soils investigation was completed by Soil and Environmental Consulting Services, Inc. in November, 2022, which indicated the soils throughout most of the site are suitable for an on-site sewage treatment system. No further details were provided as to location and system design.

### **Open Space and Landscaping:**

Required: 30%    Proposed: 44.5%

Open space is available for public use and may also be rented for private events, and will be owned and maintained by Vaughan & Co. A 10-foot-wide multi-use path along both road frontages and additional walking paths are scattered throughout the site to provide access to amenities.

### **Divergences**

Four divergences are requested (All sections referenced are from the Liberty Township Zoning Resolution):

1.    **Sec. 7.05.B** - No impoundment shall be located in the front yard in any zoning district, EXCEPT the FR-1 District, and EXCEPT upon issuance of a Conditional Use Permit pursuant to Article 25 of this Zoning Resolution or as approved in a Development Plan in any planned zoning district.
  - A community-oriented pond will be located between the commercial structures and both Hyatts and Liberty Road. Two other basins are proposed on either side of the stream, placing them in the side yards of the buildings in Phase 2 and Phase 3.
2.    **Sec. 15.05.B** - No trailer of any type, no boats, no campers, and no equipment of any type shall be parked in front of the principal structure line on any parcel within this district for more than eight (8) hours in a twenty-four (24)-hour period.
  - Trailers and equipment will be parked in front of the principal building structure line for 24 hours, but only within the confines of the storage/staging yard, which is surrounded by security fencing, landscaping and mounding.
3.    **Sec. 15.05.D** - Storage or accumulation of: inoperable, unused, or unlicensed vehicles; equipment or machinery of any type; and vehicle, equipment, or machinery parts and other similar debris - unless any of the previously mentioned items remain entirely enclosed within a permitted accessory building so as to not be visible from any adjoining property or road.
  - Equipment and machinery associated with the proposed use will be stored in the storage/staging yard, which will be surrounded by security fencing and will be screened on the north side of the yard with mounding and evergreen landscaping.
4.    **Sec. 15.09** - In the Planned Commercial District (PC), no use shall be established or changed and no structure shall be constructed or altered until the required Plat has been prepared and recorded in accordance with the Subdivision Regulations for Delaware County, Ohio, and in conformance with the provisions of the Liberty Township Zoning Resolution.
  - The applicant does not intend to plat the development.

**Staff Comment:** Staff notes that the requested divergences in general would not be as impactful if the proposed development were located in an area recommended for a commercial use, and not surrounded by residential uses to the north, east, and south. Some of the uses, such as outdoor storage, open air enclosures, and trailer and equipment parking are typically found in a Planned Industrial zoning district. Based on the ultimate size of the development, number of uses, and potential easements (future sanitary sewer, storm sewer, electric, existing high voltage power lines, etc.,) Staff would not support a divergence to not require platting.

### **Reviewing Agency Comments**

**DCEO** – Letter is included indicating access point locations will be determined based on a Traffic Study; a round-a-bout is planned by DCEO for the intersection of Hyatts and Liberty Road; A detailed stormwater management engineering design is required, and offsite drainage easements may be required based on this design; Drainage maintenance and drainage, erosion and sedimentation control (DESC) will be required; Preliminary and Final Engineering must be submitted and approved prior to any development on site.

**DCSEO** – Letter is included indicating a sanitary extension is not required; however, a connection is recommended if large wastewater flows are anticipated with all of the proposed uses. To date, the nearest sewer line connection is approximately 1,300 feet away and must cross five privately owned properties if extended.

- Staff notes that conceptual on-site leach fields are shown on the plan for the two northern uses. Specific information from the Health District or Ohio EPA is not included. Connection to sewer is proposed for the Assembly area in Phase 3.

**Del-Co** – Letter is included indicating water service is available.

**Liberty Township Fire Department** – Letter is included indicating that fire service will be provided to the site. A full size set of plans must be submitted for review and approved.

**Staff summary:** The various uses could be a benefit and bring value to the Township and the general area. Some of these uses may even be appropriate at this location. However, these uses need to be accommodated with Planned Commercial zoning which will introduce non-residential zoning in an area not recommended for commercial uses. Based on the number of divergences requested, the intensity of some uses, lack of sewer service at the time of development, and the Liberty Township Comprehensive Plan recommendations for this site, Staff does not support the rezoning request.

### **Staff Recommendations**

Staff recommends **Denial** of the rezoning request by Vaughan & Co. from FR-1 to PC to the DCRPC, Liberty Twp. Zoning Commission and Liberty Twp. Trustees.

### **Commission / Public Comments**

Mr. Todd Faris, Faris Planning & Design, was present to represent the applicant. He explained that the applicant anticipates this project to be a long term investment in the community with several amenities including a splash pad and gardens open to the public.

Mr. Scott Miller, 6075 Liberty Rd., expressed his concern with the proposal and believes this area should be single family residential as the comprehensive plan suggests. He is concerned with what could happen in the

future if a project like this is allowed to move forward.

Mr. Patrick Donovan, 6149 Liberty Rd., North, is not in favor of commercial zoning in the residentially zoned area.

Ms. Jessica Salyers, 6049 Liberty Rd., stated that she has grown up in this area and is concerned with the increase of traffic that has already been an issue.

Mr. Jason Davis, 3773 Liberty Rd., expressed concern with the 300 parking spaces proposed. Hyatts Road cannot handle that amount of additional traffic. He also questioned the need for 2 event centers within a half mile of each other (Swan Lake).

Mr. Mike Noble, 1845 Hyatts Rd., also expressed concern with traffic and lack of sewer.

Miss Boni asked when the last time Liberty Twp. updated their Comprehensive Plan and where the POD 18 is located. Mr. Sanders stated that the Comp. Plan was finished in 2018 and the POD 18 area is on the other side of the railroad. There is a corridor of residential and multi-family and there is some commercial on the corners of Sawmill Rd. and Clarkshaw and at Sawmill and Hyatts.

***Mr. Weade made a motion to recommend Denial of the rezoning request by Vaughan & Co., based on staff recommendations. Mrs. Holt seconded the motion. VOTE: Unanimously For Denial, 0 Opposed. Motion carried.***

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**44-22 ZON      Sarnovsky Family Trust – Trenton Twp. – 7.921 acres – FR to RR**

**Request**

Mr. Joe Clase, Plan 4 Land, consultant for the Sarnovsky Family Trust is requesting to rezone 7.921-acres from Farm Residential (FR) to Rural Residential (RR) to allow the lot to be split into two residential lots.

**Conditions**

**Location:** west side of Longshore Rd., north of SR 37 E (981 Longshore Rd.)

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

**Present Use(s):** residence and agricultural / **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, PwA



**Introduction**

The applicant seeks to rezone a 7.921-acre lot from Farm Residential (FR) to the Rural Residential (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 Longshore Road, just north of US-37, and includes 635 feet of frontage. Flag lots are not currently allowed in the zoning resolution. A site plan was submitted indicating Tract 7 as 4.478-acres with 325.41 feet of frontage and Tract 8 as 3.443-acres with 250 feet of frontage. The remaining area would have a 60 feet strip on the northern most portion of the site creating a 10.153 acre flag lot, which is over 5-acres in size. Although lots over 5 acres are exempt from review, the creation of a lot without the full amount of frontage could create an illegal lot from the perspective of zoning. The remaining land could be transferred to an adjoiner when the other splits are recorded.

**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 Sarnovsky Family Trust from FR to RR to the DCRPC, Trenton Twp. Zoning Commission and Trenton Twp. Trustees.

### **Commission / Public Comments**

Mr. Joe Clase, Plan 4 Land, was present to represent the applicant. He stated that the Sarnovsky family own the adjacent land and could possibly transfer some land to meet the frontage requirements.

*Mr. Matlack made a motion to recommend Approval of the rezoning request by Sarnovsky Family Trust from FR to RR. Miss Boni seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Trenton Twp.). Motion carried.*

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**45-22 ZON      Sarnovsky Preservation Trust – Trenton Twp. – 3.445 acres FR to RR**

### **Request**

Mr. Joe Clase, Plan 4 Land, consultant for the Sarnovsky Preservation Trust is requesting to rezone 3.445-acres from Farm Residential (FR) to Rural Residential (RR) to allow the lot to be split into two residential lots.

### **Conditions**

**Location:** west side of Longshore Rd., north of SR 37 E (877 Longshore Rd.)

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

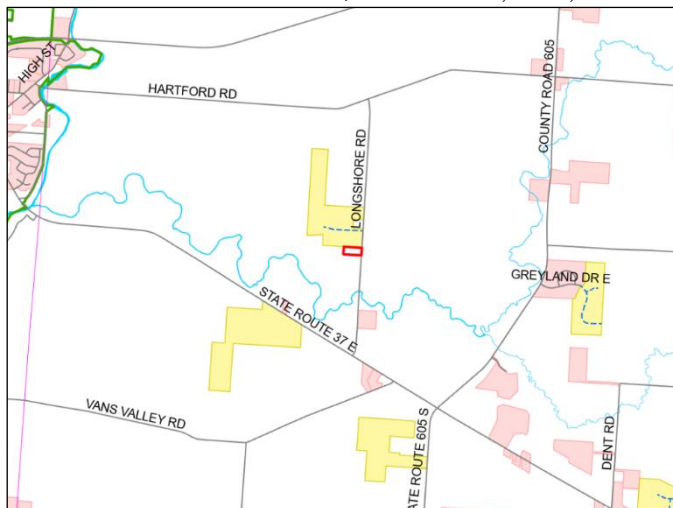
**Present Use(s):** residence and agricultural / **Proposed Use(s):** Two single-family house lots

**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:** stream / **Soils:** BeA, BeB, PwA



### **Introduction**

The applicant seeks to rezone a 3.445-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 Longshore Road, just north of



US-37, and indicates 205 feet of frontage. Flag lots are not currently allowed in the resolution. A site plan was submitted indicating Tract 9 as 3.445-acres with 208.05 feet of frontage and the remaining tract 10 as 7.335-acres with 110 feet of frontage, which is over 5-acres in size. Although lots over 5 acres are exempt from review, the creation of a lot without the full amount of frontage could create an illegal lot from the perspective of zoning. The remaining land could be transferred to an adjoiner when the other splits are recorded.

#### **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 Sarnovsky Preservation Trust from FR to RR to the DCRPC, Trenton Twp. Zoning Commission and Trenton Twp. Trustees.

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

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

***Mr. Merrell made a motion to recommend Approval of the rezoning request by Sarnovsky Preservation Trust from FR to RR. Mr. Matlack seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Trenton Twp.). Motion carried.***

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## SUBDIVISION PROJECTS

### Preliminary

31-22                      Rosewood Village - Liberty Twp. - 1 lot / 19.4 acres

### Conditions

**Applicant:** Metro Development / **Engineer:** MS Consultants

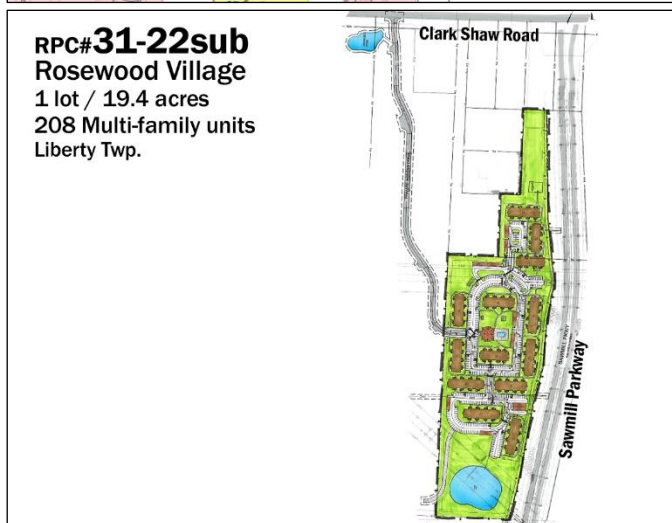
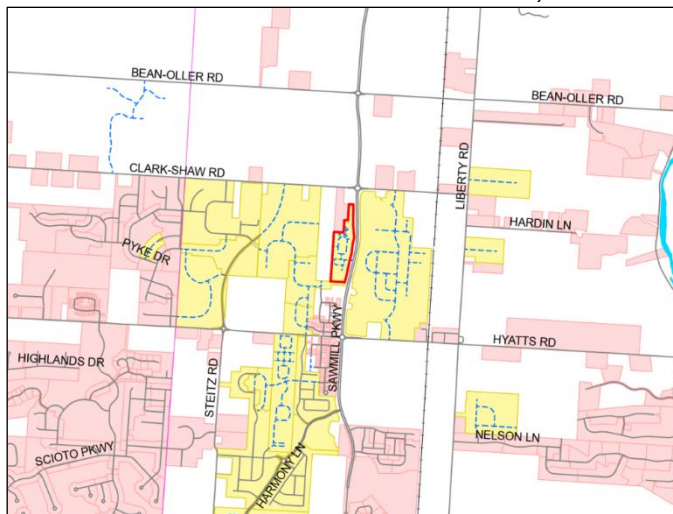
**Subdivision Type:** Multi-Family residential

**Location:** west side of Sawmill Parkway, south of Clark Shaw Rd.

**Current Land Use:** Vacant

**Zoned:** FR-1, POD-18D overlay / **Zoning Approval:** Pending

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



### Staff Comments

The request is for Preliminary Plan approval to plat a lot on which a 208 unit multi-family development would be built, with a gross density of 10.72 dwelling units per acre. The subject site is located on the west side of Sawmill Parkway, south of Clark Shaw Road. The development will be accessed with one access road

built to public standards and include 13 apartment buildings, 10 detached garages, 473 parking spaces, a stormwater pond, a dog park, a cluster mailbox unit, sidewalks throughout, and two multi-use path connections to the east along Sawmill Parkway. There is an emergency access drive that is proposed to connect to Ludwig Street to the south, however the applicant indicated the adjacent developer will be responsible for completing this connection. No reserves are proposed. However, 8.22-acres are dedicated to open space.

The County Engineer's office has noted that additional information regarding the emergency access drive is required as it does not provide a connection for access until other adjacent development progresses; also consider additional sidewalks connecting to the adjacent subdivision; and the private drive must be constructed to County standards, which is the applicant's intent.

The proposed basin does not appear to meet zoning setback requirements and Liberty Township Zoning has indicated that the proposed road is not permitted on the lot to the west as it is currently zoned FR-1. Staff notes that any variances needed must be addressed prior to Final Plat approval provided the Preliminary Plan is approved. The Township has indicated that the applicant must either seek a Variance from the Liberty Township BZA to build the drive initially as a private drive that will eventually be platted. If that variance fails, the road must be platted at the same time as the plat for the development.

***A technical review was held on December 13, 2022, after which the applicant has addressed all of the other required changes.***

#### **Staff Recommendation**

Staff recommends ***Conditional Approval*** of **Rosewood Village** to the DCRPC, subject to the applicant either 1.) gaining a Variance from the Liberty Township BZA to construct a private drive to access the site, or 2.) plat the drive in ROW at the time of development platting.

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

Mr. Joe Thomas, Metro Development, was present. He stated they own the property adjacent to this property to the west but do not have an end use for that property yet. They would continue working with the County Engineer and with Liberty Twp. Fire Department on the emergency access through the final engineering process. There would be a full time emergency access as well as the new roadway when this development starts.

Mr. Sanders stated that there has been some thought given into what traffic goes south and what goes north. And because Steitz will be connected as a pretty major north/south road it's ok if it doesn't all interconnect north and south as long as everything has one direction to go.

Mr. Love explained that the property to the west is potentially going to be a private street development. They know they have to work with Mr. Thomas on where the emergency access has to go.

Mr. Weade questioned if this project was premature until the adjoining property owners' plans have been reviewed in order to coordinate accesses. Mr. Thomas stated they have been working on this project for four years. They own this piece, are in contract to buy the property directly to the west. There will be an access to Clarkshaw Rd., an emergency access to Clarkshaw Reserve, so the final development plan and engineering will contain all those pieces.

*Mr. Matlack made a motion to recommend Conditional Approval of Rosewood Village, subject to staff recommendations. Mr. Merrell seconded the motion. VOTE: Majority For, 1 Opposed (Berkshire Twp.). Motion carried.*

24-22                    Anthony CAD on SR 605 – Trenton Twp. - 5 lots / 63.846 acres

**Conditions**

**Applicant:** David Anthony / **Consultant:** A to Zoning

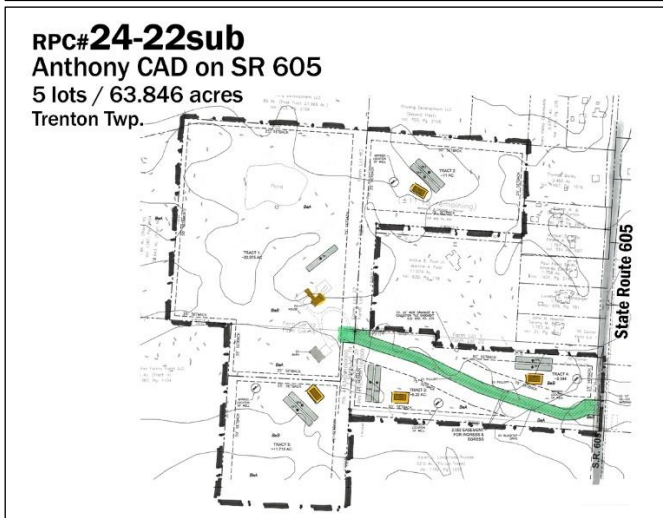
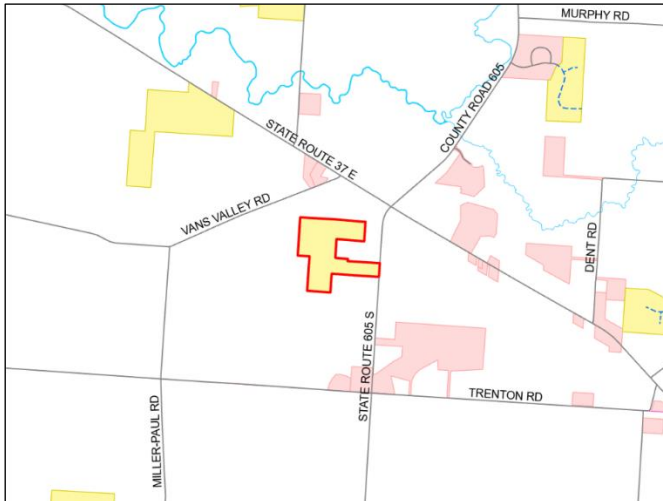
**Subdivision Type:** Single-family residential CAD

**Location:** west side of SR 605, north of SR 37

**Current Land Use:** residential

**Zoned:** Farm Residential (FR-1)

**Utilities:** Del-Co water and private on-lot treatment systems / **School District:** Big Walnut



**Staff Comments**

The request is for Preliminary Plan approval to create a 5 lot CAD. The subject site is located on the west side of State Route 605, just south of State Route 37. The site is 63.846-acres in size and is made up of four



total parcels that is mostly vacant, and includes one single-family home and barn. The drive that will serve the lots is existing and a Subdivision variance was approved on August 25, 2022 to allow for two additional lots to be served by the CAD.

*A technical review was held on December 13, 2022, after which the applicant has addressed all of the required changes.*

### Staff Recommendation

Staff recommends *Preliminary Approval* of **Anthony CAD on SR 605** to the DCRPC.

### Commission / Public Comments

Ms. Courtney Wade, A to Zoning, was present to represent the applicant.

*Mr. Merrell made a motion for Preliminary Approval of Anthony CAD on SR 605. Miss Boni seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Trenton Twp.). Motion carried.*

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### Preliminary / Final

30-22                      Meijer 143, Lot 2782, Division #1 – Orange Twp. - 1 lot / 2.00 acres

### Conditions

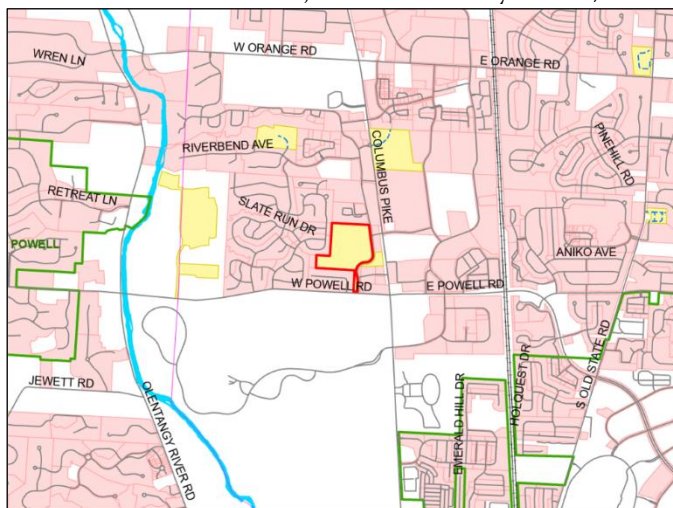
**Applicant:** Meijer Limited Partnership / **Engineer:** CEI Engineering

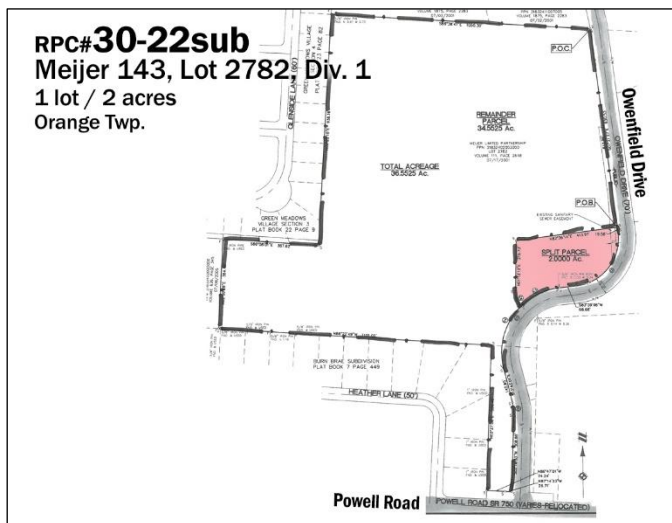
**Subdivision Type:** Commercial

**Location:** West side of Owenfield Dr., north of Powell Rd.

**Zoned:** Planned Commercial (PC)

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





### Staff Comments

The Meijer 143, Lot 2782, Div. 1 is a commercial subdivision that is currently 36.553-acres in size. The request is to subdivide a 2-acre lot that is currently grass land from the overall site to allow for a car wash on the 2-acre lot. The site is located on the west side of Owenfield Drive, just north of Powell Road. The proposed car wash will include two access points along Owenfield Drive; one entrance only and one entrance/exit. There is a 50 foot building line setback along Owenfield Drive, and all development other than parking and the drives are outside of this setback. The car wash will include three drive aisles leading to two pay kiosks, a 200-foot-long car wash tunnel, vacuums, and 38 parking spaces.

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 Approval* of **Meijer 143, Lot 2782, Division #1** to the DCRPC.

Provided DCRPC approves the Preliminary Plan, staff recommends *Final Approval* of **Meijer 143, Lot 2782, Division #1** to the DCRPC.

### Commission / Public Comments

*Mr. Matlack made a motion for Preliminary and Final Approval of Meijer 143, Lot 2782, Division #1. Mr. Weade seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Orange Twp.). Motion carried.*

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## OTHER BUSINESS

- Consideration for recommendation of Approval: Health Dist. Fees \$25,770.00 and SWCD fees \$8,075.00.

*Mr. Merrell made a motion to Approve the expenditures for the Health Dist. \$25,770.00 and SWCD, \$8,075.00. Mr. Benton seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Mr. Kent, Health Dist.). Motion carried.*

*Mr. Kent made a motion to adjourn the meeting at 7:20 p.m. Miss Boni seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

*The next meeting of the Delaware County Regional Planning Commission will be Thursday, January 26, 2023, 6:00 PM at the Frank B. Willis Building, 2079 US 23 North, Conference Room, Delaware, Ohio 43015.*

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Dave Stites, Chairman

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Stephanie Matlack, Executive Administrative Assistant