

# 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, April 27, 2023 at 6:00 PM  
Frank B. Willis Building, 2079 US 23 North, Conference Room,  
Delaware, Ohio 43015

### ADMINISTRATIVE BUSINESS

- Call to order
- Roll Call
- Approval of March 30, 2023 RPC Minutes
- Executive Committee Minutes of April 19, 2023
- Statement of Policy

### CONSENT AGENDA (Final Plats)

|       |                                | Township | Lots/Acres            |
|-------|--------------------------------|----------|-----------------------|
| 08-21 | Keller Subd., Lot 294, Div. #1 | Berlin   | 2 lots / 2.767 acres  |
| 24-22 | Anthony CAD on SR 605          | Trenton  | 5 lots / 63.846 acres |

### VARIANCE / EXTENSIONS

|         |   |
|---------|---|
| 06-23.V | Bruce Hastilow - Trenton Twp. - requesting additional lot on CAD - Sec. 306.02            |
| 08.20.V | Nest at Hoover, Inc. - Genoa Twp. - requesting additional extension - Sec. 102.02, 204.04 |
| 14-21   | Ravine Run - Orange Twp. - 14 lots / 15.8 acres - requesting 1 year extension             |
| 12-21   | Clarkshaw Reserve - Liberty Twp. - 87 lots / 87.47 acres - requesting 1 year extension    |

### ZONING MAP/TEXT AMENDMENTS

|           |  |
|-----------|--|
| 08-23 ZON | Metro Dvlpt. - Berlin Twp. - 6.369 acres - PCD/BCO Art. 15 - Northport Residential Hotel                               |
| 09-23 ZON | Rural Zoning Commission - Zoning Resolution update   |
| 10-23 ZON | Harlem Twp. Zoning Commission - Zoning Resolution update (Articles XXXI and XXXIV)                                     |
| 11-23 ZON | Berkshire Twp. Zoning Commission - text amendments   |
| 12-23 ZON | Northstar Condominium LLC - Berkshire Twp. - 23.83 acres - development plan amendment - The Greens at Northstar Sec. 2 |

### SUBDIVISION PROJECTS

|                    |                           | Township | Lots/Acres            |
|--------------------|---------------------------|----------|-----------------------|
| <u>Preliminary</u> |                           |          |                       |
| 05-23              | Conservancy at Duncan Run | Harlem   | 24 lots / 67.93 acres |

### OTHER BUSINESS

- Executive Committee Member Elections

**ADMINISTRATIVE BUSINESS**

▪ **Call to Order**

Chairman Stites called the meeting to order at 6:00 p.m.

▪ **Roll Call**

*Representatives:* David Weade, Meghan Raehll, Steve Lisano, Duane Matlack, Jeff Benton, Dustin Kent, Sarah Holt, Joe Shafer, Mike Cannon, Dave Stites, Eric Gayetsky, Jeffrey Warner, Michele Boni, Herb Ligocki, Kent Manley, Doug Price. *Alternates:* Jesse Mann, Sudhir Singhal, Brad Stanton, Mike Love, and Barry Bennet. *Arrived after roll call:* Gary Merrell and Mike Dattilo. *Staff:* Scott Sanders, Brad Fisher, Da-Wei Liou and Stephanie Matlack.

▪ **Approval of the March 30, 2023 RPC Minutes**

*Mr. Matlack made a motion to Approve the minutes from the March 30<sup>th</sup> meeting. Mr. Bennet seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

▪ **April 19, 2023 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, and Joe Shafer. Michele Boni was absent. Staff: Scott Sanders and Stephanie Matlack.

2. **Approval of Executive Committee Minutes from March 22, 2023**

*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 March

| REGIONAL PLANNING RECEIPTS                    |        | MARCH       | YTD TOTAL    |
|---|--------|-------------|--------------|
| General Fees (Lot Split)                      | (4201) | \$715.00    | \$3,995.00   |
| Fees A (Site Review)                          | (4202) | \$300.00    | \$900.00     |
| Insp. Fees (Lot Line Transfer)                | (4203) | \$300.00    | \$400.00     |
| Membership Fees                               | (4204) | \$17,383.00 | \$177,644.00 |
| Planning Surcharge (Twp. Plan. Assist.)       | (4205) |             | \$292.91     |
| Assoc. Membership                             | (4206) |             |              |
| General Sales                                 | (4220) |             |              |
| Charges for Serv. A (Prel. Appl.)             | (4230) | \$2,800.00  | \$47,852.10  |
| Charges for Serv. B (Final. Appl.)            | (4231) | \$8,700.00  | \$14,000.00  |
| Charges for Serv. C (Ext. Fee)                | (4232) | \$200.00    | \$600.00     |
| Charges for Serv. D (Table Fee)               | (4233) |             |              |
| Charges for Serv. E (Appeal/Var.)             | (4234) |             | \$300.00     |
| Charges for Serv. F (Planned District Zoning) | (4235) |             | \$600.00     |
|   |        |             |              |
| OTHER DEPT. RECEIPTS                          |        |             |              |

|                                |        |                    |                     |
|--------------------------------|--------|--------------------|---------------------|
| Health Dept. Fees              | (4242) | \$6,580.00         | \$6,680.00          |
| Soil & Water Fees              | (4243) | \$400.00           | \$1,300.00          |
| Commissioner’s fees            | (4244) | \$237.00           | \$384.00            |
| MISCELLANEOUS REVENUE          |        |                    |                     |
| Other Reimbursements           | (4720) |                    |                     |
| Other Reimbursements A         | (4721) |                    |                     |
| Other Misc. Revenue (GIS maps) | (4730) |                    | \$116.62            |
| Misc. Non-Revenue Receipts     | (4733) |                    |                     |
| Sale of Fixed Assets           | (4804) |                    |                     |
| <b>TOTAL RECEIPTS</b>          |        | <b>\$37,615.00</b> | <b>\$255,064.63</b> |

|                                      |                      |
|--------------------------------------|----------------------|
| Balance after receipts               | \$1,245,900.53       |
| Expenditures                         | <u>-\$ 38,900.03</u> |
| End of March balance (carry forward) | \$1,207,000.50       |

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

- Unpaid dues as of 4/13/23 – Liberty Twp. and Dublin

Contact has been made to both jurisdictions. (Liberty dues were received on 4/21/23)

- April RPC Preliminary Agenda

- SKETCH PLANS
 

|                | <u>Township</u> | <u>Lots/Acres</u>     |
|----------------|-----------------|-----------------------|
| • Harkins CAD  | Concord         | 2 lots / 11.425 acres |
| • Hyatts Plaza | Berlin          | 1 lot / 3.25 acres    |
- ZONING MAP/TEXT AMENDMENTS
  - Metro Dvlpt. – Berlin Twp. – 6.369 acres – PCD/BCO Art. 15 – Northport Residential Hotel
  - Rural Zoning Commission – Zoning Resolution update
  - Harlem Twp. Zoning Commission – Zoning Resolution update (Articles XXXI and XXXIV)
  - Berkshire Twp. Zoning Commission – text amendments
  - Northstar Condominium LLC – Berkshire Twp. – 23.83 acres – development plan amendment – The Greens at Northstar, Sec. 2

- SUBDIVISION PROJECTS
 

|                                  | <u>Township</u> | <u>Lots/Acres</u>     |
|----------------------------------|-----------------|-----------------------|
| Preliminary                      |                 |                       |
| • Conservancy at Duncan Run      | Harlem          | 24 lots / 67.93 acres |
| Final                            |                 |                       |
| • Keller Subd., Lot 294, Div. #1 | Berlin          | 2 lots / 2.767 acres  |
| • Anthony CAD on SR 605          | Trenton         | 5 lots / 63.846 acres |

Variance / Extension

- Bruce Hastilow – Trenton Twp. - requesting additional lot on CAD – Sec. 306.02
- Nest at Hoover, Inc. – Genoa Twp. – requesting additional extension – Sec. 102.02, 204.04
- Ravine Run – Orange Twp. - 14 lots /15.8 acres – requesting 1 year extension

- Director’s Report

Meetings hosted or attended:

- MORPC Regional Housing Coalition Advocacy & Partnership task force – 4/3;
- MORPC Transportation Advisory Committee – 4/5;
- Trenton Township Zoning Commission – discussed the impacts of Intel on 4/17;
- Housing Land Use and Zoning subcommittee – attended virtually on 4/3; and
- MORPC State of the Region– 3/31

Project updates

- Delaware Twp. Zoning Resolution – approved, final sent and posted;
- Harlem Township Zoning Resolution – amendment meetings on 4/10;
- Village of Ostrander Comprehensive Plan – 4/13 - Brad continuing to present material;
- Liberty Township Comp Plan – met on 3/16, continuing to work on recommendations;
- Kingston Township Comp Plan – waiting on final steps;
- Berlin Township Comp Plan – finalized text, waiting for response; and
- Village of Galena – continuing and layout of their Comp Plan background chapters

4. Adjourn

*Having no further business, Mr. Merrell made a motion to adjourn the meeting at 10:01 a.m. Mrs. Maag seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

The next regular Executive Committee meeting will be Wednesday, May 25, 2023 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)

08-21 Keller Subd., Lot 294, Div. #1 – Berlin Twp. - 2 lots / 2.767 acres

### Conditions

**Applicant:** Mary Lou Gott / **Surveyor:** Scioto Land Surveying

**Subdivision Type:** Single Family Residential

**Location:** North side of Sherman Rd., west of 3 B's & K Rd.

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

**Preliminary Approval:** 03/25/21

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

**School District:** Olentangy

### Staff Comments

Keller Subdivision, Lot 294, Division #1 Preliminary Plan was approved on March 25, 2021 to replat lot 294. The applicant is now requesting Final Plat approval to create one new developable lot that is 1.373-acres in size, reducing the existing developed lot to 1.394-acres in size.

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 Keller Subd., Lot 294, Div. #1 to the DCRPC.

### Commission / Public Comments

*Mr. Price made a motion for Final Approval of Keller Subd., Lot 294, Div. #1. Mr. Weade seconded the motion. VOTE: Unanimously For, 0 Opposed. 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, Common Access Driveway

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

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

**Preliminary Approval:** 12/22/22

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

**School District:** Big Walnut

### Staff Comments

The Anthony CAD Preliminary Plan was approved on December 22, 2022. The applicant is now requesting Final Plat approval to create a 5-lot CAD, with lot sizes ranging from 5.022-31.414-acres. The project received a variance to allow two otherwise landlocked parcels to be developed with single-family homes through RPC

Variance #24-22.V at the August 25, 2022 RPC meeting.

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 Anthony CAD on SR 605 to the DCRPC.

**Commission / Public Comments**

*Mr. Price made a motion for Final Approval of Anthony CAD on SR 605. Mr. Weade seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

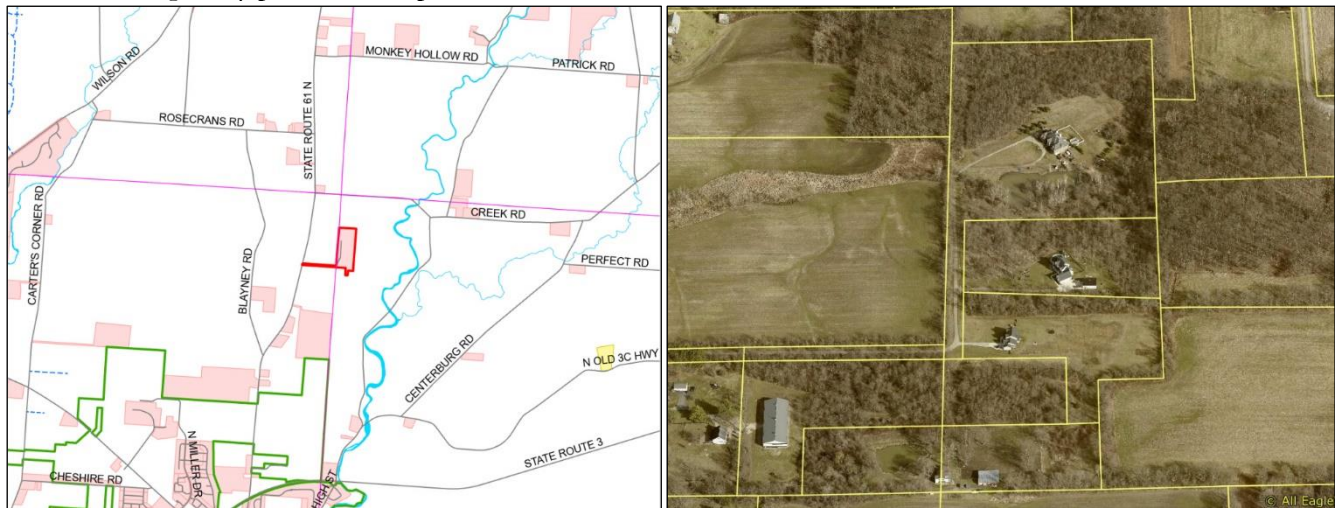
=====

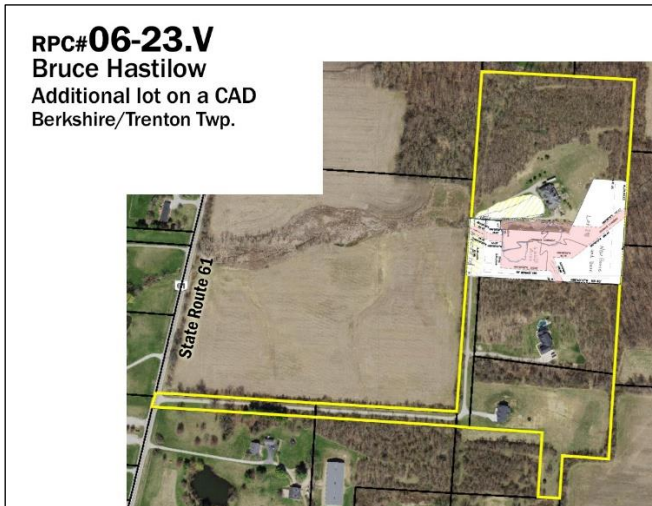
**VARIANCE / EXTENSION**

06-23.V            Bruce Hastilow – Trenton Twp. - requesting additional lot on CAD – Sec. 306.02

**Request:**

Bruce Hastilow is requesting a variance from Section 306.02 of the Delaware County Subdivision Regulations for the Hastilow CAD Subdivision to permit four lots in a Common Access Driveway subdivision. The Hastilow CAD was originally platted in September, 2018, and included three total lots.





The proposed subdivision is located on 13.082 acres on the east side of S.R. 61, south of Stockwell Rd.

### Facts

1. The applicant seeks to create a four-lot subdivision, utilizing a Common Access Driveway;
2. The site is 13.082 acres and consist of parcel 41622001044005;
3. The land is zoned FR, with a minimum 5-acre lot size;
4. The applicant has provided letters in support from the two other landowners in the CAD;
5. Relevant section of the Subdivision Regulations:

**“306.02 Number of Lots.** The CAD may serve and provide access for up to three (3) lots as shown on the CAD subdivision plat. Two (2) additional lots contiguous to the CAD at the point of access to the public or private road by the CAD and which would meet the current applicable zoning requirements as free-standing lots may, at the discretion of the Commission, be accessed by the CAD.”

### 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.

**Staff Comment:** *The applicant provided supporting letters from the two other property owners in the CAD.*

- 2) The conditions upon which this variance request is based are unique to the property for which this variance is sought.

**Staff Comment:** *No details were provided as to whether there are unique circumstances to allow this variance to be approved or any details regarding the criteria for approving a variance. There is a recorded drainage easement that encompasses part of the proposed 6.662-acre lot and includes a stream on the north side of the property. Depending where the new driveway will be located, a stream crossing may be required and all construction equipment needed to construct a new residence could impact that drainage easement area, and potentially the function of that drainage way. Note 3 on the existing plat states “...Development and future use of this lot shall not create obstructions to the*

flow of water within any drainage easement.”

Staff notes that if the Commission were to consider approving this variance request, the land area to the north of the existing home on the 13.082-acre site has land area that is completely outside of drainage easements, streams and poorly drained soil types. If considering this option, the driveway would need to be extended significantly and staff recommends limited tree removal to allow for development.

- 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.

**Staff Comments:** No hardship was identified by the applicant and Staff does not believe a hardship exists. Additionally, there is limited land available on the new lot that is outside of poorly drained soil types to allow for an on-site wastewater treatment system and a home with basement. Based on the site plan submitted, there is 0.68 +/- acres of developable land that is surrounded by the drainage easement, which would include the new home, barn, and septic system. There is 0.63 +/- acres of this site that is located north of the drainage easement and stream.

- 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.

**Staff Comments:** The FR zoning district requires 300 feet of road frontage on a lot larger than 5-acres, and no flag lots are permitted. Based on the site plan submitted, only 235 feet is provided. Also, the Trenton Township Comprehensive Plan recommends preserving natural resources such as creeks and retaining wildlife cover and corridors where feasible.

#### **Staff Recommendations**

DCRPC staff recommends *Denial* of the variance request from Sec. 306.02 of the Subdivision Regulations for **Hastilow CAD** to allow a total of 4 lots on a CAD, based on the Findings of Fact.

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

No one was present to represent the applicant.

**Mr. Bennet made a motion for Denial of the variance request for Hastilow CAD based on the Findings of Fact. Mr. Mann seconded the motion. VOTE: Unanimously For Denial, 0 Opposed. Motion carried.**

---



08.20.V Nest at Hoover, Inc. – Genoa Twp. – requesting additional extension – Sec. 102.03, 204.04

**Request**

The applicant, GSCS Holdings LLC, is requesting their second Preliminary Plan extension via Variance for Nest at Hoover. The site is located on the east side of S. Old 3 C directly across from Olivero Dr. and Vinmar Village, Section 1.

**Facts**

- 1) Section 204.04 of the Subdivision Regulations states that the Preliminary Plan shall expire if a complete Final Plat application for the first phase is not submitted within two (2) years of Preliminary Plan approval;
- 2) Nest at Hoover received Preliminary approval on May 28, 2020;
- 3) The applicant received a one-year extension in May 2022 to May 2023; and
- 4) Section 102.03 of the Subdivision Regulations state that the maximum total extension may not to exceed one year.

**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:*** "Due to the current market conditions and the cost of infrastructure sewer to our site per Delaware County Sewer, we have been unable to economically make the project feasible. We currently are having discussions with Romanelli & Hughes in sharing some of the costs to connect to the lift station at Tussic and Old 3C which will make our project feasible and being able to develop in 2024."

***Staff comments:*** The extension, if approved, would begin May 2023 and expire May 2024. The Nest at Hoover subdivision makes no road connection to neighboring properties and the request will only impact the applicant's property; therefore, the variance and a 1-year extension request will not be detrimental to 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 Nest at Hoover be *Approved*.

**Commission / Public Comments**

No one was present to represent the applicant.

*Mr. Price made a motion for Approval of the Variance for the Nest at Hoover based on the Findings of Fact along with a 12-month extension. Mr. Bennet seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Genoa Twp.). Motion carried.*

---

14-21                    Ravine Run – Orange Twp. - 14 lots /15.8 acres – requesting 1 year extension

**Applicant:** Cugini & Capoccia Builders

**Engineer:** EMH & T

**Preliminary approval:** 04/29/21

**Staff Comments**

The applicant is requesting their first 1-year extension for Ravine Run in order to complete and record the project. A draft plat has been submitted for review.

**Staff Recommendation**

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

**Commission / Public Comments**

Mr. Joe Looby, EMH & T, was present to represent the applicant.

*Mr. Price made a motion for Approval of a 12-month extension for Ravine Run. Mr. Shafer seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Orange Twp.). Motion carried.*

---

12-21                    Clarkshaw Reserve – Liberty Twp. – 87 lots / 87.47 acres – requesting 1 year extension

**Applicant:** Schottenstein Homes

**Engineer:** Advanced Civil Design

**Preliminary approval:** 04/29/21

**Staff Comments**

The applicant is requesting their first 1-year extension for Clarkshaw Reserve due to unforeseen delays in construction.

**Staff Recommendation**

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

**Commission / Public Comments**

No one was present to represent the applicant.

*Mr. Matlack made a motion for a 12-month extension of Clarkshaw Reserve. Miss Boni seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Liberty Twp.). Motion carried.*

---

**ZONING MAP/TEXT AMENDMENTS**

**08-23 ZON**      **Metro Dvlpt. – Berlin Twp. – 6.369 acres – PCD/BCO Art. 15 – Northport Residential Hotel**

**Request**

The applicant, Metro Development, is requesting a 6.369-acre application for the Berlin Business Park Article 15 (BCO).

**Conditions**

**Location:** south side of US 36 / SR 37, east of Africa Rd.

**Present Zoning:** Neighborhood Commercial (NCD) / **Proposed Zoning:** Berlin Commercial Overlay (BCO)

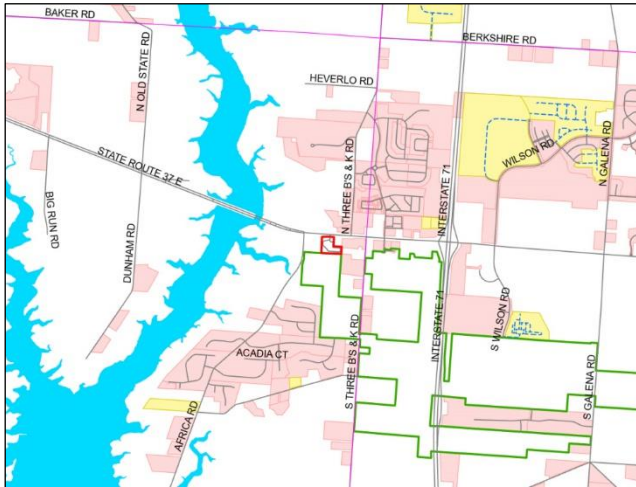
**Present Use(s):** vacant / **Proposed Use(s):** residential hotel

**Existing Density:** N/A **Proposed Density:** 20.411 du/acre

**Number of units requested:** 130

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

**Critical Resources:** ponds, streams, steep slopes / **Soils:** CaB, BeB, LbF





**Introduction**

The applicant seeks to apply the Berlin Commercial Overlay (BCO) standards to the property to allow for a 130-unit, residential hotel use on 6.369-acres. The BCO was created by Berlin Township in 2020 as an optional overlay for specific properties that are identified on the BCO Zoning District Map. The subject site is located in the C/R-10/MU (COM and RES) area. Provided the development plan is approved, this will be the first BCO property applied in Berlin Township.

The subject site is located on the south side of US-36/37, just east of Africa Road, and is undeveloped. The site is proposed to be developed with 6 residential hotels, 2 parking garages with 12 total parking spaces, 207 surface parking spaces, swimming pool, dog park, mail kiosk, and sidewalks. If approved, the development is expected to be constructed within 18 months. The properties to the west and east are developed with commercial uses, and the property to the south is proposed to be developed as the Ravines at Meadow Ridge, which will include new roadway connections bisecting the property and 725 multi-family residential units on land within the City of Sunbury.

**Comprehensive Plan**

Berlin Township’s 2010 Comprehensive Plan recommends this area for commercial uses and encourages sidewalks, pedestrian connections between commercial and residential developments, and useable open space. The 2023 version of the Comprehensive Plan has not been adopted yet. However, it acknowledges the 36/37 Corridor Planning Area within BCO and BIO overlays and recommends commercial, mixed-use, and multi-family at 10 units per NDA.

The proposed use is supported by the Plan. However, a pedestrian connection should be made to the future multi-use path to the west of building 3, and the Delaware Soil and Water Conservation District and OEPA must review and approve the filling of the wetland on the site. That wetland and a drainage easement encroaches onto the neighboring property to the east providing an outlet for land north and east. Any earthmoving activity on the neighboring property must be approved by Berlin Township Zoning, Delaware County Drainage Engineer, OEPA, the property owner, and any other applicable agency.

## Issues

**Density:** Residential is allowed in this subarea in many formats qualifying as commercial/residential uses and are limited to the regulations concerning R-10 areas. The R-10 detail includes “apartment-style” buildings with more than four dwelling units per building, provided the overall density does not exceed ten (10) dwelling units per net developable acreage.

### **Traffic and access:**

A traffic study is included, with projected land use as “multi-family housing (low-rise)” with an e-mail from ODOT (dated 5/19/22) noting that ODOT will not require a right-turn lane at the main entrance at this time. The relocation of US-36/37 impacts the northwest corner of the site and the future Sunbury Parkway and multi-use path impacts the southwest corner of the site; all of which are shown on the development plan. There is one point of ingress/egress onto US-36/37. There is one emergency access point proposed to the northeast and one to the south. ODOT must approve access points to US-36/37.

### **Drainage:**

Storm sewers are located throughout the site and an adequate drainage outlet must be identified by the applicant and approved by the Delaware County Drainage Engineer.

### **Signage: (Signage plan provided)**

One double-sided monument sign at the US-36/37 entrance (9' tall x 18'-17" long). Other signage includes: marketing, temporary, unit, office, and typical internal signage.

### **Lighting: (Lighting plan provided)**

Pole light fixtures are cut-off type, not to exceed 20 feet in height.

### **Open Space / Health:**

**Minimum Required:** 25% (1.59-acres)    **Proposed:** 41.58% provided (2.648-acres)

A color version of the site plan must be provided that clearly shows all open space areas.

**Minimum Required Central Green Open Space:** 15% (0.955-acres)    **Proposed:** 15% (0.958-acres)

Staff notes that plan sheet 2/4 identifies 0.892-acres of central green open space, while sheet C-1 identifies 0.958-acres. All plan sheets and the development text should be updated to reflect an accurate and consistent calculation.

### **Parking:**

**Minimum Required Spaces:** 130            **Proposed:** 219

Screening and landscaping requirements have been met.

## Reviewing Agency Comments

### **DCEO**

- No emergency access is permitted onto Sunbury Parkway.
- A traffic study will be required and will need to be submitted for review.
- Verify that there are adequate drainage outlets that exist for the site. The existing pond is on drainage maintenance. This pond is the outlet for the Lighthouse subdivision. The approval to fill in the pond is

dependent on whether or not the existing pond was established for flood control or water quality. This will need to be verified.

- Offsite drainage easements are required and will need to be established and recorded prior to final plan approval.
- The site layout will need to incorporate the proposed Sunbury Parkway alignment.

### **Staff Recommendations**

Staff recommends **Conditional Approval** of the rezoning request by Metro Development for the Berlin Business Park Article 15 (BCO) to the DCRPC, Berlin Twp. Zoning Commission and Berlin Twp. Trustees, subject to:

- 1.) Staff supports the proposed hotel use at the allowable overlay density of 10 units per NDA for residential uses;
- 2.) Garage dimensions must be provided to ensure the proposed 6-foot side yard setback is permitted;
- 3.) A color version of the site plan must be provided that clearly shows all open space areas;
- 4.) All plan sheets and the development text must be updated to reflect an accurate and consistent central green open space calculation; and
- 5.) All noted DCEO comments must be addressed.

### **Commission / Public Comments**

Mr. Joe Thomas, Metro Development, was present to represent the applicant.

Mrs. Raehll asked if the intent of the applicant was to follow all standards within the BCO such as building materials, etc. Mr. Thomas stated that they were not asking for any divergences. Mrs. Raehll asked where the location of the multi-use path was. Mr. Fisher stated that the applicant is not proposing one but with the roadway improvement, one would be included in the south western corner of the property.

Mrs. Raehll questioned whether the property is commercial/residential or intended to be a hotel. Mr. Thomas stated that the project is a commercial use as a residential hotel. They will acquire a license from the state of Ohio to operate. Construction type, fire alarms and suppression will all be certified by the State of Ohio Fire Marshall, Berlin Township Fire Department and Delaware County Building Safety.

Mr. Benton asked if they would be required to pay the 3% bed tax. Mr. Thomas stated that they would not, due to the length of stay. The State of Ohio requires minimum stays to be at least 30 days. If a resident moves in and leaves before the 30 day minimum they would be breaking their lease and then the developer would be required to pay that tax.

Mr. Weade noted the difference in number of units on the map and the staff report. Mr. Sanders said that the graphic was incorrect. The number is 130 units.

Ms. Holt explained that in looking at the intent of the BCO district the project should be pedestrian-oriented with lots of connections to get around without using a car. She expressed concern about the layout and the way the parking lot snakes around every building and does not suggest a pedestrian focus or priority. Mr. Thomas stated that internally there are sidewalks to every separate building, the lobby and community amenities. There may be a future connection along the proposed Sunbury Parkway.

Mrs. Raehll stated that Berlin Township envisions a multi-use path along SR 36/37 and it does need to be out

of the road right-of-way. She also expressed concern with the location of the proposed swimming pool. She said it is extremely loud along 36/37, and they might look at making it more centrally located for the community.

Mr. Bennet asked how the developer could incorporate the proposed Sunbury Parkway alignment (noted in staff report) when there is no approved location for it yet. Mr. Love said that the alignment is about 99% set. They have had a consultant working on it for about a year. Mr. Thomas stated that they also own the property to the south and have been working with ODOT, Sunbury, and the Delaware County Engineer's office. They are dedicating roughly 11 acres for the Sunbury Parkway to the south.

Mr. Manley asked if there was a possibility of any other access point other than 36/37. Possibly a backage road like McDonalds has? Mr. Thomas stated that this access has been reviewed and approved by ODOT. They have approved this because of the Sunbury Parkway alignment. Mr. Love agreed that once the Sunbury Parkway is built, most traffic will use it to get to Columbus/Polaris area.

Mr. Lisano asked about the timing of this project. Mr. Thomas stated they would take about a year to construct the project.

*Mr. Matlack made a motion to recommend Conditional Approval of the rezoning request by Metro Development for the Berlin Business Park Article 15 (BCO), subject to staff recommendations #1-5. Mr. Merrell seconded the motion. VOTE: Majority For, 2 Opposed (Dublin and Brown Twp.), 1 Abstained (Berlin Twp.). Motion carried.*

---

## 09-23 ZON      Rural Zoning Commission – Zoning Resolution update

### Request

The Delaware County Rural Zoning Commission has forwarded proposed changes for the RPC to consider and provide recommendations. The primary changes include the addition of Reasonable Accommodations (Sec. 6.07) and Mineral Extraction (Sec. 7.04(K)) standards. Other minor amendments include: exclude the conversion of existing residential structures to permit occupancy by more than one family as a conditional use in the R-2 district, phrasing of sentences, Neighborhood Commercial minimum lot size from none to 4-acres, Industrial District minimum lot size from none to 10-acres.

### Staff Comments

**Reasonable Accommodations:** It's unclear if this is more of an expedited application with no fee, or administrative review/action on what would otherwise be a variance. An example would be if a wheelchair ramp were located forward of the building line, or exceeds lot coverage based on the new development ("Relief from a regulation"). This section should clarify that in some way, along with a reference to the process for appealing the Zoning Inspector's decision. Consider amending Sec. 6.07(D) and add "See Sec. 31.05 – Procedure on Hearing Appeals," provided the BZA hears the appeal. Also, update submittal requirements to include 1. Name and address of the individual(s) requesting reasonable accommodation; 2. Name and address of the property owner(s); 3. Address of the property for which accommodation is requested; Sub section – Any information identified by an applicant as confidential shall be retained in a manner so as to respect the privacy rights of the applicant and shall not be made available for public



inspection.

**Other Staff recommendations:** Reduce the required number of print copies of development plans from all zoning districts if those number of copies are not utilized (reference a print schedule and define that number as needed), add Parking Facilities requirements to reduce infiltration of harmful chemicals into the soil and water table; ex: ““Surfaced with a sealed surface pavement or pervious surface application approved by the Delaware County Engineer’s Office. No motor vehicle parking shall be permitted on an unimproved surface consisting of grass, mulch, dirt, gravel, or combination thereof,” include Small Solar Facilities section, include “complies with...lot coverage” to the exception in Sec. 27.03 - Non-Conforming Uses - Enlargement section.

**Staff Recommendations**

Staff recommends **Conditional Approval** of the text amendments to the Rural Zoning Resolution to the DCRPC, Rural Zoning Commission and Delaware County Commissioners, *subject to Staff comments above.*

**Commission / Public Comments**

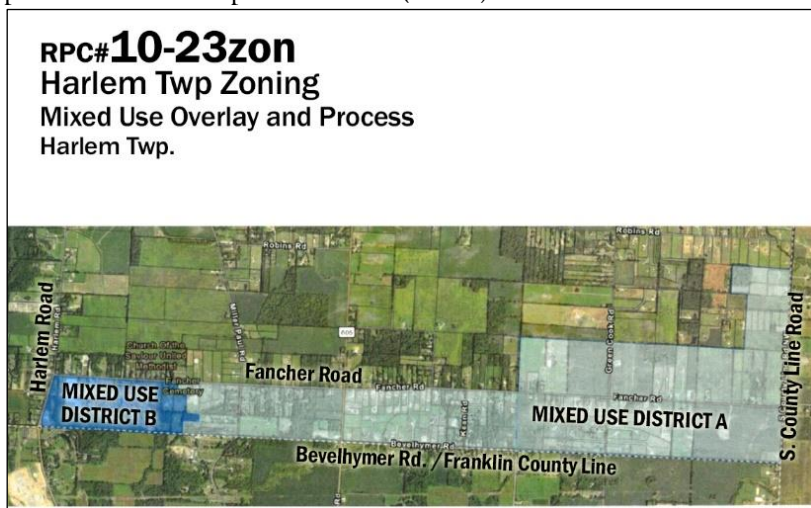
*Mr. Price made a motion to recommend Conditional Approval of the text amendments to the Rural Zoning Resolution subject to staff comments in the report. Mr. Weade seconded the motion. VOTE: Majority For, 0 Opposed, 2 Abstained (Building Safety and Mr. Singhal.). Motion carried.*

---

10-23 ZON      Harlem Twp. Zoning Commission – Zoning Resolution update (Articles XXXI and XXXIV)

**Request**

Harlem Township has forwarded proposed changes for the RPC to consider and provide recommendations. The Township is proposing a two-part Mixed-Use District (MU) that will serve as an overlay to specific properties in the southeast and southern portion of Harlem Township; areas identified as subarea ‘Mixed Use District A’ and ‘Mixed Use District B’. The Township has also developed the MU overlay district procedures in a separate article (XXXI).





### **Staff Comments**

Mixed Use District A encompasses roughly 1,125 acres of land between the Maple Grove Cemetery, east to the township/county line. It includes several large undeveloped parcels.

Mixed Use District B encompasses roughly 160 acres of land between Harlem Road and District A. It includes approximately 85 acres of undeveloped land, plus the Westerville Estates manufactured home park.

Given that growth pressures continue to come north from the Columbus and New Albany areas, the City of Columbus has initiated the planning and construction of a tunnel which will bring sewer service to this part of Delaware County, and the recent announcement that Intel is making significant investments in Licking County just to the east, Harlem Township is taking a proactive step in updating its zoning code.

The proposed overlay in this location will create an opportunity for a buffer along the Delaware and Franklin County line, while also establishing a new mixed-use district that will allow for much needed residential and commercial uses. Examples of **Permitted Uses** include single-family attached units, multi-family dwellings with a max of 12 units per net acre in Area B and 8 units per net acre in Area A. Also allowed are restaurants, parks, nursing homes, veterinarians, parks, and schools. Examples of **Prohibited Uses** include outside storage, drive thru facilities, automobile-oriented uses, data centers, warehousing, and large retail (defined). For a property to be considered for the MU overlay the following standards must be met (but not limited to): Min 25-acre tract, min 1-acre lots, 20% open space, preservation of trees, wildlife habitat, drainage ways and floodplain, historic/archaeological sites, and provide pedestrian circulation and connections to other developments. Standards for building design, lighting, landscaping, parking, and signage is also identified in the MU overlay.

Central water and sanitary sewer are required for the utilization of this overlay. Additional information may be needed from the Delaware County Sanitary Engineers office to determine a time line when sewer may be available so future applicants can have an approximate development timeline as required in Section 31.01(D(34)) of the Overlay Procedures. The Zoning Commission may grant **divergences** from any standard or requirement in this Section with the exception of density. If a Development Plan is approved for the MU overlay, a plat must be filed with DCRPC and approved prior to approval of a Zoning Compliance by the Township. The following are comments and suggestions:

#### **Article XXXI (Mixed Use Overlay District Procedures)**

1. Title: Harlem Township's Resolution includes a PUD district. Recommend removing Planned Unit Development from the title and first sentence. At minimum, move the internal reference to a spot after the ORC reference, i.e. ORC 519.021(C) (Planned Unit Districts);
2. Add "Regional" to the title of the Planning Commission;
3. 31.01(B)(2 and 3): Consult with DCEO on the benefit of seeking third-party review of the traffic analysis and whether that would cause conflict with the DCEO recommendations. Instead, consider language that allows the Zoning Commission and Trustees to require additional road connectivity or other features that are of concern.

#### **Article XXXIV (Planned Unit Development – Mixed Use Overlay)**

1. Title on page one of Article XXXIV should be changed from "MIXED-USED..." to "MIXED-USE...";

2. The Definition of certain words is referenced but not included in the information received. Staff recommends adding those words in the main Definitions section of the Resolution, rather than within the overlay Section as some amendments have done;
3. 34.03: third paragraph references “this article” for the approval procedure, but should reference the procedure in the other proposed article (XXXI). Check other language within this section to ensure the references to procedure go back to XXXI.
4. 34.04(A): “Mixed Use Buildings” are a permitted use. This is more of a design choice than a “use.” Staff recommends either removing this from the Permitted Use list, or including a phrase that ensures Mixed Use Buildings shall only include those uses included in the rest of the Section;
5. 34.04(E): word missing or extra comma, and replace the word “like” with “similar” in the last sentence;
6. 34.04(D): Staff wonders whether any density or room count should be included with the nursing home facility-related category. Otherwise, ensure this category is limited to managed “facilities;”
7. 34.07(E): Preserving tree stands is definitely a desired goal, but staff is unsure they should be excluded as part of the net density calculation. These would be difficult to define;
8. 34.07(H) second sentence: staff recommends not using the phrase “private road” as that is defined by the Subdivision standards. Multi-family, condominium, and other such private drives should use the word “drive;”
9. 34.07(J): Requiring walking and multi-use paths to meander through developments may conflict with existing sidewalk requirements. Staff recommends using the words “may” or “should” to allow for flexibility;
10. Throughout: graphics don’t always appear with their related text (which may just be a result of the printed copy RPC reviewed) and aren’t always referenced. Since these graphics are mostly style-related recommendations and not strict requirements, staff recommends placing them in their own “pattern book” section at the end of the Section, with references provided within the text for each.
11. 34.07(L and M): The 200’ woodland buffer from all existing roads and the setback for **new** collector roads of 200’ is excessive, particularly with parking required behind or beside a building. The difference between the 200’ setback from new collector roads and 30’ setback from new local roads is extreme. Is there a setback from a private drive, or will that be determined by the applicant? Probably okay, but should provide some guidance;
12. 34.07(Q)(10): missing header in first column;
13. Staff continues to believe Area B would be more effective if it extended into a portion of the undeveloped land north of Fancher.

### **Staff Recommendations**

Staff recommends **Conditional Approval** of the text amendments of the Harlem Twp. Zoning Resolution to the DCRPC, Harlem Twp. Zoning Commission and Harlem Twp. Trustees, *subject to considering the recommendations within the report.*

### **Commission / Public Comments**

Mrs. Raehll recommended updated the Article XXXIV #9 suggested updating “may” to “may be required at the discretion of the Board”. The option of “may” or “should” doesn’t give the Board the power to require something.

Mr. Mann asked what the overall long term benefit is for rapid development across the county. He stated that it seems like the Commission is in favor and understands the increased tax base but he sees the increased costs for sewage plants and roads and a decrease in the somewhat rural lifestyle. Mr. Sanders stated that in reference to the Harlem Twp. Zoning amendments, the Township officials are being strategic in looking at the surrounding land development in Columbus. Development is going to continue to happen so the question is at what rate. It's probably going to be higher than most current residents would prefer it to be. Mr. Sanders said that it's hard to know if the densities will work. He thinks what Harlem hopes is that a few projects get in, blocking even higher densities from coming north. Once the overlay gets in then you can adjust it and make changes as needed.

Mr. Shafer shared a story about how Jefferson Township is very rural on the east side but on the side that borders up against Columbus, it has had to allow a higher intensity in hopes of saving the balance of the community. Mr. Cannon agreed that that is the intent of Harlem Township as Columbus is already "knocking on the door". They are one property away from being in the Township. Mr. Merrell agreed these are defensive measures to protect Harlem in total.

Mr. Love said that annexations are driven by utilities and zoning. The utilities are going to be there so the only defense mechanism against annexation is zoning now.

A member of the Harlem Twp. Zoning Commission said that this overlay area represents less than 1/10 of the ground in the Township, about 1,200-1,300 acres of 17,000. The intent is to overlay the rest of the Township with Planned Residential Conservation Districts either with or without sewer at different densities.

*Mr. Price made a motion to recommend Conditional Approval of the text amendments of the Harlem Twp. Zoning Resolution, subject to staff recommendations within the report. Mr. Gayetsky seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

---

## 11-23 ZON      Berkshire Twp. Zoning Commission – text amendments

### Request

Berkshire Township has forwarded proposed changes for the RPC to consider and provide recommendations. Amendments include defining **Agritourism** and **Hotel** (stay 30 days or less), adding **Small Solar Farms** article, adding **bike path** requirements and reference the **Park and Trails Master Plan**, and adding design standards for **multi-family uses**.

### Staff Comments

As Agritourism has become more popular, defining Agritourism in the Zoning Resolution is essential to clarify the use for property owners and provide regulations for the Township. To date, there are over 130 properties in Ohio that are utilizing agritourism types of uses.

The use of "extended stay hotel" and "residential hotel" by developers has become more common, and

including a definition for “Hotel” will assist the Township in separating those uses. Brosius, Johnson & Griggs law firm provided this Small Solar Facilities example language, which is detailed and provides room for modifications. Staff recommends moving these definitions to the Definitions section of the Zoning Resolution, deleting “(none if left blank)” where zoning districts have been provided, include a decibel number where left blank for Noise, potentially 60 decibels, and incorporating the text into the current format (removing any watermarks or BJJ references). (RPC staff is offering to aid in updating the current master copy of the Resolution.)

Additionally, the spelling “Agritourism” is more commonly used than “Agrotourism” as noted in the amendment. Staff would recommend using Agritourism to match the spelling and description in the ORC.

### **Staff Recommendations**

Staff recommends **Conditional Approval** of the Berkshire Twp. Zoning Resolution text amendments to the DCRPC, Berkshire Twp. Zoning Commission and Berkshire Twp. Trustees, *subject to Staff comments above.*

### **Commission / Public Comments**

*Ms. Holt made a motion to recommend **Conditional Approval** of the Berkshire Twp. Zoning Resolution text amendments, subject to staff comments listed in the report. Mrs. Raehll seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Berkshire Twp.). Motion carried.*

---

12-23 ZON      Northstar Condominium LLC – Berkshire Twp. – 23.83 acres – development plan amendment – The Greens at Northstar Sec. 2

### **Request**

The applicant, The Christoff Group (Chrisgo, LLC.), in association with the Weiler Company is submitting a Major Modification to the Final Development Plan for The Greens at Northstar. The applicant is proposing a change from the 2008 approved plan. The result is a development with 94 homes on 23.83 acres.

### **Conditions**

**Location:** east side of North Galena Rd., south of Wilson Rd.

**Current Zoning:** Planned Residential (PRD)

**Present Use(s):** vacant / **Proposed Use(s):** 94 condominium units

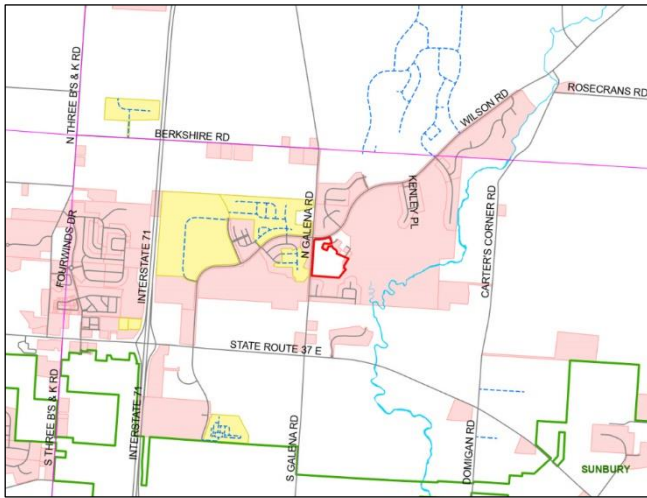
**Existing Density:** N/A **Proposed Density:** 3.94 du / 1 acres

**Number of units requested:** 94 (Phase 1: 54 units Phase 2: 40 units)

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

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

**Critical Resources:** none / **Soils:** CaC2, AmD2m CaB, BeB



**RPC#12-23zon**  
**Northstar Condominium LLC**  
23.83-acre Dev Plan Amendment  
Berkshire Twp.



**RPC#12-23zon**  
**Northstar Condominium LLC**  
23.83-acre Dev Plan Amendment  
Berkshire Twp.



### Introduction

The applicant seeks to amend the Greens at Northstar within the Northstar PRD to allow for 94 detached condominium units on 23.83-acres in a second phase (Section 2).

The overall PRD was originally approved by the township in 2001 and included detail that 200 villa/condo units could be located at this site. A specific development plan was eventually approved for the Greens site in 2008 to allow for 148 residential units. The existing 22 units were built between 2008 and 2013 and the site has been prepped for a total of 61 condominium units in 3- and 4-unit buildings once built out. The proposed additional 94 units and completed first section would bring the total units to 155. The gross density with both phases is 4.3 du/acre. This total number is slightly more than the 148 approved in 2008, but significantly fewer than the original 200. This information appears in a Summary of Modifications but not within the text and staff is including a condition that this item be clarified.

The subject site is located at the southeast corner of Wilson Rd. and N. Galena Rd., and is undeveloped. The site is proposed to be developed with 94 detached condominium homes, two stormwater ponds, private drives, walking paths that connect to existing development, cluster mailbox, a stream, 45 +/- off-street parking spaces, and ample open space. If approved, construction is expected to start by the end of 2023. The properties to the

south and east are part of the Northstar, Section 1 Golf Course subdivision, platted in 2007.

### **Comprehensive Plan**

Berkshire Township's 2017 Comprehensive Plan includes the site in Sub Area 3 and identifies it as PRD. The Plan was adopted after the whole Northstar development was approved and the Plan takes into account the development of this site.

### **Issues**

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

Two private drives gain access through Section 1, and ultimately has one point of ingress/egress onto Wilson Road. An updated Traffic Access Study must be submitted and approved by the DCEO. Drive and improvement construction traffic will be a concern, since the existing access are built to the standard previously approved by the township. The township should seek to ensure any damage caused by construction is mitigated by the developer and not the responsibility of the existing association.

#### **Drainage:**

Storm sewers are located throughout the development that drain to two stormwater ponds and there is stream on site. A detailed storm water management engineering report must be submitted and approved by the DCEO.

#### **Signage:**

Existing signage is located at the Wilson Rd/Northstar Dr. entrance.

#### **Lighting:**

No exterior lighting is proposed.

#### **Sanitary Treatment:**

Served by Delaware County Sanitary Sewer.

#### **Open Space / Health:**

Required for entire site zoned PRD: 25%                      Proposed for Phase 2: 70% (16.3-acres)

### **Divergences**

Three divergences are requested: (Sections from Berkshire Township Zoning Resolution)

1. Sec. 11.08(14) requires a minimum of 12.5 feet each side (25 feet between structures) for side yards. The applicant is proposing a 12-foot side yard total between structures.

*Staff Comment:* This setback appears to be consistent with what was approved for the Northstar-Goldwell Neighborhood subdivision on the north side of Wilson Rd and would not be out of character for the area.

2. Sec. 11.08(20) requires a minimum floor space for detached single-family dwellings of 1,400 sq. ft. Proposed minimum floor space is 1,200 sq. ft. with the intention of marketing toward 55 and older without children.

**Staff Comment:** Staff has no concerns with this request.

3. Sec. 21.09 requires a minimum building setback from N. Galena Rd. and Wilson Rd. street centerline to be 130 feet. Proposed minimum building setback is 110 feet. The applicant stated that this divergence is justified due to the large ROW, 100 feet in width; The Robert Weiler Co. was required to dedicate ROW as well as the proposed 60-foot landscape buffer along N. Galena and Wilson Rd. The proposed landscape buffer will significantly minimize noise as well as create a visual barrier.

**Staff Comment:** Staff notes that Northstar, Section 1, Phase B subdivision to the south has a similar setback as requested. However, since there appears to be room on the property to meet the required setback, it should be upheld. Additionally, Northstar-Goldwell Neighborhood, Section 1 subdivision appears to have met and exceeded the required building setback from both roadways.

### Reviewing Agency Comments

#### DCEO

- Provide an updated Traffic Access Study/memo.
- Verify that there are adequate drainage outlets for the site. A detailed storm water management engineering report is required. Offsite drainage easements would need to be established and recorded prior to final plan approval.
- Drainage maintenance and drainage, erosion and sedimentation control (DESC) requirements would most likely be required.

### Staff Comments

Total acreage for the site and green space varies on different plan sheets. This must be corrected to ensure all information is consistent and accurate.

### Staff Recommendations

Staff recommends **Conditional Approval** of the development plan amendment request by Chrisgo LLC to the DCRPC, Berkshire Twp. Zoning Commission and Berkshire Twp. Trustees, *subject to:*

- 1.) Ensure that any damage to existing drives during initial construction will be repaired by the developer;
- 2.) Ensure that the total number of units in this area will not exceed 155;
- 3.) All DCEO comments must be addressed prior to Final Engineering and be approved by the DCEO;
- 4.) Open space/green space calculations must be updated on all plan sheets and in the development text to be consistent and accurate; and
- 5.) Required building setbacks from ROW per Section 21.09 of the Zoning Resolution must be met.

### Commission / Public Comments

Mr. Joe Looby, EMH & T along with Chris Christoff and John Davis were present to answer questions from the Commission. Mr. Looby stated that he did check the traffic study that was done and it did include this portion of the development. They have a Township meeting scheduled for May 4<sup>th</sup>.

Mrs. Raehll the timeline of the change in approved density. Mr. Weade stated that the development plan was approved for 148 units.

Mr. Shafer stated that the transition from the original product to the new proposal seems sudden. If the 6 units



at the entry of this new product style were removed the density might be down to 149 and closer to the originally approved amount.

Mr. Christoff stated that they met with the current owners and they have been in support of the newer product as opposed to the 6 unit style buildings.

Mr. Gayetsky asked if all the construction traffic would be using the northern entrance point or a mixture of entrances. Mr. Looby stated that a mixture of entrances would be utilized. It is almost a straight shot off Wilson Rd. past the pond into the new development. Mr. Love stated that he believes the County Engineer’s office would allow a temporary construction entrance off of N. Galena Rd. as long as there is good site distance. A permit would be required.

**Mr. Matlack made a motion to recommend Conditional Approval of the development plan amendment request by Chrisgo LLC, subject to staff recommendations #1-5. Mr. Bennet seconded the motion. VOTE: Majority For, 1 Opposed (Berlin Twp.), 1 Abstained (Berkshire Twp.). Motion carried.**

---

## SUBDIVISION PROJECTS

### Preliminary

05-23            Conservancy at Duncan Run – Harlem Twp. - 24 lots / 67.93 acres

### Conditions

**Applicant:** SREI Fund IV LLC. / **Consultant:** Plan 4 Land

**Subdivision Type:** Single Family Residential

**Location:** West side of Harlem Rd., south of Gorsuch Rd.

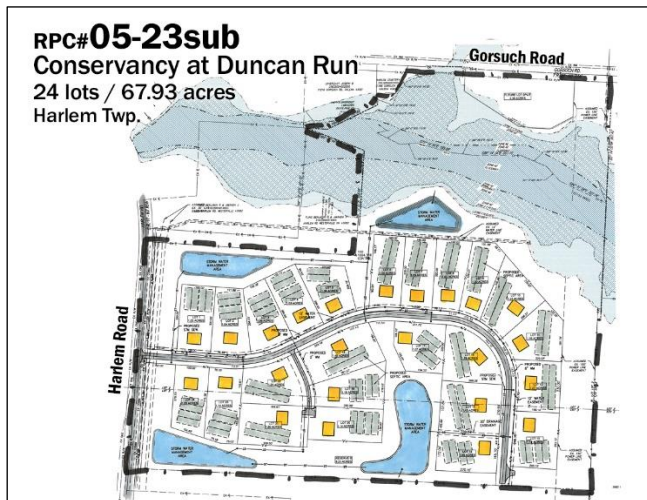
**Current Land Use:** Vacant

**Zoned:** Planned Residential Conservation District (PRCD) / **Zoning Approval:** 5/19/23

**Utilities:** Del-Co water and on-site sewage treatment / **School District:** Big Walnut







### Staff Comments

The Conservancy at Duncan Run is a 67.93-acre, single-family conservation style development that will have a gross density of 0.35 du/acre and a net density of 0.55 du/acre. The site is located southeast of Harlem Rd and Gorsuch Rd, with frontage provided for the development along each road. The subdivision includes 24 residential lots, 4 stormwater ponds, a sidewalk on one side of the proposed road, a cluster mailbox, Duncan Run stream with extensive regulatory floodplain located within open space, high-voltage powerlines located within open space, a public road that provides frontage to 19 lots, and a CAD that provides access to 5 residential lots. The new road is stubbed to the south, and has the potential to connect to property to the east through open space on site, and all lots will be served by on-site waste water treatment systems.

This is the first development to occur within the Harlem Township PRCD and all zoning development standards will be met provided a Landscaping Plan is submitted to the Township to ensure the required street trees are provided.

*A technical review was held on March 22, 2023, after which the applicant has addressed all of the required changes.*

### Reviewing Agency Comments

**Del-Co** - 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. Additionally, all comments noted in the April 5, 2023 Del-Co response letter must be met.

**DCEO** - All conditions noted in the March 21, 2023 DCEO response letter must be met prior to approval of Final Engineering.

### Staff Recommendation

Staff recommends *Conditional Preliminary Approval* of the **Conservancy at Duncan Run** to the DCRPC, *subject to*:

- 1.) Road names must be amended and approved prior to Final Engineering approval by the DCEO;
- 2.) Per Section 13.07(K) of the Harlem Township Zoning Resolution, "Deciduous, broad leaf street trees with a minimum caliper of three (3) inches at planting shall be planted (or retained) at least every fifty (50) lineal

feet along at least one side of the street(s)." A Landscape Plan must be provided to the Township to ensure this requirement is met;

- 3.) All conditions noted in the March 21, 2023 DCEO response letter must be met prior to approval of Final Engineering; and
- 4.) All comments noted in the April 5, 2023 Del-Co response letter must be met prior to Final Plat approval.

**Commission / Public Comments**

Mr. Joe Clase, Plan 4 Land, was present to represent the applicant.

***Mr. Mann made a motion for Preliminary Approval of the Conservancy at Duncan Run. Mrs. Raehll seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.***

-----

**OTHER BUSINESS**

- Executive Committee Member Elections

A ballot was distributed to Commission members at the beginning of the meeting including the names of 5 members (Dave Stites, Michele Boni, Joe Shafer, Tiffany Maag and Meghan Raehll) interested in serving on the Executive Committee. Members were asked to vote for 4 members. Ballots were collected and the results were as follows: Dave Stites, Michele Boni, Joe Shafer and Tiffany Maag. Mr. Stites thanked Mrs. Raehll for her willingness to serve.

***Having no further business, Mr. Weade made a motion to adjourn the meeting at 7:16 p.m. Mr. Bennet seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.***

***The next meeting of the Delaware County Regional Planning Commission will be Thursday, May 25, 2023, 6:00 PM at the Frank B. Willis Building, 2079 US 23 North, Conference Room, Delaware, Ohio 43015.***

---

Dave Stites, Chairman

---

Stephanie Matlack, Executive Administrative Assistant