



# 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, August 31, 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 July 27, 2023 RPC Minutes
- Executive Committee Minutes of August 23, 2023
- Statement of Policy

### CONSENT AGENDA (Final Plats)

		Township	Lots/Acres
33-19.1	Berlin Farm West, Section 1	Berlin	52 lots / 40.528 acres
30.19.11	Liberty Grand District, Section 11	Liberty	47 lots / 13.557 acres

### ZONING MAP/TEXT AMENDMENTS

22-23 ZON	Harlem Twp. Zoning Commission - Zoning Resolution amendment - Art. XXXV
23-23 ZON	John Wicks, RPDD LLC. - Orange Twp. - 11.684 acres from FR-1 to SFPRD
24-23 ZON	Metro Dvlpt. - Berkshire Twp. - 26.398 acres - PMUD Art. 16
25-23 ZON	CJT Development - Harlem Twp. - 5.717 acres - AR-1 to I

### EXTENSIONS

15-21	Tranel CAD	Radnor	3 lots / 8.195 acres
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### OTHER BUSINESS

- Executive Committee Elections

### RPC STAFF AND MEMBER NEWS

- Recognizing Dave Stites, Chairman and Rep. of Kingston Twp. for his years of service

**ADMINISTRATIVE BUSINESS**

▪ **Call to Order**

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

▪ **Roll Call**

Representatives: Jim Nelson, Meghan Raehll, Steve Lisano, Duane Matlack, Dustin Kent, Walt Thompson, Sarah Holt, Joe Shafer, Mike Cannon, Dave Stites, Staci Hood, Jeffrey Warner, Robin Duffee, Joe Proemm, Jim Hatten, Ed Snodgrass, Herb Ligocki, Josh Vidor, Kent Manley, and Mike Dattilo. Alternates: David Setzer and Mike Love. Arrived After roll call: Gary Merrell (R) and Doug Price (R). Staff: Scott Sanders, Brad Fisher, Da-Wei Liou and Stephanie Matlack.

▪ **Approval of the July 27, 2023 RPC Minutes**

*Mr. Vidor made a motion to Approve the minutes from July 27<sup>th</sup>. Mr. Kent seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

▪ **August 23, 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, and Joe Shafer. Tiffany Maag was absent. Staff: Scott Sanders and Stephanie Matlack.

2. **Approval of Executive Committee Minutes from July 19, 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 July

REGIONAL PLANNING RECEIPTS		JUNE	YTD TOTAL
General Fees (Lot Split)	(4201)	\$1,845.00	\$16,705.00
Fees A (Site Review)	(4202)		\$2,400.00
Insp. Fees (Lot Line Transfer)	(4203)	\$500.00	\$2,500.00
Membership Fees	(4204)		\$212,918.00
Planning Surcharge (Twp. Plan. Assist.)	(4205)	\$2,382.98	\$3,986.36
Assoc. Membership	(4206)		
General Sales	(4220)		\$230.00
Charges for Serv. A (Prel. Appl.)	(4230)	\$1,700.00	\$57,071.30
Charges for Serv. B (Final. Appl.)	(4231)	\$4,600.00	\$34,371.20
Charges for Serv. C (Ext. Fee)	(4232)		\$1,800.00
Charges for Serv. D (Table Fee)	(4233)		\$600.00
Charges for Serv. E (Appeal/Var.)	(4234)	\$300.00	\$2,100.00
Charges for Serv. F (Planned District Zoning)	(4235)		\$1,500.00

OTHER DEPT. RECEIPTS			
Health Dept. Fees	(4242)	\$2,970.00	\$14,340.00
Soil & Water Fees	(4243)	\$200.00	\$2,700.00
Commissioner’s fees	(4244)	\$126.00	\$816.00
MISCELLANEOUS REVENUE			
Other Reimbursements	(4720)		
Other Reimbursements A	(4721)		
Other Misc. Revenue (GIS maps)	(4730)		\$499.34
Misc. Non-Revenue Receipts	(4733)		
Sale of Fixed Assets	(4804)		
<b>TOTAL RECEIPTS</b>		<b>\$14,623.98</b>	<b>\$354,537.20</b>

Balance after receipts	\$1,177,070.88
Expenditures	- \$ 39,910.03
End of July balance (carry forward)	\$1,137,160.85

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

- RPC Preliminary Agenda August
- SKETCH PLANS
 

	<u>Township</u>	<u>Lots/Acres</u>
• Triple J Farms CAD	Berkshire	4 lots / 10.2 acres
• Piatt Road Development	Berlin	20 lots / 14.64 acres
• Delaware Skilled Nursing	Berlin	1 lot / 19.016 acres
• Bevelhymmer Lot 97, Div #1	Genoa	2 lots / 1.87 acres
- ZONING MAP/TEXT AMENDMENTS
  - Harlem Twp. Zoning Commission - Zoning Resolution amendment - Art. XXXV
  - John Wicks, RPDD LLC. - Orange Twp. - 11.684 acres from FR-1 to SFPRD
  - Metro Dvlpt. - Berkshire Twp. - 26.398 acres - PMUD Art. 16 - The Carlton
  - CJT Development - Harlem Twp. - 5.717 acres - AR-1 to I
- SUBDIVISION PROJECTS
 

	<u>Township</u>	<u>Lots/Acres</u>
Consent		
• Berlin Farm West, Section 1	Berlin	52 lots / 40.528 acres
• Liberty Grand District, Section 11	Liberty	47 lots / 13.557 acres
- Director’s Report

Township Zoning Inspector Roundtable  
 Met on August 9 with Brett Bergefurd and Mike Love discussing drainage issues and policies. Ten townships represented.

#### Development Team Meetings

Hosted/scheduled by DCRPC, these meetings are generally quarterly and include RPC, DCEO, DCRSD, Building Safety, and Economic Development. Departments discuss project status throughout the County.

#### County Leadership Forum

Hosted/scheduled by County Administrator, these meetings are welcome to all Directors and Elected Officials of the County. General topics include personnel and benefit issues, security, building progress, etc.

#### Delaware City Safety Action Plan (MORPC)

Gain input regarding local road safety issues and opportunities and help identify key priorities for the plan. Focus on Safe Streets 4 All (SS4A). Currently analyzing crash history, existing road network and facilities for walking/biking, desirable destinations and demographic data. Stakeholder engagement to be completed in two workshops. Expected to be completed in September, 2023. **Brad attended on July 20.**

The Partnership for a Healthy Delaware County and Health Behaviors Collaborative (Delaware Public Health District) The Partnership is a group of agency directors, organizations, businesses and residents representing multiple sectors of Delaware County that assesses the health of the community and develop an action plan to improve population health and drive policies, systems, and environmental change. The Collaborative acts as a subcommittee and is responsible for implementation of the four strategies that fall within the Health Behaviors priority area of the 2023–2028 Health Improvement Plan. Presenting funded projects from the 2023 Creating Healthy Communities (CHC) Mini Grant, as well as discussion of other project updates and activities that are related to the implementation of the CHIP Health Behaviors strategies.

#### Delaware County Housing Alliance (Affordable Housing)

Hosted by United Way, this effort includes **Task Force main group** meetings and a **Land Use and Zoning subcommittee**, both of which staff is involved with. This is an immediate-term effort (with long-term ongoing activities) that seek various tools to increase access and opportunities for affordable housing. Many social service agencies are involved. The effort included an initial study by a national consultant and information can be found at [www.delcohousing4all.org](http://www.delcohousing4all.org). **Attended full group meeting on August 1.**

#### Delaware County Transit Strategic Plan (NEW)

**This is an effort to engage stakeholders and the public to discuss the future of the transit system in the county. Meeting was in person at the Orange Branch Library on August 1. Other public input was promoted to the DCRPC mailing list.**

#### Transportation Advisory Committee

Hosted by MORPC, these are monthly in-person meetings. **Participated on August 2.**

#### Active Transportation Committee

Hosted by MORPC, these are hybrid meetings that occur quarterly. Active transportation projects are shared – most activity is urban in nature, occurring in Columbus and suburbs. The Active Transportation Committee provides leadership and guidance in the realm of active transportation. The committee provides a forum to share information about best practices and collaborate on shared interests. The group consists of diverse representatives throughout Central Ohio including local governments, public agencies, non-profit organizations, and private interests. Staff attends occasionally. **Same as above.**

#### Central Ohio GIS Users Group

Hosted by MORPC, these are hybrid meetings that occur quarterly. GIS tips, tools, projects, data, maps and apps are shared by various agencies. Staff attends occasionally.

#### Regional Information & Data Group (RIDG)

Hosted by MORPC, RIDG serves as a forum for sharing knowledge resources across organizations to enhance the ability, as a region, to use data to inform and improve planning, policy, and other decision-making that affects residents now and in the future. RIDG serves as an opportunity for professionals to convene around public sector challenges on a quarterly basis. **Brad attended on July 19.**

#### Orange Township Active Transportation Plan (ODOT)

ODOT is providing a consultant for Orange Township to create an Active Transportation Plan with various recommendations for improvement to transportation infrastructure throughout the township.

#### SMART Columbus/Delaware County Digital Inclusion Plan

Hosted by Smart Columbus in partnership with BroadbandOhio, seeks to understand current barriers and needs of area residents, employees and businesses around affordable, reliable internet, access to devices and digital skills training. Work includes collecting a full inventory of all the digital equity programs, activities, and offerings that are currently available in the Columbus Region – i.e. public Wi-Fi, discount internet programs, skills training programs, device access, onsite resident support, etc. The accuracy of this inventory will allow the state to assess where resources are needed.

### **DCRPC-Managed Projects**

#### Harlem Township Zoning Resolution

Staff is working with the Zoning Commission on various updates in existing sections of the Zoning Resolution. **Met on August 14.**

#### Village of Ostrander Comprehensive Plan

Staff is working on a new plan. **Brad continues to meet.**

#### Liberty Township Comprehensive Plan

Staff is working on an update to the plan, which was last updated in 2018. **Meeting with Zoning Commission in September.**

#### Berlin Township Comprehensive Plan

Staff is working on an update to the plan, which was last updated in 2014. **Trustees set to approve.**

#### Village of Galena

Staff is inserting existing language into a new format. **Continue to update.**

#### Troy Township Comprehensive Plan

Staff is working on an update to the plan, which was last completed in 2004. **Scott/Brad attended on August 7.**

### **Project-specific/other meetings**

#### Economic Development Strategic Plan

AECOM is working with Delaware County to develop a 5-year Economic Development Strategy, identifying opportunities to support the County's goals around continuing to be a great place to live, work, and play. **Attended stakeholder meeting with other county reps and consultant on August 14.**

**County Planning Directors Association of Ohio:** Attended mid-year meeting in Worthington on August 8.

**Trail Grant Committee:** The County Commissioners offer annual funding for trails development in the county. A committee made up of representatives from RPC, Health, Preservation Parks, and MORPC meet to recommend applications to the Commissioners. Recommending to Commissioners on September 11.

**Sunbury Parkway:** ODOT is holding a stakeholder meeting and other study activity for the Sunbury Parkway interchange and extension. <https://PublicInput.com/SunburyParkway>.

**US 23 Connect:** The Route 23 Connect Study focuses on improvements along the U.S. 23 corridor between I-270 and Waldo. This ODOT-led study will develop concepts which will be evaluated to determine an action plan that will identify specific projects that can be advanced into development. Study concepts range in size and scope, aiming to provide safer and more efficient travel, including improved travel time reliability for through traffic. Public input meetings are taking place and online comments are encouraged. <https://publicinput.com/23connect>

Ohio American Planning Association:

Scott Sanders, Tiffany Maag, and Monica Connors will be presenting a session during the statewide APA conference in September.

Delaware County Township Association

Meets quarterly at various locations. Each one includes several speakers and provides a number of townships the opportunity to share updates.

- Executive Committee election discussion

Mr. Robin Duffee, Orange Twp. Representative and Mr. Ed Snodgrass, Porter Twp. Representative have both submitted Bio's for consideration to serve on the Executive Committee. The bio's will be forwarded to the Commission this week. The vote will take place via ballot at the August 31<sup>st</sup> RPC meeting.

- 2024 Budget – Preliminary Discussion

Carry forward 2023	\$1,077,715
Projected Revenue EOY 2023	\$ 420,663
Projected Expenses EOY 2023	\$ 550,656

Estimated carryforward into 2024	\$947,722
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2024 Budget proposes membership dues at \$0.60 per capita, 4% salary increase, hiring of an entry level planner, and purchase of GIS laptop.

Proposed Revenues 2024	\$472,956
Proposed Expenditures 2024	\$709,743
Proposed carryforward into 2025	\$710,934

#### 4. Other Business

- Presentation of petition at DCRPC meeting

The Committee was presented with a request to submit a petition at the RPC meeting. The Committee agreed that any such request should be presented during a meeting when the related project is on the agenda.

#### 5. Adjourn

*Having no further business, Mr. Stites made a motion to adjourn the meeting at 10:42 a.m. Mr. Shafer seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

The next regular Executive Committee meeting will be Wednesday, September 20, 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)

33-19.1            **Berlin Farm West, Section 1 – Berlin Twp. - 52 lots / 40.528 acres**

##### Conditions

**Applicant:** M/I Homes, Jason Francis / **Engineer:** EMH & T, Matt Kirk

**Subdivision Type:** Single Family Residential

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

**Zoned:** R-3, PRD

**Preliminary Approval:** 6/30/22

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

**School District:** Olentangy

##### Staff Comments

Berlin Farm West Preliminary Plan was approved on June 30, 2022 as a 434 lot, single-family residential subdivision on 278-acres. The development is located on the north side of Berlin Station Road, west of Roloson-Piatt Road. This is the first phase to be platted and includes 52 buildable lots with access to both Berlin Station Road and Roloson-Piatt Road.

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

**Staff Recommendation**

Staff recommends *Final Approval* of **Berlin Farm West, Section 1** to the DCRPC.

**Commission / Public Comments**

*Mr. Matlack made a motion for Final Approval of Berlin Farm West, Section 1. Mr. Vidor seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

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30.19.11            Liberty Grand District, Section 11 – Liberty Twp. - 47 lots / 13.557 acres

**Conditions**

**Applicant:** M/I Homes, Jason Francis / **Engineer:** EMH & T, Matt Kirk

**Subdivision Type:** Single Family Residential

**Location:** East side of Boone Dr., south of Old Glory Loop

**Zoned:** POD18

**Preliminary Approval:** 11/21/19

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

**School District:** Olentangy

**Staff Comments**

Liberty Grand District Preliminary Plan was approved on November 21, 2019 as a 489 lot, single-family residential subdivision on 175-acres. Section 11 of this development is located on the east side of Boone Drive, south of Hyatts Road. Section 11 includes 47 buildable lots and Section 10 will be the final phase to be platted, which has a draft Final Plat currently under review.

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

**Staff Recommendation**

Staff recommends *Final Approval* of **Liberty Grand District, Section 11** to the DCRPC.

**Commission / Public Comments**

*Mr. Matlack made a motion for Final Approval of Liberty Grand District, Section 11. Mr. Vidor seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

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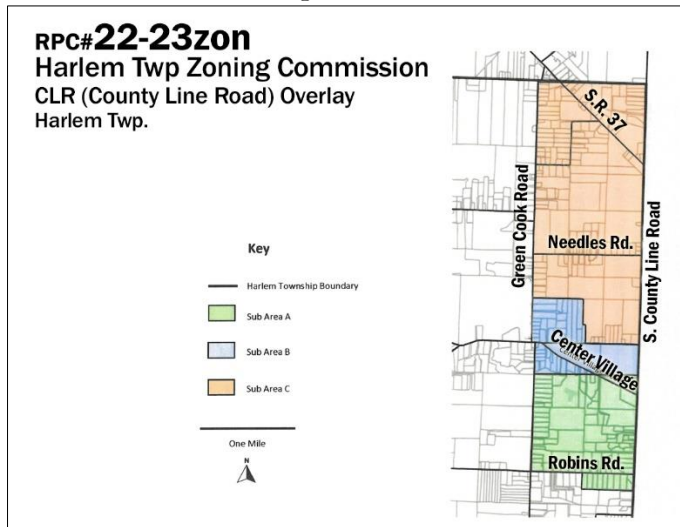


## ZONING MAP/TEXT AMENDMENTS

### 22-23 ZON      Harlem Twp. Zoning Commission – Zoning Resolution amendment – Art. XXXV

#### Request

Harlem Township has forwarded proposed changes for the RPC to consider and provide recommendations. The Township is proposing a County Line Road Overlay District (CLR) that will serve as an overlay to specific properties in the eastern portion of Harlem Township; areas identified as sub-areas CLR-A, CLR-B and CLR-C. The Zoning Commission initiated the amendments on August 28.



#### Staff Comments

The township has recently added the Mixed Use (MU) Overlay to the south and southeastern boundary of the township and the Clustered Residential Conservation District (CRCD) to most of the southcentral area of the township earlier this year. The proposed CLR District will complement the other approved overlays and allow the township to grow and develop in a way that is supported by the Harlem Township Quick Strategy Guide. All sub-areas are bound by County Line Road to the east and Green Cook Road to the west. CLR-A encompasses roughly 700 acres of land that is mostly bound by Robins Rd. and Center Village Rd.; CLR-B encompasses roughly 365 acres of land that includes properties that surround Center Village Rd. with about a third of the land area located northwest of Montgomery Rd. CLR-C encompasses roughly 1,640 acres of land that stretches from Montgomery Rd. to the northern township line.

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 now taking additional proactive steps in updating its zoning code (similar to the MU and CRCD). Sewer will most likely be necessary to allow for the (primarily) commercial-type uses in the CLR Overlay.

The proposed overlay in this location will help to manage growth pressures coming from both Franklin and Licking County, establish areas that will be suitable for these types of uses once public water and sanitary sewer are available and protect the greater rural areas of the township. Specific development standards are listed in the

CLR Overlay; one of which is the requirement of 20 percent of the gross tract acreage to be permanent open space. With approximately 2,705 acres included in this overlay there could potentially be over 540 acres preserved as open space. Other “Bulk and Area Requirements” that are similar for all three sub-areas include: minimum tract size required for development of 25 acres, minimum lot size of 1 acre, 200-foot setback from Green-Cook and Center Village Roads, 100-foot setback from other existing roads and a maximum 80 percent lot coverage.

All sub-areas allow for accessory buildings, communication facilities, single-family residential, multi-family residential, hotels/motels, small maker space, parks and schools. An assortment of other permitted and accessory uses is identified in Table 35.1 of the overlay for each sub-area. Some examples of those uses include: advanced manufacturing, contractor office, townhomes, large/small equipment repair, flex-office, logistics and machine shops.

The recently reviewed Mixed-Use (MU) and Cluster Residential Conservation District (CRCD) overlaps all of CLR-A and about half of CLR-B. However, the CRCD allows for a separate residential component than the CLR and is still appropriate for this area. The general development standards supersede any other general design standards of the zoning resolution and allow for the protection of native vegetation near wetlands and surface waters, streams and floodplain, historic and archaeological sites, and provide pedestrian circulation and connections (min. 10’ wide path) to other developments. Standards for building design, lighting, landscaping, parking, and signage is also identified in the CLR overlay. For residential uses, there is a maximum of eight dwelling units per net acre permitted.

Central water and sanitary sewer are required for the utilization of this overlay. However, limited uses may be approved by the township trustees if central water and sanitary sewer is not available. The Zoning Commission may grant divergences from any standard or requirement in this Section with the exception of density, permitted uses and the percentage of required open space. Minor amendments will also be made to the “automobile-oriented uses” and “pick-up or banking window” definitions. The following are comments and suggestions:

**Article XXXV (County Line Road Overlay District (CLR))**

1. Identify Trenton Rd and/or the Township line to the north and Robins Road to the south on Figure 35.1;
2. Accessory Structures should be listed as ‘A’ (Accessory Use) in all three columns in table 35.1;
3. Clarify the hotel/motel use by referencing the applicable section of the Ohio Revised Code or specify that maximum densities do apply to residential hotels;
4. Mixed Use Building is included as a permitted use in Subarea A but the uses allowed in the Mixed Use Building is not well defined.
5. Figure 35.8 is covering text in 35.7(T(4)) text and should be moved;
6. 35.07(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;
7. 35.07(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;

8. 35.07(L and M): The 200' woodland buffer and 200' setback from Green-Cook and Center Village Roads 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. Perimeter setbacks of 100-200 feet depending on the adjacent land use, are also required. The township should consider asking DCRPC staff to create a map showing these buffers for reference;
9. Table 35.7 – Parking Requirements, these appear to match the requirements found in the MU district for parking in the current zoning resolution. Recommend removing this table and adding a sentence at the end of subsection 4 that states “See table in Section 34.07(R(4)) of the Harlem Township Zoning Resolution for minimum and maximum parking requirements based on uses permitted in the CLR District.” Or as a longer-term solution, remove this table from both districts and update the General Development, 21.02 Parking Standards so that parking requirements can be applied consistently throughout the township;
10. Being that there is only one column in Table 35.8, put that info in one sentence and delete table. (Ex: Max. number of signs permitted per non-residential tenant: 1; Max. sq. footage: 6; Max. height: 15 ft.; Min. height: 8 ft.) The same comment for Tables 35.11 and 32.12.

#### **Staff Recommendations**

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

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

*Ms. Holt made a motion to recommend Conditional Approval of the text amendments to the Harlem Twp. Zoning resolution, subject to staff recommendations. Mr. Shafer seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

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23-23 ZON      John Wicks, RPDD LLC. – Orange Twp. – 11.684 acres from FR-1 to SFPRD

#### **Request**

The applicant, John Wicks, is requesting an 11.684-acre rezoning from FR-1 to SFPRD for the development of a 23-lot, single-family residential subdivision; Orange Cove.

#### **Conditions**

**Location:** north side of E Orange Rd., east of Walker Wood Blvd.

**Present Zoning:** Farm Residential (FR-1) / **Proposed Zoning:** Single-Family Planned Residential (SFPRD)

**Present Use(s):** residential / **Proposed Use(s):** 23 single-family house lots

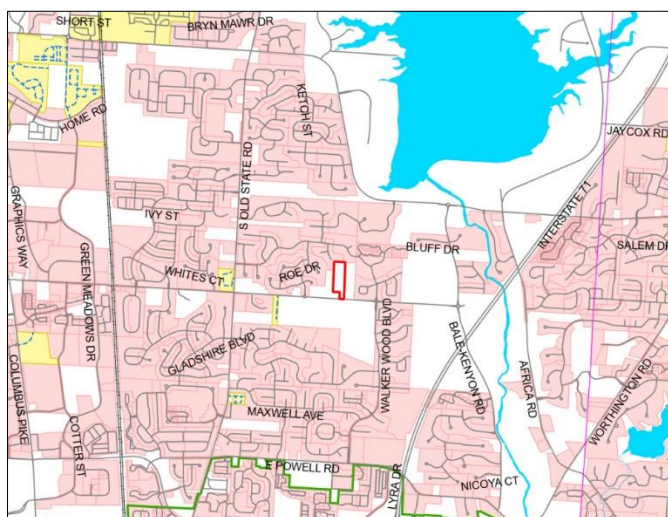
**Existing Density:** 1.98-acre lot minimum / **Proposed Density:** 1.97 du / gross acres

**Number of units requested:** 23

**School District:** Olentangy

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

**Critical Resources:** stream / **Soils:** CaB, AmD2, LyD2, BoA, GwB, AmE



### Introduction

The applicant is requesting to rezone 11.684-acres that is currently zoned FR-1 to SFPRD to allow for 23 single-family residential lots served by public streets. The site plan identifies 25.1 percent (2.93-acres) of open space with a mulch path meandering through the central open space, seven reserves, two detention basins, a cluster mailbox, 5-foot wide sidewalks in front of each lot and along the frontage of open space and landscaping. Provided this rezoning is approved, the applicant intends to construct the development in one phase and begin construction within three years of zoning approval.

### History

The principal property (8.804-acres) was developed with a single-family home in 1978. A shared driveway serves this property and the adjacent residential property to the northeast, with the access point along the ROW being located on the subject site and becomes completely on the neighboring property approximately 100 feet from E. Orange Road centerline.

### Comprehensive Plan

Orange Township's 2018 Comprehensive Plan includes the subject site in the Alum Creek Resource Area –

Subarea 11, which is recommended for single-family residential uses that do not exceed 2 units per acre. The Goals and Strategies section of the plan recommends providing buffers around all water ways to reduce the chance of contamination. The request would fully conform to the plan's recommendations if lot 16 were reconfigured to allow for a buffer from the stream that travels along the northwest corner of the site.

### **Issues**

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

The site plan submitted identifies one point of ingress/egress to E. Orange Road, with two internal streets that terminate with cul-de-sacs. All streets are proposed to be public and allow for parking on one side of the street. The street width was not identified on the plan or in the text.

#### **Drainage:**

Internal subdivision streets are designed with curb and gutter and two stormwater ponds are located in Reserve E that outlets to a stream that bisects the site.

#### **Signage:**

One subdivision entry sign is proposed and identified on the Development Plan. The exact dimensions were not provided.

#### **Lighting:**

No street lights are proposed.

#### **Sanitary Treatment:**

All lots will be served by central sanitary sewer provided by Delaware County Regional Sewer District.

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

The minimum required open space is 20 percent and 25.1 percent has been provided. The open space includes two storm water basins, entry features and landscaping, a mulch path and a stream. Internal sidewalks are not identified on the plan and no sidewalk or path is proposed along E. Orange Road frontage. However, the Development Text stated that sidewalks will be located in front of each lot and along the frontages of open space. A maintained mulch path is proposed within the large wooded park straddling Oak Creek for residents' exclusive use.

### **Divergences**

Four divergences have been requested:

1. Section 10.07(a)(1) – Maximum number of dwelling units on any single acre shall not exceed 3.  
Proposed to exceed the maximum permitted as this is a cluster style housing development. However, the number of dwelling units on a single acre was not provided.
  - a. Although not identified, this is not a concern, given the lot sizes.
2. Section 10.07 (e) – Permit a reduction in side yard setbacks from 12.5 ft. to 7.5 ft.
  - a. This request would be out of character for the area. Cross Creek subdivision has a minimum side yard setback of 10 feet, Abbey Knoll has a setback of 12.5' and McCammon Chase has

- 12.5'. Staff recommends that if a reduction in setback is considered, 10 feet be the minimum to match Cross Creek.
3. Section 10.07 (g) – Permit a reduction in rear yard setbacks for all structures from 35 ft to 25 ft for residential structure and 12 ft for accessory structures.
    - a. This request would be out of character for the area. Cross Creek has a minimum rear yard setback of 30 feet, Abbey Knoll and McCammon Chase both have 35'. Again, Staff recommends that if a reduction in setback is considered, 30 feet be the minimum to match Cross Creek.
  4. Section 10.07 (h) – Permit an increase in maximum lot coverage from 25% to 32%.
    - a. Staff has no concerns with this request.

**Permitted Modifications if approved by Orange Township Board of Trustees (Per Sec. 10.03(C))**

Lots 1-7 and 10 will be modified as follows:

1. Min. permitted lot size: 10,125      Proposed: 8,400
2. Min. permitted lot width: 75 ft.      Proposed: 70 feet
3. Min. lot depth: 135 ft.      Proposed: 116 ft.
  - a. Similar to the request to reduce side yard and rear yard setbacks, this would be out of character with the neighboring subdivisions. Staff recommends reducing the number of proposed lots and reconfiguring them in a manner that meets these requirements.

**Staff Recommendations**

Staff recommends **Conditional Approval** of the rezoning request by John Wicks, RPDD LLC from FR-1 to SFPRD to the DCRPC, Orange Twp. Zoning Commission and Orange Twp. Trustees, *subject to:*

1. *A new drive location should be worked out with the neighboring property prior to the township approving the rezoning request;*
2. *The minimum side yard setback should not be less than 10 feet;*
3. *The minimum rear yard setback should not be less than 30 feet; and*
4. *The required minimum lot size, width and depth should be met.*

**Commission / Public Comments**

Mr. John Wicks, RPDD LLC. was present to answer questions from the Commission. He explained that the front portion of the development is proposed to be cluster style homes with reduced lot size, which are permitted within the zoning district.

Mr. Thompson expressed concern over the reduction of side yard setbacks with regards to safety. Mr. Wicks explained that there is conditional blocking for those side of the homes. They are proposed at no closer than 15' and would require masonry side for any lots that close.

Ms. Holt asked if any consideration was given about creating stubs from the southern cul-de-sac to the west or creating a walking path or side walk to the neighboring cul-de-sac? Mr. Fisher explained that the property to the north is a private Common Access Driveway. Mr. Wicks also stated that there is considerable grade between the two properties. He said the property to the west was recently purchased by an individual home buyer but Mr. Wicks is willing to have a discussion with them for future opportunities.

Mr. Love stated that access location would still need to be worked out through engineering. He also questioned if a crosswalk was considered. Mr. Wicks confirmed they would provide a crosswalk.

*Mr. Matlack made a motion to recommend Conditional Approval of the rezoning request by John Wicks, RPDD LLC., subject to staff recommendations #1-4. Mr. Manley seconded the motion. VOTE: Majority For, 1 Opposed (Berlin Twp.), 1 Abstained (Orange Twp.). Motion carried.*

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24-23 ZON      Metro Dvlpt. – Berkshire Twp. – 26.398 acres – PMUD Art. 16

**Request**

The applicant, Metro Development, is requesting adoption of the PMUD Art. 16 Overlay for the 26.398-acre site.

**Conditions**

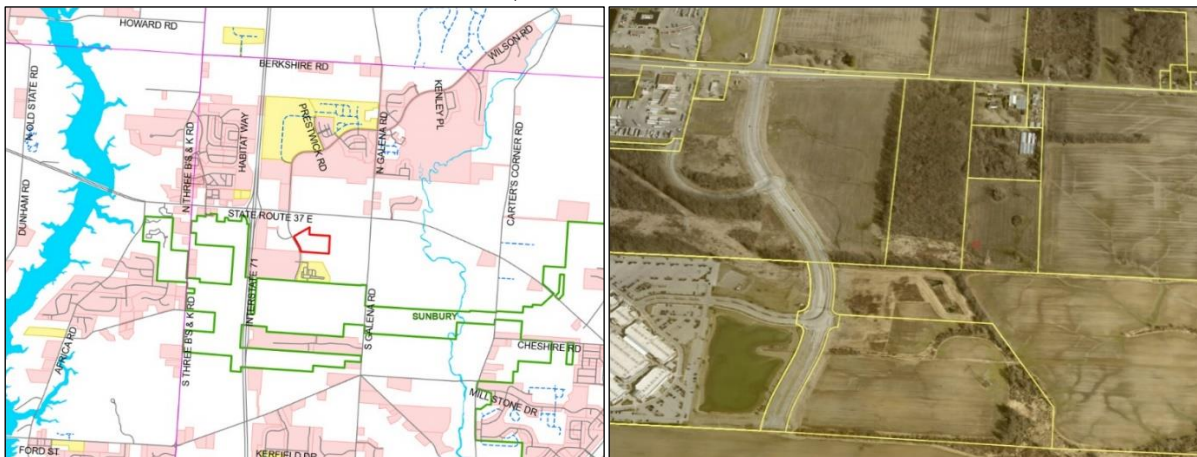
**Location:** south east side of the intersection at Wilson and Rider Rd. extension

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

**Present Use(s):** vacant / **Proposed Use(s):** 312 unit multi-family

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

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





**Staff Comments**

The request is for adoption of the PMUD Art. 16 Overlay for the 26.398-acre site that includes land area from three total parcels. In order to formally adopt the overlay, the Berkshire Township Zoning Commission must approve the application and development plan, which will remove the underlying zoning district.

**Project Overview**

The Development Plan calls for 312 multi-family units in 13, 3-story buildings, 7 garage buildings, clubhouse, sidewalks throughout, community garden, swimming pool, one emergency access drive connecting to Rider Road, two stormwater ponds and dog park. There are three types of structures. Type ‘J’ has 12 one-bedroom and 12 two-bedroom units, type ‘G’ has 24 two-bedroom units and type ‘L’ has 12 two-bedroom and 12 three-bedroom units.

The proposed 312 multi-family units are below the 400 units allowed in the combined area of the NE and SE quadrant of the overlay. The area originally allowed 700 units with the 300-unit District at Berkshire already under development. For the District at Berkshire Project, the Preliminary Plan was approved by RPC and Final Engineering is currently under review. The approval of this project would result in 88 units remaining in the sub-area. No divergences have been requested.

Based on the acreage of the property, the proposed units will also result in a density (12 units/acre) that is within the maximum and minimum thresholds of the overlay (8 units minimum to 12.5 units maximum). The applicant indicated that if approved, construction would begin in July, 2024 with first occupancy in May, 2025 and completed in July, 2026. There is no formal action required of the RPC - the Berkshire Township Zoning Commission is scheduled to hear this request on September 7, 2023.

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



**Staff Recommendations**

Staff recommends **Approval** of the rezoning request by Metro Development for PMUD Article 16 to the DCRPC, Berkshire Twp. Zoning Commission and Berkshire Twp. Trustees.

No vote is required for this application.

**Commission / Public Comments**

Mr. Joe Thomas, Metro Development, was present and thanked staff for their report. He also mentioned that the new name for the project is Carlton at Berkshire.

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25-23 ZON      CJT Development – Harlem Twp. – 5.717 acres – AR-1 to I

**Request**

The applicant, CJT Development, is requesting a 5.717-acre rezoning from AR-1 to Industrial to allow for a storage facility and business offices.

**Conditions**

**Location:** south side of Fancher Rd., west of Miller Paul Rd.

**Present Zoning:** Agricultural (AR-1) / **Proposed Zoning:** Industrial (I)

**Present Use(s):** vacant / **Proposed Use(s):** storage and business offices

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

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

**Critical Resources:** pond / **Soils:** PwA, CeB



**Introduction**

The applicant is requesting to rezone 5.717-acres that is currently zoned AR-1 to Industrial (I) to allow for a storage facility use. If this request is approved by the township, all uses identified as permitted uses in the Industrial District could be developed provided they conform to all Industrial and general development standards.

### **History**

The property has served as an agricultural field until approximately 2020. A gravel drive, stormwater detention area and barn were constructed on the property between 2020 and 2021.

### **Comprehensive Plan**

Harlem Township's 2021 Comprehensive Plan includes the subject site in Subarea A, which is recommended for planned conservation subdivision where sewer is available and service-oriented commercial uses along Fancher Road that blend with the desired community character. The Goals and Objectives section of the plan recommends permitting commercial development in specific, targeted areas and to ensure the compatibility of those commercial uses with a rural aesthetic in order to protect the rural character of the township. The request does not conform to the plan's recommendations, which are for residential and limited commercial uses in this area, or to the recently-adopted overlay, which is discussed below.

### **Issues (Industrial District)**

**Permitted Uses:** Examples of permitted uses in the Industrial District include (and must be enclosed): Warehouse or storage activities, manufacturing, service or repair activities, business offices and research facilities. (Residential use of any kind is prohibited.)

**Conditional Uses:** Examples of conditional uses include: commercial, carnival, petroleum product storage, quarries, freight truck terminal, outdoor storage and sexually-oriented businesses.

**Development Standards:** There is no minimum lot size or lot width, 100-130 foot setback from street centerline depending on road classification, 50-foot side yard, 30-foot rear yard, screening is required of outside storage and freight loading areas must be provided depending on the use.

**Traffic and access:** The site is currently served by a single access point to Fancher Road. Any proposed use would need to receive approval from the DCEO to relocate the drive.

**Sanitary Treatment:** Public sanitary sewer is not currently available to the site. Any proposed use would need to be served by onsite wastewater treatment that would be approved by OEPA.

### **Staff Comments**

Along with the recommendations of the Comprehensive Plan, the site is also included in the area recommended for the Mixed-Use Overlay (District B), which was recently adopted into the Zoning Resolution. Permitted uses include mixed-use buildings, single-family and multi-family residential, senior living facilities, retail stores, restaurants, parks and offices. Warehousing and outdoor storage are prohibited uses.

### **Staff Recommendations**

Staff recommends **Denial** of the rezoning request by CJT Development from AR-1 to I to the DCRPC, Harlem Twp. Zoning Commission and Harlem Twp. Trustees, based on the staff report.

**Commission / Public Comments**

No one was present to represent the applicant.

*Mr. Shafer made a motion for Denial of the rezoning request by CJT Development based on the staff recommendation. Mrs. Raehl seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

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**EXTENSIONS**

15-21                    Tranel CAD – Radnor Twp. - 3 lots / 8.195 acres

Applicant: Andy Tranel  
Consultant: Plan 4 Land  
Preliminary approval: 08/26/21

**Staff Comments**

The applicant is requesting a 1-year extension for Tranel CAD due to construction delays on the driveway.

**Staff Recommendation**

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

**Commission / Public Comments**

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

*Mr. Merrell made a motion for a 12-month extension for the Tranel CAD. Mr. Vidor seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Building Safety). Motion carried.*

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**OTHER BUSINESS**

- Executive Committee Elections

After a ballot vote, Robin Duffee, Orange Twp. and Ed Snodgrass, Porter Twp. were elected to the Executive Committee.

**RPC STAFF AND MEMBER NEWS**

- Recognizing Dave Stites, Chairman and Rep. of Kingston Twp. for his years of service

Commissioner Gary Merrell presented Chairman Stites with a proclamation from the Commissioners. Mr. Sanders thanked Chairman Stites for his 15 years of service to the Regional Planning Commission, 7 years as Executive Committee Chairman and presented him with a

plaque and gift. A reception followed the meeting including members from Kingston Twp. Zoning Commission and Fiscal Officer.

*Having no further business, Mr. Kent made a motion to adjourn the meeting at 6:51 p.m. Mrs. Raehl seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

*The next meeting of the Delaware County Regional Planning Commission will be Thursday, September 28, 2023, 6:00 PM at the Hayes Services Building, 145 N. Union St, Conference Room 235, Delaware, Ohio 43015.*

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Dave Stites, Chairman

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Stephanie Matlack, Executive Administrative Assistant