

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, September 28, 2023 at 6:00 PM
Hayes Services Building, 145 N. Union St., Conference Room 235,
Delaware, Ohio 43015

ADMINISTRATIVE BUSINESS

- Call to order
- Roll Call
- Approval of August 31, 2023 RPC Minutes
- Executive Committee Minutes of September 20, 2023
- Statement of Policy

CONSENT AGENDA (Final Plats)		Township	Lots/Acres
20-22	H/S Warren CAD	Kingston	2 lots / 8.79 acres
02-22	Rabbit Run II	Liberty	13 lots / 16.635 acres

ZONING MAP/TEXT AMENDMENTS

26-23 ZON	Berkshire Twp. Zoning Commission - Text amendments (Articles 4 and 11)
27-23 ZON	Domigan Properties LLC - Berkshire Twp. - 4.558 acres - A-1 to PCD
28-23 ZON	Northstar Residential Dvlpt. LLC - Berkshire Twp. - 61.27 acres - PMUD Art.17
29-23 ZON	Liberty Twp. Zoning Commission - Text amendments (pools, fences, solar)

SUBDIVISION PROJECTS		Township	Lots/Acres
<u>Final</u>			
14-23	Liberty Grand District Sec. 8, Ph. B (platted easement vacation)	Liberty	1 lot / 9.322 Sq. ft.

EXTENSIONS

25-21	Delaware Self Storage	Delaware	1 lot / 7.194 acres
-------	-----------------------	----------	---------------------

OTHER BUSINESS

- Monthly meeting time discussion

POLICY / EDUCATION DISCUSSION

- Delaware Public Health District - campground licensing

RPC STAFF AND MEMBER NEWS

- Ohio APA Presentation

ADMINISTRATIVE BUSINESS

- **Call to Order**

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

- **Roll Call**

Representatives: Meghan Raehll, Duane Matlack, Gary Merrell, Barb Lewis, Joe Shafer, David Willyerd, Staci Hood, Jeffrey Warner, James Hatten, Ed Snodgrass, Kent Manley, and Doug Price. Alternates: Cheryl Friend, Julie Lisano, Glynnis Dunfee, David Setzer, and Mike Love. Arrived after roll call: Dan Boysel (R) and Mike Dattilo (R). Staff: Scott Sanders. Brad Fisher, Da-Wei Liou and Stephanie Matlack.

- **Approval of the August 31, 2023 RPC Minutes**

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

- **September 20, 2023 Executive Committee Minutes**

1. **Call to order**

Vice Chair Shafer called the meeting to order at 8:48 a.m. Present: Joe Shafer, Ed Snodgrass, Tiffany Maag and Gary Merrell. Robin Duffee was absent. Staff: Scott Sanders and Stephanie Matlack.

2. **Executive Committee position elections**

Mr. Merrell made a motion to elect Joe Shafer as Chair, seconded by Ms. Maag. VOTE: Unanimously For, 0 Opposed. Motion carried.

Ms. Maag made a motion to elect Ed Snodgrass as Vice-Chair, seconded by Mr. Merrell. VOTE: Unanimously For, 0 Opposed. Motion carried.

Mr. Merrell made a motion to elect Tiffany Maag as 2nd Vice-Chair, seconded by Mr. Snodgrass. VOTE: Unanimously For, 0 Opposed. Motion carried.

3. **Approval of Executive Committee Minutes from August 23, 2023**

Mr. Merrell made a motion to Approve the August minutes as presented. Ms. Maag seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

4. **New Business**

- Financial / Activity Reports for August

REGIONAL PLANNING RECEIPTS		AUGUST	YTD TOTAL
General Fees (Lot Split)	(4201)	\$820.00	\$17,525.00
Fees A (Site Review)	(4202)	\$600.00	\$3,000.00
Insp. Fees (Lot Line Transfer)	(4203)	\$1,800.00	\$4,300.00
Membership Fees	(4204)		\$212,918.00
Planning Surcharge (Twp. Plan. Assist.)	(4205)	\$2,229.86	\$6,216.22
Assoc. Membership	(4206)		
General Sales	(4220)	\$4.50	\$234.50
Charges for Serv. A (Prel. Appl.)	(4230)	\$5,600.00	\$62,671.30
Charges for Serv. B (Final. Appl.)	(4231)	\$5,100.00	\$39,471.20
Charges for Serv. C (Ext. Fee)	(4232)	\$200.00	\$2,000.00
Charges for Serv. D (Table Fee)	(4233)		\$600.00
Charges for Serv. E (Appeal/Var.)	(4234)		\$2,100.00
Charges for Serv. F (Planned District Zoning)	(4235)	\$600.00	\$2,100.00
OTHER DEPT. RECEIPTS			
Health Dept. Fees	(4242)	\$200.00	\$14,540.00
Soil & Water Fees	(4243)	\$700.00	\$3,400.00
Commissioner's fees	(4244)	\$297.00	\$1,113.00
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)		
TOTAL RECEIPTS		\$18,151.36	\$372,688.56

Balance after receipts	\$1,155,312.21
Expenditures	<u>- \$ 40,024.41</u>
End of August balance (carry forward)	\$1,115,287.80

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

- RPC Preliminary Agenda September
- SKETCH PLANS

	<u>Township</u>	<u>Lots/Acres</u>
• Northstar Sec. 1 Golf Course, Lot 741, Div. #1	Berkshire	2 lots / 269.78 acres
• Bougher Farm	Liberty	58 lots / 19.6 acres

- ZONING MAP/TEXT AMENDMENTS

- Berkshire Twp. Zoning Commission – Text amendments (Articles 4 and 11)
- Domigan Properties LLC – Berkshire Twp. – 4.558 acres – A-1 to PCD
- Northstar Residential Dvlpt. LLC – Berkshire Twp. – 61.27 acres – PMUD Art.17

- SUBDIVISION PROJECTS

Consent:

- | | <u>Township</u> | <u>Lots/Acres</u> |
|------------------|-----------------|------------------------|
| • H/S Warren CAD | Kingston | 2 lots / 8.79 acres |
| • Rabbit Run II | Liberty | 13 lots / 16.635 acres |

Final:

- | | | |
|--|---------|------------------------|
| • Liberty Grand District, Sec. 8, Ph. B
(platted easement vacation) | Liberty | 1 lots / 9.322 sq. ft. |
|--|---------|------------------------|

Extension:

- | | | |
|-------------------------|----------|---------------------|
| • Delaware Self Storage | Delaware | 1 lot / 7.194 acres |
|-------------------------|----------|---------------------|

- Director’s Report

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. **Met on September 13 – moving to every other month format.**

The Partnership for a Healthy Delaware County and Health Behaviors Collaborative (Delaware Public Health District)

The Partnership is a group of agencies, organizations, businesses, and residents representing multiple sectors of the County that assesses the health of the community and develops an action plan to improve population health and drive policies, systems, and environmental change. The Collaborative 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. **Q3 Partnership meeting was on September 7.**

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. **Q3 meeting (virtual) was on September 12.**

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. **Brad is attending virtual monthly check-ins.**

DCRPC-Managed Projects

Harlem Township Zoning Resolution

Staff is working with the Zoning Commission on various updates in existing sections of the Zoning Resolution. **Commission had other work and did not need to meet with me this month.**

Village of Ostrander Comprehensive Plan

Staff is working on a new Comp Plan. **Brad met on September 14.**

Liberty Township Comprehensive Plan

Staff is working on an update to the Comp Plan. **Meeting with Zoning Commission on September 20.**

Berlin Township Comprehensive Plan

Staff is working on an update to the Comp Plan. **Trustees set to approve on September 25.**

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 Comp Plan. **Scott/Brad attended on September 11.**

Project-specific/other meetings

Ohio American Planning Association:

Scott Sanders, Tiffany Maag, and Monica Connors will be presenting a session during the statewide APA conference **on September 28.**

- 2024 Budget - 1st Review

Mr. Sanders presented the Committee with a first draft of the 2024 Budget. This proposed budget estimates 2024 revenues and expenditures based on current trends and dues at 60 cents/capita. Health Insurance rates have not been provided by the County (as of today), so an estimated 8% increase was used to calculate 2024 expenses. Some discussion on membership fees and development fees took place. Development fees have not increased since 2007 and it was recommended that staff suggest increases. Expenses will also include rent and utilities in the new building. The Executive Committee will make recommendations to the Commission after the October Executive Committee meeting with discussion and approval to take place at the November 30th RPC meeting.

5. Adjourn

Having no further business, Mr. Merrell made a motion to adjourn the meeting at 10:43 a.m. Mr. Snodgrass seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

The next regular Executive Committee meeting will be Wednesday, October 18, 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)

20-22 H/S Warren CAD – Kingston Twp. - 2 lots / 8.79 acres

Conditions

Applicant: Tamara & Ronald Warren / **Surveyor:** Scioto Land Surveying

Subdivision Type: Single Family Residential, Common Access Driveway

Location: North side of Kilbourne Rd., east of N. Galena Rd.

Zoned: FR-1 (Farm Residential)

Preliminary Approval: 06/30/22

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

School District: Buckeye Valley Local Schools

Staff Comments

H/S Warren CAD Preliminary Plan was approved June 30, 2022. The project is located in Kingston Township, on the north side of Kilbourne Rd., east of N. Galena Road. The applicant is now requesting Final Plat approval to create a 2 lot CAD.

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 H/S Warren CAD to the DCRPC.

Commission / Public Comments

Mr. Merrell made a motion for Final Approval of H/S Warren CAD. Mr. Matlack seconded the motion.

VOTE: Unanimously For, 0 Opposed. Motion carried.

02-22 Rabbit Run II – Liberty Twp. - 13 lots / 16.635 acres

Conditions

Applicant: 365Land LLC / **Surveyor:** Scioto Land Surveying

Subdivision Type: Single Family Residential

Location: east side of Liberty Rd., south of Hardin Lane

Zoned: FR-1 (Farm Residential)

Preliminary Approval: 01/27/22

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

School District: Olentangy Local Schools

Staff Comments

Rabbit Run II is a 12 lot, single-family subdivision on the east side of Liberty Road, just south of Hardin Lane. A 13th lot (7068) is completely located within a grading and drainage easement providing stormwater control for the subdivision. The applicant is now requesting Final Plat approval.

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 **Rabbit Run II** to the DCRPC.

Commission / Public Comments

Mr. Merrell made a motion for Final Approval of Rabbit Run II. Mr. Matlack seconded the motion.

VOTE: Unanimously For, 0 Opposed. Motion carried.

ZONING MAP/TEXT AMENDMENTS

26-23 ZON Berkshire Twp. Zoning Commission – Text amendments (Articles 4 and 11)

Request

Berkshire Township has forwarded proposed changes for the RPC to consider and provide recommendations. The Township is proposing to add a definition for Impervious Surfaces in Article 4 - Definitions and amend the minimum side yard and rear yard setback requirements found in Articles 11. The minimum side yard of 12 ½ feet will now be applicable to accessory uses and accessory structures, and the minimum rear yard will now be 10 feet for accessory uses and accessory structures.

Staff Recommendations

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

Commission / Public Comments

Mr. Matlack made a motion to recommend Approval of the Berkshire Twp. Zoning Resolution text amendments. Ms. Raehl seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

27-23 ZON Domigan Properties LLC – Berkshire Twp. – 4.558 acres – A-1 to PCD

Request

The applicants, Domigan Properties LLC., is requesting a 4.558-acre rezoning from A-1 to PCD for the development of an equipment rental business.

Conditions

Location: 51 Domigan Rd., Sunbury

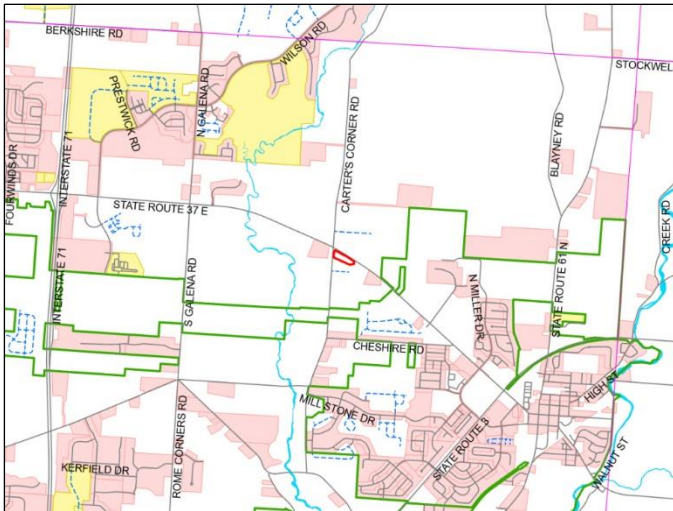
Present Zoning: Agricultural (A-1) / **Proposed Zoning:** Planned Commercial (PC)

Present Use(s): vacant / **Proposed Use(s):** equipment rental business

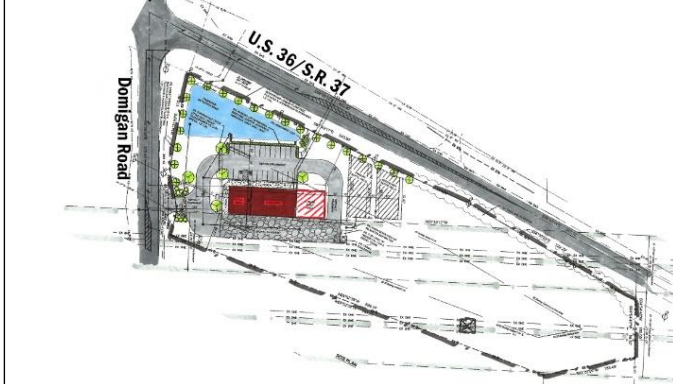
School District: Big Walnut Local Schools

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

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



RPC#27-23zon
Domigan Properties LLC
4.558 ac. / A-1 to PCD
Berkshire Twp.



Introduction

The applicant is requesting to rezone 4.558-acres from Agricultural District (A-1) to Planned Commercial and Office (PCD) to allow for an equipment rental business. If this request is approved by the township all uses identified in the development text (which are specified by NAICS codes) will be permitted. The development plan includes one building that is divided into a retail area, shop area and future shop area, 26 parking spaces, perimeter landscaping to the north and west of the development and around the parking area. The site proposes over 80 percent open space, one monument sign, and one stormwater pond. The use is currently in operation at the southeast corner of US-36/37 and S. Galena Road in Berkshire Township, also zoned PCD and is intended to be re-located to the subject site. Typical hours of operation will be Monday-Friday from 8am to 4pm.

History

The subject site was part of a 39.566-acre tract until 2021, when the tract was subdivided to create four total lots (range from 5.523 to 21.404-acre sized lots). The site has historically served as an agricultural use and is impacted by high-voltage power lines traveling east and west. The available acreage to be developed outside

of ROW, AEP easements and septic field is approximately 1.59-acres.

Comprehensive Plan

Berkshire Township’s 2017 Comprehensive Plan includes the subject site in Subarea 8, which is recommended for professional offices along the north and south side of US 36/37 and access should be from rear access roads. Ground signs are the only recommended sign type in this area, with only low level, downward-cast commercial lighting. The request conforms to the plan’s recommendations as this is a rental office use, access will be from Domigan Road and not US 36/37 and a ground sign is proposed.

Issues

Permitted Uses (Per development text):

- Administrative, Professional, Institutional, and Business Offices
 - Building Material and Garden Equipment and Supplies Dealers (NAICS #444)
 - Management of Companies and Enterprises Administrative and Support Services (NAICS #55)
- Administrative and Support Services
 - Repair and Maintenance (NAICS #811)
 - Office Machinery and Equipment Rental and Leasing (NAICS #53242)
- Not identified as a permitted use in PCD NAICS code table
 - General Rental Centers (NAICS #532310). This use code may include (but not limited to) the following types of equipment: audio visual equipment, contractors' and builders' tools and equipment, home repair tools, lawn and garden equipment, moving equipment and supplies, and party and banquet equipment and supplies.
 - Based on the permitted NAICS code 444, staff does not believe the above uses will be any more intense than what is generally permitted in the PCD. The development text indicates that “display and rental of outdoor equipment i.e. mowers, excavators, lifts, skid steers, etc. used for business rentals”, and this is an existing use on another property in Berkshire Township, also zoned PCD.

Site Design:

Retail/Office Building is 40 ft. by 50 ft. (2,000 sq. ft.), 25 ft., 4 inches in height, with a front and side covered porch. The Shop building is 50 ft. by 80 ft. (4,000 sq. ft.).

Traffic and access:

One point of ingress/egress at Domigan Road. An internal drive serves the site. B.S.T. & G. Fire District provided a letter indicating the development is approved as submitted.

Drainage:

One quarter acre sized detention basin is proposed at the northwest corner of the site and storm sewers are located throughout the site.

A gravel drive is located to the south of the proposed building and will be used to load and unload heavy equipment and be a dedicated wash area for this equipment. The development plan identifies a portion of this area as a “pressure wash down area with oil/water separator.”

Signage:

One monument sign is proposed, a 4 foot by 8 foot two-sided lit sign (32 sq. ft.). A signage plan is identified on plan sheet 3 of 4.

Lighting:

LED downcast lighting will be installed on all sides of the building at various heights. The parking lot will be lit by 20 ft. high, LED cut off type pole lights. The typical business operation is during daylight hours and does not need to light the site at night other than for security in the rear.

Sanitary Treatment:

On-site waste water treatment will be used initially. Once public sanitary sewer is available, the development will connect to the service.

Open Space / Health:

Required: 50% of net developed acreage. Proposed: 81.2%

Divergences

Four divergences are requested:

1. **Section 15.05.A.10 – Perimeter Area:** Requesting to reduce the perimeter setback for buildings from 100' to 66.67' in the rear. The property is an awkward triangle, with the 100' setback not allowing any areas to be development. The justification for allowing this is that even though the setback would be reduced, the high voltage easement on the rear of the property will require another 250' before any structure development can happen. This provides a large buffer to any development south of this property.

Staff Comments: Staff has no concerns as the high-voltage power line easement impacts development for this site and extends south onto the neighboring property anywhere from 110 to 200 feet from all developed areas of the subject site, creating an adequate buffer from this development.

2. **Section 15.05.A.10 – Perimeter Area:** Requesting to reduce the perimeter setback for the parking lot from 100' to 20' to the south. The justification for allowing this is that the high voltage easement on the rear of the property will provide another 230' before any structure development can happen. This provides a large buffer to any development that happens south of this property.

Staff Comments: Similar to the request above, Staff has no concerns.

3. **Section 21.01.B – Parking Paving:** Requesting to allow the rear parking area to be surfaced with gravel and not the required asphaltic material or concrete. Since the rear of the site is used for loading and unloading outdoor heavy equipment i.e. mini excavators, skid steers, etc. with 90% of them have track wheels, they tear up the asphalt when turning and maneuvering for loading and unloading. This requires maintenance and repairs to the surface to repair the damage the tracks do to the hard surface. The gravel paving will allow the repair of the surface as it becomes damaged rather than needing a contractor to replace pavement.

Staff Comments: Staff has no concerns with this request provided any dust from the gravel surface is managed.

4. **Section 21.09 – Setback Requirements:** Requesting to reduce the front setback of 90 feet from the right-of-way of State Route 37 to a distance of 76 feet. The State has taken ROW from the property with its most recent road improvements at the Domigan Road/Carter Corners intersection which has left this property with a small buildable area. The property is also an awkward triangle shape and impacted by the high voltage easement in the rear of the property that shrinks the available property to the rear.

Staff Comments: Staff has no concerns with this request as the “Future Shop Area” is the only portion of the building that is not setback 90' from ROW, and it is approximately half of the Shop area that does not meet the setback.

Staff Recommendations

Staff recommends **Conditional Approval** of the rezoning request by Domigan Properties LLC from A-1 to PCD to the DCRPC, Berkshire Twp. Zoning Commission and Berkshire Twp. Trustees, *subject to:*

- 1.) *Identify in the development text how any dust from the gravel parking area will be managed.*

Commission / Public Comments

Mr. Chris Winkle, Guider Winkle Partners, was present along with the applicant. Mr. Winkle stated the “Rental Stop” would be constructing an 8,000 sq. ft. building and would include dust mitigation in the plan for the Township.

Ms. Raehll questioned which NAICS code the applicant applied under. Mr. Fisher explained that the applicant identified three NAICS codes and should work that out with the Township. She also expressed concern with the dust that may be created with the gravel drive. Mr. Winkle stated that the gravel area is on the back side of the building and would be a 304 limestone. When it gets wet it compacts and usually does not create very much dust. He explained a treatment could be added if that is an issue.

Mr. Price made a motion to recommend Conditional Approval of the rezoning request by Domigan Properties LLC, subject to staff recommendation. Ms. Lewis seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

28-23 ZON Northstar Residential Dvlpt. LLC – Berkshire Twp. – 61.27 acres – PMUD Art.17

Request

The applicant, Northstar Residential Development LLC., is requesting adoption of the PMUD Art. 17 Overlay for the 61.27-acre site.

Conditions

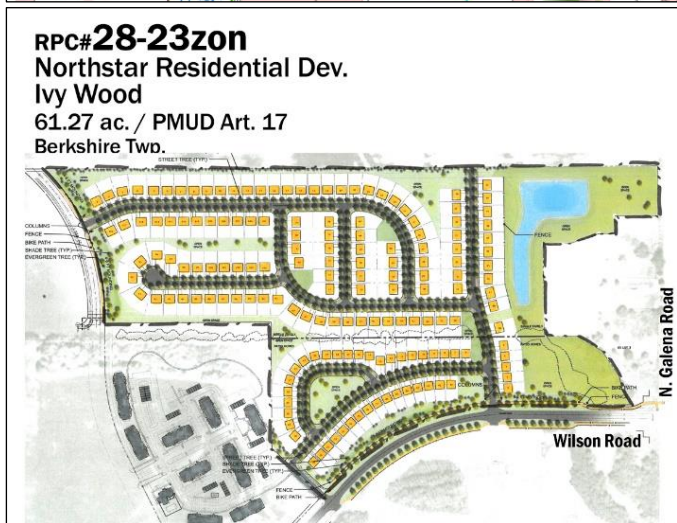
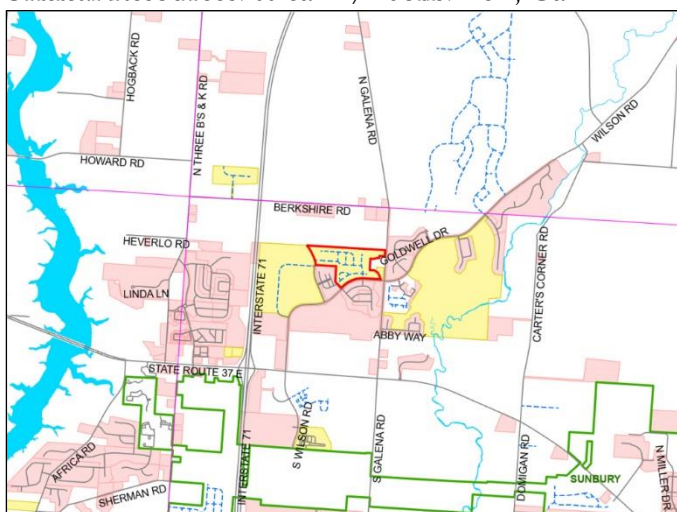
Location: North side of Wilson Rd., west of N. Galena Rd.

Present Zoning: Planned Commercial (PCD) / **Proposed Zoning:** PMUD Art. 17

Present Use(s): vacant / **Proposed Use(s):** 44 patio homes and 116 Single Family lots; Ivy Wood Neighborhood

School District: Big Walnut Local Schools / **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. 17 Overlay for the 61.27-acre site. 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. The entirety of this project is located in Zones 2A and 2B of the PMUD overlay.

Project Overview

The Development Plan calls for 44 patio style homes, 116 single family homes, a multi-use path along Wilson Road and the Prestwick Road extension, street trees along both sides of the internal streets and along Wilson Road where the subdivision abuts, 5-foot-wide sidewalks throughout, CBU, entry signage, one access point to Prestwick Road, one access point to Wilson Road, one access point to Starpoint Drive, one stormwater pond and 33.53 percent open space.

The proposed gross density is 2.61 du/acre, which is below the permitted 3.25 gross du/acre for detached single-family and patio homes. The proposed minimum frontage for single-family units is 60 feet and 52 feet for patio homes. No divergences have been requested. The neighboring properties to the east (Northstar Goldwell Neighborhood) and south (Berkshire Crossing) have had the PMUD Art. 17 applied to allow for single-family residential developments to occur and have been platted. The neighboring property to the west (Northstar Apartments) has also had the PMUD Art. 17 applied to allow for multi-family residential apartments.

The applicant indicated that if approved, the Ivy Wood Neighborhood will be developed in one phase and construction would begin in summer, 2024 and completed in spring, 2025. There is no formal action required of the RPC - the Berkshire Township Zoning Commission is scheduled to hear this request on October 5, 2023.

Staff Recommendations

Staff recommends **Approval** of the rezoning request by Northstar Residential Development LLC for PMUD Article 17 to the DCRPC, Berkshire Twp. Zoning Commission and Berkshire Twp. Trustees.

No vote is required for this application.

29-23 ZON Liberty Twp. Zoning Commission – Zoning Resolution Text amendments

Request

The Liberty Township Zoning Commission has forwarded proposed zoning text changes for the RPC to consider and provide recommendations. **Minor modifications** are being made throughout the Resolution that impact government office location, administrative staff names, definitions, telecommunication towers, expand on public/private uses in the FR-1 district, reduce the number of required development plan paper copies to be submitted and a timeframe for submission and remove roof pitch requirements from the Design Standards. **Major modifications** include the addition of Solar Facilities language, solar energy system types definitions and swimming pool cover/fence requirements. The Solar changes have been reviewed by Brosius, Johnson & Griggs law firm and Staff is in support of this addition as written. The Liberty Township Board of Trustees are scheduled to vote on the proposed modifications on October 2nd.

Staff Comments:

- *With removing the first sentence in Sec. 7.13, consider modifying the new first sentence to “The principal structure eaves may encroach...”.*
- *The following has been included in 10 separate zoning districts under the Nature of the District description; “Please note some Final Development Plans, Parcel Deed Restrictions and Homeowners and Condo Associations may have additional restrictions/requirements beyond those listed in this Zoning District. The Applicant is responsible for researching and obtaining written permission as needed before applying for a Zoning Permit Application and/or Building Permit.” The Township may consider modifying this statement to generally address all zoning districts and only including it in Sec. 5.01 – Zoning Districts.*

Staff Recommendations

Staff recommends **Conditional Approval** of the Liberty Twp. Zoning Resolution text amendments to the DCRPC, Liberty Twp. Zoning Commission and Liberty Twp. Trustees, based on Staff comments in this report.

Commission / Public Comments

Mr. Matlack made a motion to recommend Conditional Approval of the Liberty Twp. Zoning Resolution, subject to staff recommendation. Ms. Raehl seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

SUBDIVISION PROJECTS

Final

14-23 Liberty Grand District Sec. 8, Ph. B (*platted easement vacation*) – Liberty Twp. - 1 lot / 9.322 Sq. ft.

Conditions

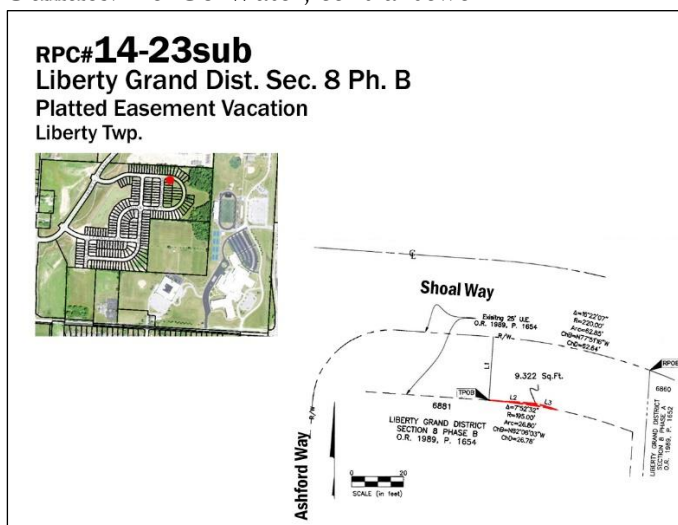
Applicant: M/I Homes / **Engineer:** EMH & T

Subdivision Type: Planned Residential

Location: west side of Shoal Way, east of Celebration Dr.

Zoned: POD-18

Utilities: Del-Co Water, central sewer



Introduction

Section 205.06 of the Subdivision Regulations allows for the vacation of easements created through platting which provide access beyond County agencies, such as to general utilities. The process requires notice and a meeting/decision of the Commission. Additionally, applications may be discussed during the monthly Technical Review Committee meeting.

Staff Comments

The applicant is proposing to vacate a 9.322-square foot utility easement in the Liberty Grand District development. The easement was created by plat with the recording of Liberty Grand District, Section 8, Phase B on September 2, 2022.

The applicant has presented to the RPC Office a survey of the easements to be vacated, a requirement for approval.

Staff Recommendation

Staff recommends *Final Approval* of **Liberty Grand District Sec. 8, Ph. B Easement Vacation** to the DCRPC.

Commission / Public Comments

No one was present to represent the applicant.

Mr. Matlack made a motion for Final Approval of Liberty Grand District Sec. 8, Ph. B Easement Vacation. Mr. Merrell seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

EXTENSIONS

25-21 Delaware Self Storage – Delaware Twp. - 1 lot / 7.194 acres

Applicant: Cory Bonda

Engineer: Crossing Waters Engineering

Preliminary approval: 09/30/21

Staff Comments

The applicant is requesting a 1-year extension for Delaware Self Storage.

Staff Recommendation

Staff recommends *Approval* of a 12-month Extension for **Delaware Self Storage** to the RPC.

Commission / Public Comments

No one was present to represent the applicant.

Mr. Price made a motion for a 12-month Extension for Delaware Self Storage. Mr. Boysel seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

OTHER BUSINESS

- Monthly meeting time discussion

With the move to the Byxbe Building coming up next month and having a dedicated meeting location, Chairman Shafer opened the discussion of changing the monthly meetings to daytime meetings. He stated that the Executive Committee discussed this at the last meeting and is looking for informal feedback. He asked members to email him, any member of the Exec. Comm. or staff with thoughts. He explained that most (if not all) other County Boards meet during the day, conflicts with kids' evening activities, and most Townships have full-time staff.

Ms. Raehl expressed concern with those that have full time jobs outside of the Townships.

Mr. Sanders stated that the RPC office was given October 20th as the scheduled move date to the Byxbe Building. Therefore, the October 26th meeting is being planned to take place in the new conference space. Specific information will be sent with the monthly meeting notice.

POLICY / EDUCATION DISCUSSION

- Delaware Public Health District – campground licensing

Ms. Glynnis Dunfee stated that the Delaware Public Health District is working with local fire departments\districts on licensing temporary campgrounds in preparation for the April 2024 solar eclipse. There is more information to come regarding licensing, however, the health district would like feedback regarding if zoning within the local townships would allow temporary campgrounds in their jurisdictions. Anyone interested in more information should reach out to Dustin Kent, Director of Environmental Health (dkent@delawarehealth.org).

RPC STAFF AND MEMBER NEWS

- Ohio APA Presentation

Mr. Sanders explained that he, along with Ms. Tiffany Maag, Director Regional Sewer District and Ms. Monica Connors, Economic Development Director gave a presentation at the Ohio APA conference on sewer service and current development activity in Delaware County.

Having no further business, Mr. Boysel made a motion at 6:40 p.m. to adjourn the meeting. Ms. Lewis seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

The next meeting of the Delaware County Regional Planning Commission will be Thursday, October 26, 2023, 6:00 PM at the Byxbe Building, 1610 SR 521, Conference Room, Delaware, Ohio 43015.