

Delaware County Regional Planning Commission

1610 State Route 521
P.O. Box 8006, Delaware, Ohio 43015
740-833-2260 www.dcrpc.org
Scott B. Sanders, AICP Executive Director



MINUTES

Thursday, August 29, 2024 at 6:00 PM
Byxbe Campus Conference Room, 1610 State Route 521,
Delaware, Ohio 43015

ADMINISTRATIVE BUSINESS

- Call to order
- Roll Call
- Approval of July 25, 2024 RPC Minutes
- Executive Committee Minutes of August 21, 2024
- Statement of Policy

CONSENT AGENDA (Final Plats)

		Township	Lots/Acres
33-19	Berlin Farm West Piatt – Roloson Road	Berlin	1 lot / 3.274 acres
24-16.6	Woodcrest Crossing, Section 6	Liberty	49 lots / 45.454 acres
09-22	Nelson Farms North	Liberty	37 lots / 40.599 acres
03-23.1	Clarkshaw Crossing, Section 1	Liberty	47 lots / 29.251 acres
05-24	Hastilow Subd., Lot 298, Div. 1	Trenton	2 lots / 14.941 acres

VARIANCE / EXTENSION

15-21.V Tranel CAD – Radnor Twp. – requesting additional extension

ZONING MAP/TEXT AMENDMENTS

11-24 ZON	Royal C Investments – Delaware Twp. – 14.53 acres – FR-1 to PC
25-24 ZON	Zach Zinsmeister – Berkshire Twp. – 5.946 acres – A-1 to PCD
26-24 ZON	WDC Group LLC – Berkshire Twp. – 3.794 acres – PCD to PMUD Art. 17
27-24 ZON	Jared & Rachel Jacobus – Harlem Twp. – 5.49 acres – AR-1 to FR-1
28-24 ZON	Scioto Twp. Zoning Commission – Zoning Resolution amendments – Communication towers
29-24 ZON	Harlem Twp. Zoning Commission – Zoning Resolution amendments – Sec. 21.18

SUBDIVISION PROJECTS

Preliminary

		Township	Lots/Acres
03-24	BET-FISH CAD	Brown	5 lots / 13.562 acres
10-22	Evans Farm, Section 6 (revised)	Orange	97 SF lots / 41.69 acres

OTHER BUSINESS

- Consideration for Approval: Conference Reimbursement

POLICY / EDUCATION DISCUSSION

RPC STAFF AND MEMBER NEWS

ADMINISTRATIVE BUSINESS

▪ **Call to Order**

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

▪ **Roll Call**

Representatives: David Weade, Stephen Serio, Duane Matlack, Gary Merrell, Jeff Benton, Walt Thompson, Sarah Holt, Joe Shafer, Mike Cannon, David Willyerd, Staci Hood, Robin Duffee, Joe Proemm, James Hatten, Herb Ligocki, Molly Drayer, Kent Manley, Mike Dattilo, and Doug Price.
Alternates: Kathy Windborne, Levi Koehler, Glynnis Dunfee, David Setzer, and Will Ferguson. *Staff:* Brad Fisher, Da-Wei Liou and Stephanie Matlack.

▪ **Approval of the July 25, 2024 RPC Minutes**

Mr. Merrell made a motion to Approve the minutes from the July 25th meeting, seconded by Mr. Weade. VOTE: Unanimously For, 0 Opposed. Motion carried.

▪ **August 21, 2024 Executive Committee Minutes**

A. Call to order

Chairman Shafer called the meeting to order at 8:45 a.m. Present: Joe Shafer, Robin Duffee, Gary Merrell and Tiffany Maag. Ed Snodgrass was absent. Staff: Scott Sanders and Stephanie Matlack.

B. Approval of Executive Committee Minutes from July 17, 2024

Mr. Merrell made a motion to approve the minutes from the July 17th meeting. Mr. Duffee seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Mr. Shafer). Motion carried.

C. New Business

1. Financial / Activity Reports for July

REGIONAL PLANNING RECEIPTS		JULY	YTD TOTAL
General Fees (Lot Split)	(4201)	\$615.00	\$2,870.00
Fees A (Site Review)	(4202)		\$3,200.00
Insp. Fees (Lot Line Transfer)	(4203)	\$200.00	\$1,500.00
Membership Fees	(4204)		\$222,529.20
Planning Surcharge (Twp. Plan. Assist.)	(4205)	\$2,517.50	\$12,723.40
Assoc. Membership	(4206)		
General Sales	(4220)		
Charges for Serv. A (Prel. Appl.)	(4230)	\$3,183.67	\$53,544.14
Charges for Serv. B (Final. Appl.)	(4231)	\$7,593.67	\$67,818.98
Charges for Serv. C (Ext. Fee)	(4232)		\$2,700.00
Charges for Serv. D (Table Fee)	(4233)		\$1,200.00
Charges for Serv. E (Appeal/Var.)	(4234)		\$2,300.00
Charges for Serv. F (Planned District Zoning)	(4235)	\$1,500.00	\$7,000.00
			\$500.00
OTHER DEPT. RECEIPTS			

Health Dept. Fees	(4242)		
Soil & Water Fees	(4243)		\$1,375.00
Commissioner’s fees	(4244)		\$3,000.00
		\$102.00	\$948.00
MISCELLANEOUS REVENUE			
Other Reimbursements	(4720)		
Other Reimbursements A	(4721)		\$54.98
Other Misc. Revenue (GIS maps)	(4730)		
Misc. Non-Revenue Receipts	(4733)		
Sale of Fixed Assets	(4804)		
TOTAL RECEIPTS		\$15,711.84	\$383,263.70

Balance after receipts \$1,101,803.79
 Expenditures - \$ 40,664.80
 End of July balance (carry forward) \$1,061,138.99

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

2. RPC Preliminary Agenda August

- a) Sketch Plans

	<u>Township</u>	<u>Lots/Acres</u>
• Northstar Del Webb acres	Berkshire / Kingston	624 lots / 866

- b) Zoning Map / Text Amendments
 - Royal C Investments - Delaware Twp. - 14.53 acres - FR-1 to PC
 - Zach Zinsmeister - Berkshire Twp. - 5.946 acres - A-1 to PCD
 - WDC Group LLC - Berkshire Twp. - 3.794 acres - PCD to PMUD Art. 17
 - Jared & Rachel Jacobus - Harlem Twp. - 5.49 acres - AR-1 to FR-1
 - Scioto Twp. Zoning Commission - Zoning Resolution amendments - Communication towers
 - Harlem Twp. Zoning Commission - Zoning Resolution amendments - Sec. 21.18

- c) Subdivision Projects

	<u>Township</u>	<u>Lots/Acres</u>
Preliminary		
• BET-FISH CAD	Brown	5 lots / 13.562 acres
• Evans Farm, Section 6 (revised)	Orange	97 SF lots / 41.69 acres
Final		
• Berlin Farm West Piatt - Roloson Rd	Berlin	1 lot / 3.274 acres
• Woodcrest Crossing, Section 6	Liberty	49 lots / 45.454 acres
• Nelson Farms North	Liberty	37 lots / 40.599 acres
• Clarkshaw Crossing, Section 1	Liberty	47 lots / 29.251 acres
• Hastilow Subd. Lot 298, Div. #1	Trenton	2 lots / 14.941 acres

3. Director's Report

County Planning Directors Association of Ohio

Planning Directors from across the state meet annually during the County Commissioner Association's December meeting in Columbus and at a rotating location during the summer. **Delaware County is hosting the summer meeting tomorrow (August 22) here at the Byxbe Campus. Thirteen are scheduled to attend. Topics with speakers will include New Community Authorities and Solar Issues in Zoning. These will be recorded on Zoom and staff will make them available to our membership afterward.**

Zoning Inspectors

Hosted/scheduled by DCRPC, these meetings are occasional or as-needed and may include specific topics, a roundtable of discussion, or both. **Staff has scheduled one for September 11.**

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. **Brad will be attending the Q3 meeting on September 5th.**

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. **Scott participated in a subcommittee meeting on July 19 and assembled talking points about the housing situation. These talking points will be communicated to area jurisdictions by the Task Force.**

Transportation Advisory Committee

Hosted by MORPC, these are monthly in-person meetings. **Met July 31.**

Active Transportation Committee

Hosted by MORPC, these are hybrid meetings that occur quarterly. Active transportation projects are shared – most activity is in Columbus and suburbs. The Active Transportation Committee provides leadership and guidance in 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. **Met July 31.**

2024 ESRI User Conference

The Esri User Conference is a key event for GIS professionals, providing a platform to explore the latest advancements in GIS technology and applications. **Da-Wei attended this week-long conference in July, located in San Diego, CA.**

Southeast Focus Area Steering Committee Meeting

Delaware Together, the comprehensive plan adopted in 2021, recommended the need for two focus area plans to be completed. The first focus area plan, in the southwest, was adopted by the City on June 10, 2024. Now, the City has pursued the opportunity to plan for the future of the Southeast Area. **Brad will be attending this first Committee meeting on August 21st.**

DCRPC-Managed Projects

Harlem Township Zoning Resolution

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

Liberty Township Comprehensive Plan

Staff is working on an update to the plan, which was last updated in 2018. **Two open houses were held in July to collect public input. Committee will meet in October to discuss.**

Berkshire Township Zoning Project

Township is working with an external consultant to study certain parts of its Zoning Resolution. **Staff is updating background material for an update to the Comprehensive Plan.**

Shawnee Hills Comprehensive Plan

Staff has been working on updating the 2016 Plan's background information for a few months. **Brad met with the Village Administrator on August 12th to present the work completed to date.**

Project-specific/other meetings

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 is developing concepts which will be evaluated to determine an action plan for specific projects that can be developed. 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> Open house and public input has been summarized at the site above.

Trail Grant

The deadline to submit Trail Grant applications is August 30th. Committee meets on September 24th.

4. 2025 Budget – Preliminary Discussion

Items discussed included what dollar amount RPC should maintain as a carry forward and remove the entry level planner for 2025 if there is no need for additional staff at this time. Mr. Shafer stated that incremental development fees are better received than large jumps every 10 years. The Committee will review the first draft at the September Exec. Comm. meeting with a full Commission vote in November.

5. Amendment to the Subdivision Regulations regarding Variance and Extensions

The Committee was presented draft language regarding Extension requests to the Subdivision Regulations. More discussion to follow.

6. Conference Reimbursement Policy update: Meal per diem

Currently the RPC Conference Reimbursement Policy does not define a meal per diem. After discussions with the Soil & Water Conservation District and Delaware Co. Auditor, additional language was presented to the Committee for review. More discussion to follow.

D. Other Business

- Consideration for Approval: contract for planning services with Berkshire Twp. to update their Comprehensive Plan

Mr. Merrell made a motion to Approve the Planning Services Contract with Berkshire Township. Ms. Maag seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

E. Adjourn

Having no further business, Mr. Merrell made a motion to adjourn at 9:48 a.m. Mr. Duffee seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

The next regular Executive Committee meeting will be Wednesday, September 18, 2024 at 8:45 a.m. at 1610 State Route 521, West Conference Room, 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 Berlin Farm West Piatt – Roloson Road – Berlin Twp. - 1 lot / 3.274 acres

Conditions

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

Subdivision Type: extension of Roloson-Piatt Road

Location: north of Berlin Station Rd., west of Rustic Trail Dr.

Zoned: Planned Residential / **Preliminary Approval:** 06/30/22

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

Staff Comments

The request is to plat only the Roloson-Piatt Road ROW, extending from the intersection of Rustic Trail Drive and Roloson-Piatt Road intersection, which will terminate approximately 1,470 feet north; the road is currently constructed up to this intersection. The road extension will provide access to the proposed Berlin Farm West, Section 4; a Draft Final Plat was submitted for review for this section in May, 2024.

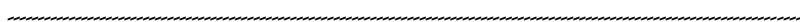
The applicant has presented to the RPC Office a Final Plat (mylar) signed by the various County agencies, a requirement for Final approval.

Staff Recommendation

Staff recommends *Final Approval* of Berlin Farm West Piatt – Roloson Road to the DCRPC.

Commission / Public Comments

Mr. Merrell made a motion for Final Approval of Berlin Farm West Piatt – Roloson Road. Ms. Holt seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.



24-16.6 Woodcrest Crossing, Section 6 – Liberty Twp. - 49 lots / 45.454 acres

Conditions

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

Subdivision Type: Planned Residential

Location: west of Steitz Rd., north of Hyatts Rd.

Zoned: Planned Residential / **Preliminary Approval:** 12/19/19

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

Staff Comments

Woodcrest Crossing, Section 6 is a 49 single-family lot subdivision with over 33 acres of open space and will gain access from Colts Reign Drive in Section 5 to the north and Steitz Road to the east. Section 7 will be the final phase of this development and a Draft Final Plat has been submitted and reviewed by Staff.

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

Staff Recommendation

Staff recommends *Final Approval* of Woodcrest Crossing, Section 6 to the DCRPC.

Commission / Public Comments

Mr. Merrell made a motion for Final Approval of Woodcrest Crossing, Section 6. Ms. Holt seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

09-22 Nelson Farms North – Liberty Twp. - 37 lots / 40.599 acres

Conditions

Applicant: Pulte Homes / **Engineer:** EMH & T

Subdivision Type: Planned Residential

Location: west side of Liberty Rd., south of Hyatts Rd.

Zoned: Planned Residential / **Preliminary Approval:** 3/31/22

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

Staff Comments

Nelson Farms North is a 37 single-family lot subdivision that will include 13.9-acres of open space and gain access from Muellen Trace in Nelson Farms, Section 3 to the south. Rangeland Drive in this development is stubbed to the east to allow for future development.

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

Staff Recommendation

Staff recommends *Final Approval* of Nelson Farms North to the DCRPC.

Commission / Public Comments

Mr. Merrell made a motion for Final Approval of Nelson Farms North. Ms. Holt seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

03-23.1 Clarkshaw Crossing, Section 1 – Liberty Twp. - 47 lots / 29.251 acres

Conditions

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

Subdivision Type: Single Family Residential

Location: south of Clark Shaw Rd., east of Sawmill Parkway

Zoned: POD-18 / **Preliminary Approval:** 01/26/23

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

Staff Comments

Clarkshaw Crossing, Section 1 is a 47 single-family lot subdivision that will gain access from Clark-Shaw Road and includes 19.595-acres of open space. This is the first section of a single-family and multi-family development that will include a total of 390 units; 254 single-family lots and 136 multi-family units. The Preliminary Plan indicated that the development will be completed in six phases.

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 **Clarkshaw Crossing, Section 1** to the DCRPC.

Commission / Public Comments

Mr. Merrell made a motion for Final Approval of Clarkshaw Crossing, Section 1. Ms. Holt seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

05-24 Hastilow Subd., Lot 298, Div. 1 – Trenton Twp. - 2 lots / 14.941 acres

Conditions

Applicant: Bruce & Carol Hastilow / **Consultant:** A to Zoning

Subdivision Type: Single Family Residential, Common Access Driveway

Location: east side of SR 61, south of Stockwell Rd.

Zoned: FR (Farm Residential) / **Preliminary Approval:** 03/28/24

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

Staff Comments

The Hastilow CAD Subdivision is currently a three lot CAD that was created in 2018. A Subdivision variance was approved by RPC on July 27, 2023 to allow for one additional buildable lot to be added. The

amended plat will essentially extend the CAD 360 feet north, reduce the existing lot to 7.254-acres and create a new 7.687-acre lot.

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 **Hastilow Subd., Lot 298, Div. #1** to the DCRPC.

Commission / Public Comments

Mr. Merrell made a motion for Final Approval of Hastilow Subd., Lot 298, Div. #1. Ms. Holt seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

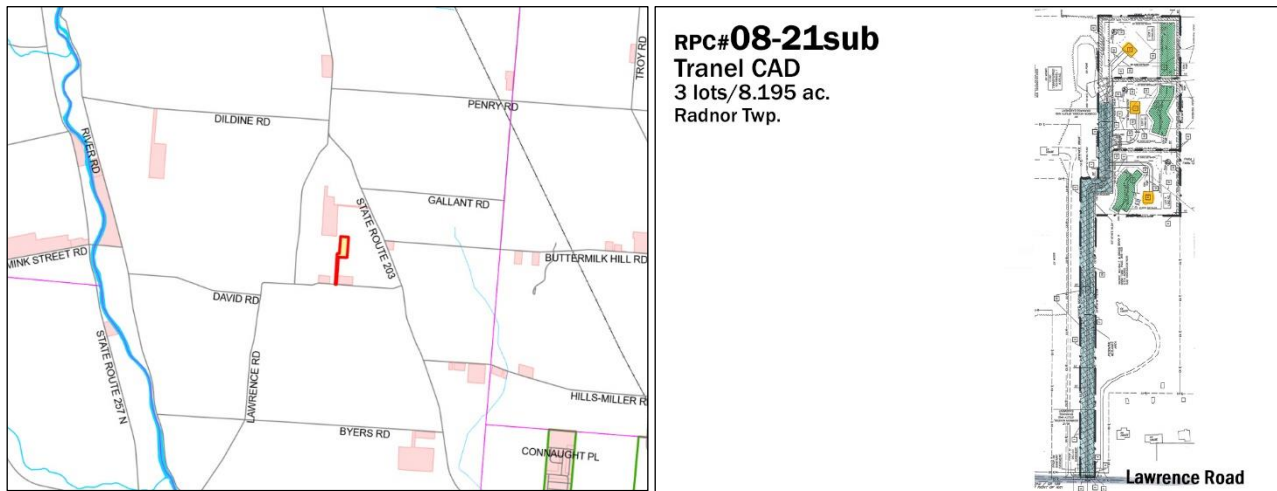
VARIANCES/EXTENSION

15-21.V Tranel CAD – Radnor Twp. – requesting additional extension

Applicant: Andy Tranel / **Consultant:** Plan 4 Land

Preliminary approval: 08/26/21

Extensions: 08/31/23 - 8/31/24



Request

The applicant, Andy Tranel, is requesting a one-year Preliminary Plan extension via Variance for Tranel CAD. The site is located at the north side of Lawrence Road, east of Meredith Road.

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) Tranel CAD received Preliminary approval on August 26, 2021; and

- 3) The applicant received a one year extension on August 31, 2023.

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.

Applicant: *“This project engineering was approved and the project was mostly complete. The owner has yet to tie into field tile to complete compliance with the plan and therefore was waiting to finalize the plat. He is planning to construct homes on the lots and was waiting until he was ready to start construction on the homes, as the area in need of final improvements is currently being farmed and he can plan to commence after harvest. It is expected to be finished by Spring 2025 and to be platted at that time, if not before.”*

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

Applicant: *“Yes, the perimeter drainage tile that needs to be located and intercepted are unique to this field that is farmed in conjunction with neighboring lands. It was not anticipated that these improvements would be critical to the plat approval, until the engineering inspection after crops were already planted.”*

- 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.

Applicant: *“The site improvements are almost entirely completed, but not able to be finalized for a few more months. Strict enforcement would mean that we need to start the plan approval process over and jeopardize the ability to wrap up the project in the next few months.”*

- 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: *“The development is otherwise compliant with other development standards and no standards have been modified that would have effected this development, if it was approved today.”*

Staff Comments

Staff finds no reason to object to the variance and extension request based on the circumstances provided in the application. This is a three-lot CAD that should not negatively impact neighboring properties with this delay and based on a recent site inspection, site improvements are nearly complete.

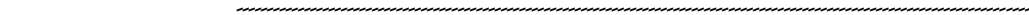
Staff Recommendation

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 **Tranel CAD** be *Approved*.

Commission / Public Comments

Mr. Joe Clase, Plan 4 Land, was present along with Mr. Andy Tranel. They were sworn in but had no additional comments.

Mr. Thompson made a motion for Approval of the Variance request for Tranel CAD, based on the Findings of Fact, and a one-year extension. Mr. Manley seconded the motion. **VOTE: Majority For, 0 Opposed, 1 Abstained (Building Safety). Motion carried.**



ZONING MAP/TEXT AMENDMENTS

11-24 ZON Royal C Investments – Delaware Twp. – 14.53 acres – FR-1 to PC

Request

The applicant, Royal C Investments, is requesting a 14.53-acre rezoning from FR-1 to PC for recreational uses, office space, barn for equipment and Pickleball courts.

Conditions

Location: 988 Liberty Rd.

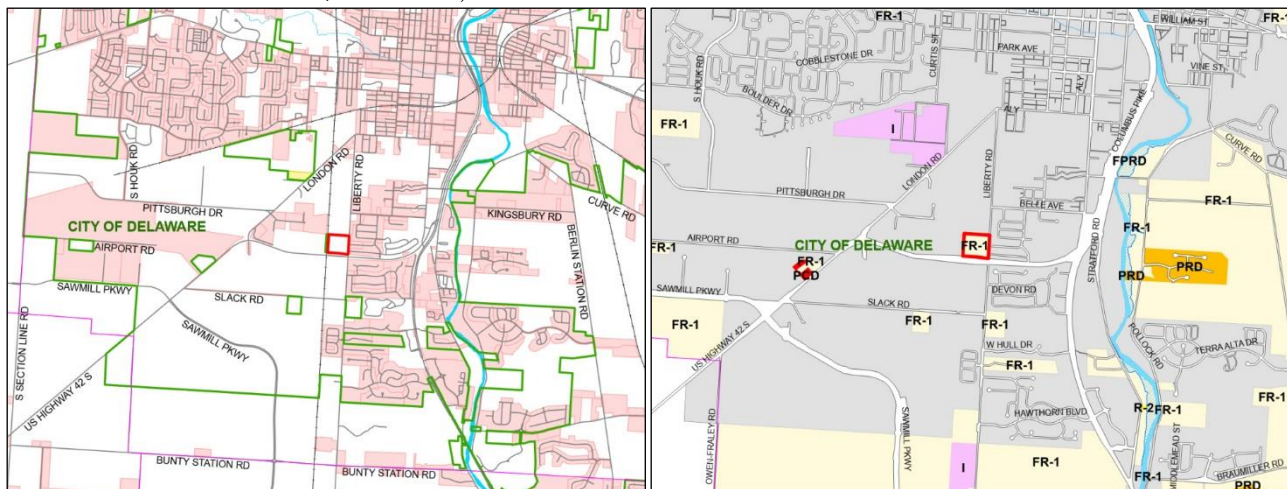
Present Zoning: Farm Residential (FR-1) / **Proposed Zoning:** Planned Commercial (PC)

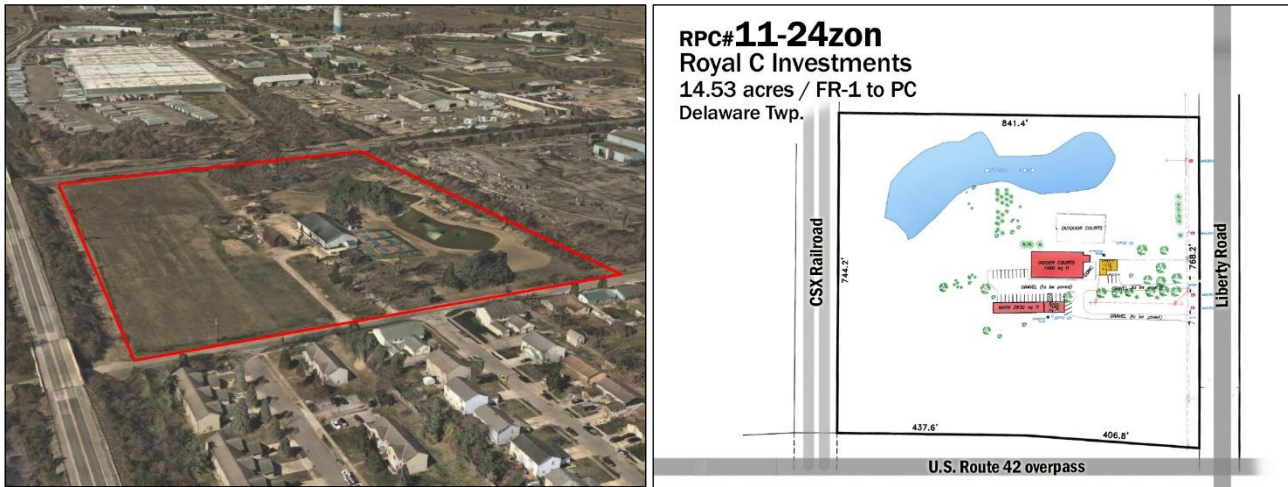
Present Use(s): One single-family house / **Proposed Use(s):** Pickleball courts, office space

School District: Delaware City

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

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





Introduction

The applicant is requesting to rezone the subject site from FR-1 to PC to allow for indoor/outdoor Pickleball courts, recreational uses, one barn to be used for equipment storage, office space within the existing home, and continued farming of the existing field. The requested recreational and office uses are permitted in the PC district and agricultural uses are permitted on lots greater than 5-acres. The site was developed with a single-family home in 1971 that will now serve as an office. The site also includes a 7,460 sq. ft. building that will house the indoor courts, a 3,970 sq. ft. barn will be used for storage, +/-13,550 square foot outdoor pickleball court and a +/-1.4 acre sized pond.

Comprehensive Plan

Delaware Township's 2022 Comprehensive Plan includes the site in Subarea E – City Infill and recommends the site for commercial, office, and light industrial uses. The Goals and Objectives of the Plan include maintaining the rural feel of the Township by preserving wooded areas, farm fields along the road frontage and reduce light pollution. The request adheres to the Plan's recommendations; the commercial and office use is supported; the agricultural use will continue and the wooded area that surrounds the pond on site are not proposed to be impacted. However, Staff recommends submitting a landscape plan that identifies a tree preservation zone to ensure the wooded area is not impacted, any new plantings (if any) with species identified, and a lighting plan. Staff notes that within the last year, the pond area has been expanded, some of the woods cut down, and much of the site north of the barn has been cleared and graded.

Issues

Traffic and access: Two driveways are identified on the development plan; the original driveway is approximately 40 feet south of the (centerline) intersection of Liberty Rd. and Freedom Ln. The second is approximately 116 feet south of the same intersection.

Section 21.01(C) of the Delaware Township Zoning Resolution states that *all driveways serving parking lots for five (5) or more vehicles shall be served by a driveway not less than twenty (20) feet in width but adequate in width to permit easy access to parking spaces.* The driveway width is not identified on the Plan; however, based on aerial imagery it appears to be 15 +/- feet wide. *No driveway shall be located so that it enters a public road within one hundred (100) feet of the intersection of any two (2) public roads unless there are two (2) driveways serving the lot, one of which is more than one hundred (100) feet and the other not less than forty (40) feet from said intersection.* The northern driveway is less than 40 feet from the Liberty Road/Freedom Lane intersection and the southern driveway is less than 110 feet

from the same intersection.

DCEO indicated that the driveway locations may not be acceptable as shown. Further review of these driveway locations would take place as part of the permit process and/or Final Engineering Plan review.

Drainage:

A drainage plan was not submitted; however, the developed area of this site generally drains northwest and into the pond on the site.

DCEO indicated that a detailed Stormwater Management Report will be required for the Final Engineering Plan review and Drainage, Erosion, and Sediment Control (DESC) requirements shall apply as over 1-acre of land has been disturbed.

Signage:

One ground-mounted sign is proposed 30 ft. off of the road that is 7 ft. tall by 5ft. 8 inches wide. There are three, double-sided panels; one 5 ft. wide by 2 ft. tall advertising the Delaware Paddle Barn and two hanging signs that are 3 ft. wide by 8 inches tall advertising the office use. Staff recommends identifying the sign location on the site plan to ensure it is located outside of the road ROW and also meets the zoning signage requirements.

Lighting:

No lighting plan was submitted. The site plan identifies six light poles around the outdoor pickleball courts but does not include light fixture type, or if there are other lights (existing/proposed) around the home, barns, pond, etc. Staff recommends submitting a lighting plan that identifies all lighting locations, fixture type and height, lumens and meets all requirements found in Sec. 21.15 of the Delaware Township Zoning Resolution.

Sanitary Treatment:

The site is served by on-site wastewater treatment. A soils report and septic system design must be approved by the Delaware Public Health District to allow for the use.

Divergences

No divergences have been requested. However, as noted in this report additional information is needed to ensure all zoning requirements have been met.

Staff Comments

Staff believes that the proposed uses are appropriate for the site, will provide an amenity to the community, and are supported by the Comprehensive Plan,

Staff Recommendations

Staff recommends **Conditional Approval** of the rezoning request by Royal C Investments from FR-1 to PC to the DCRPC, Delaware Twp. Zoning Commission and Delaware Twp. Trustees, *subject to:*

- 1.) *Submit Development Plan text that includes, at minimum, the operation hours, maximum capacity for recreational use attendees, number of businesses/employees that can operate out of the office space, parking space dimensions (both in text and on the plan) and driveway dimensions;*
- 2.) *Submit a Lighting Plan with the Final Plan that adheres to Sec. 21.15-General Lighting Standards;*

- 3.) Submit a Landscaping Plan as required in Sec. 23.05-Landscape Standards/Plan Submission and Approval;
- 4.) Submit all required materials to the DCEO per the Delaware County Engineer's Design, Construction and Surveying Standards Manual; and
- 5.) Submit all applicable permits to the Delaware County Building Safety and Delaware Public Health District.

Commission / Public Comments

Mr. Matthew Kear, Shade and Shade LLC, was present along with the applicant Mr. Dale Kreiner.

Ms. Drayer asked if the courts and barn could be rented. Mr. Kreiner said that they could be rented by the hour.

Mr. Thompson asked if the applicant had received any approvals to date and what is the occupancy that is being requested. Mr. Kreiner stated that the Health District had approved their on-site treatment. When asked about the capacity, Mr. Kreiner did not know the exact number. Ms. Dunfee, Health District Alternate stated that typically commercial properties are calculated based on the number of parking spaces and that was what this project was based on. She also confirmed the approval of their mound system.

Ms. Holt asked Mr. Fisher if the Landscaping Plan include the Tree Preservation Zone recommendation mentioned in the report. Mr. Fisher stated that it should if the Township feels that it is necessary. He explained that they have cleared a large portion of the land already and does think it is important to do that. If they indicate it on the Plan then that could be sufficient or have an easement placed over that area so it isn't impacted.

Mr. Price made a motion to recommend Conditional Approval of the rezoning request by Royal C Investments, subject to staff recommendations #1-5. Mr. Weade seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

25-24 ZON Zach Zinsmeister – Berkshire Twp. – 5.946 acres – A-1 to PCD

Request

The applicant, Zach Zinsmeister, is requesting a 5.946-acre rezoning from A-1 to Planned Commercial to allow for automotive maintenance and repair and storage of equipment.

Conditions

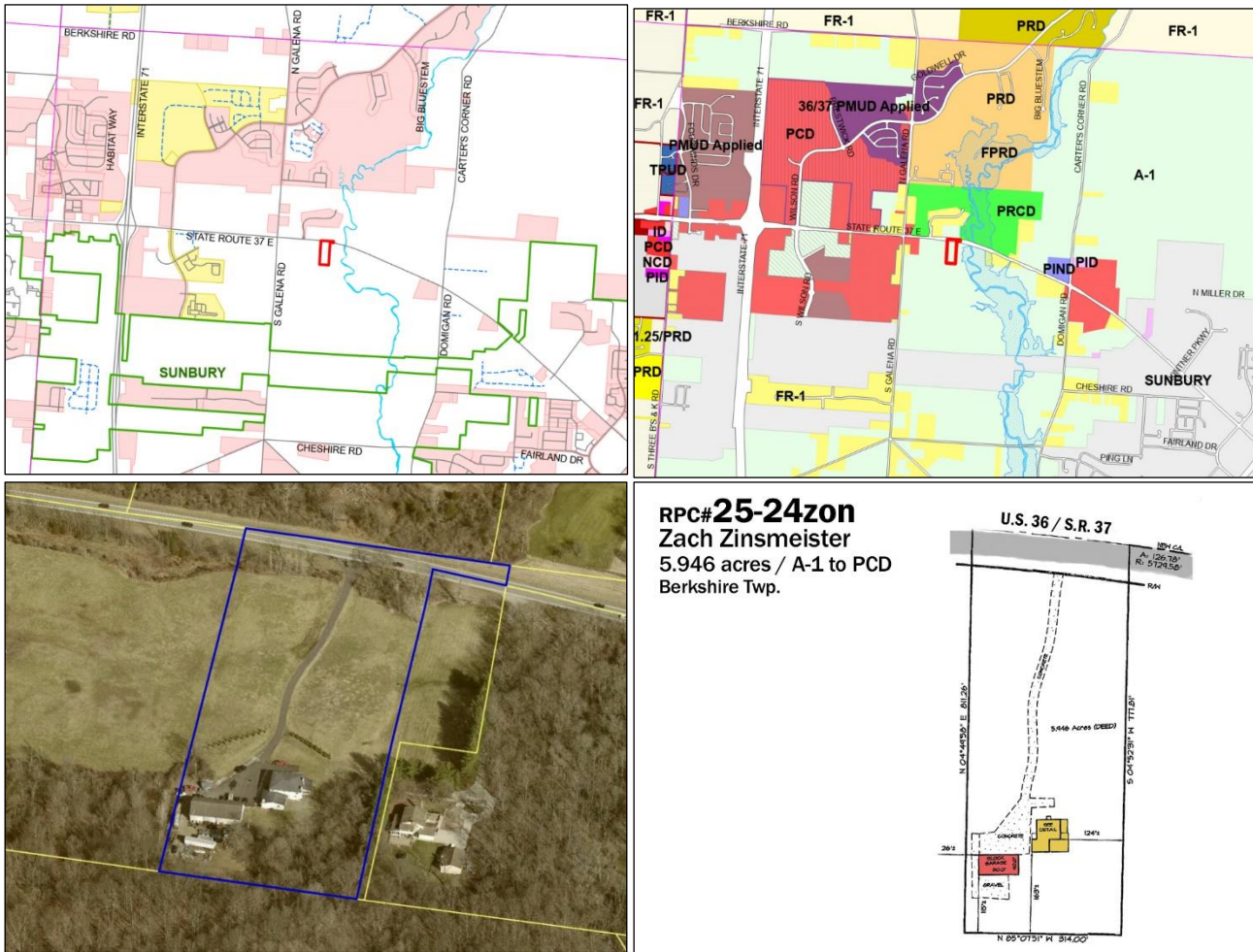
Location: 8860 U.S 36 / S.R 37

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

Present Use(s): One single-family house / **Proposed Use(s):** Storage and automotive repair

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

Critical Resources: drainage course / **Soils:** JmA, CaB, CaC2



Introduction

The request is to rezone the subject site from A-1 to PCD to allow for the maintenance and repair of motor vehicles and the storage of equipment, such as trucks, trailers, dump trucks, and other related materials. Work on vehicles will be completed inside the existing 3,200 sq. ft. detached garage at the rear of the property. Storage of equipment will be on gravel located behind the same detached garage, screened by an existing fence. The proposed use, listed as NAICS code 811 is a permitted use in the PCD. The submitted materials do not specify how the existing single-family home will be utilized, whether as a single-family home, office, or otherwise. A single-family home was constructed on the property in 1974, the detached garage was constructed in 2002 and the applicant purchased the property in 2023. Based on aerial imagery, it appears the site has been used commercially since approximately 2016.

Comprehensive Plan

Berkshire Township’s 2017 Comprehensive Plan includes the site in Subarea 3 and recommends the site for Planned Commercial and Office (PCD) zoning. The Goals and Objectives of the Plan encourage commercial development in planned districts along U.S. 36 / S.R. 37 and to provide a dense landscape buffering between commercial and residential uses. The proposed use adheres to the Plan’s recommendations as the request is for PCD zoning and landscape buffers are provided along the residential property to the east and along the road ROW.

Issues

Traffic and access: There is one point of ingress/egress along U.S. 36 / S.R. 37.

Drainage: A drainage plan was not submitted. Based on the topography here, the site naturally drains to the south toward a stream off-site and ultimately to Little Walnut Creek.

Signage: A signage plan was not submitted and no signage is identified on the plans submitted. Staff notes that the only apparent signage is a decal on the mailbox that states “WARD AUTOMOTIVE LLC”.

Lighting: A lighting plan was not submitted.

Sanitary Treatment: Based on a survey that was created for the original owner in 1997 and based on aerial imagery, the septic system is located approximately 140 feet northeast of the home.

Staff Recommendations

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

- 1.) Identify how many parking spaces are required for all proposed uses, include the number of spaces provided in the Development Plan text and show striped parking spaces on the Development Plan as required in Sec. 21.01 of the Berkshire Township Zoning Resolution;
- 2.) Identify the number of employees and hours of operation in the text;
- 3.) Identify how the existing single-family home will be utilized in the text;
- 4.) Identify on the Development Plan where the on-site wastewater treatment system is located and receive approval from Delaware Public Health to ensure the system has capacity for the proposed uses and all applicable standards have been met; and
- 5.) Either submit a lighting plan or update the existing Development Plan to include a lighting detail (fixture type, height, location, lumens, etc.).

Commission / Public Comments

No one was present to represent the applicant.

Mr. Price made a motion to recommend Conditional Approval of the rezoning request by Zach Zinsmeister, subject to staff recommendations #1-5. Mr. Thompson seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Berkshire Twp.). Motion carried.

26-24 ZON WDC Group LLC – Berkshire Twp. – 3.794 acres –PMUD Art. 17

The applicant, WDC Group LLC, is requesting adoption of the PMUD Article 17 Overlay for the 3.794-acre site to allow for a fire station.

Conditions

Location: north side of Lundin Rd., west of Wilson Rd.

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

Present Use(s): vacant / **Proposed Use(s):** BST&G Fire Station

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

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



Introduction

The request to rezone the site to PMUD Art. 17 will allow for a new BST&G Fire Station. The development will include a 15,841 sq. ft., single-story fire station with primarily a brick façade and five truck bays, 50 parking spaces, landscape improvements, 1.35-acres of open space (45%), building-mounted signs, site lighting, storm-water retention pond, freestanding dumpster enclosure, and a free-standing sign. The development is proposed in a single phase with construction starting in November, 2024 and be completed in November, 2025. The site is part of the Northstar Lundin Road plat, which was recorded last month.

Comprehensive Plan

Berkshire Township’s 2017 Comprehensive Plan includes the site in Subarea 2 and recommends the PMUD Art. 17 be applied here. Extensive landscaping should be used to break up parking areas; planned developments should be linked with green spaces and paths; and residential development should be guided by the carrying capacity of infrastructure such as fire protection and roads.

Staff believes that the proposal adheres to the Plan’s recommendations. The parking lot is landscaped and site is landscaped, a multi-use path will be provided along Wilson Road (13 ft. wide path easement shown on plat) and Lundin Road and the use itself will provide a benefit to the greater community.

Issues

Traffic and access: The main point of ingress/egress for fire protection vehicles is along Wilson Road and a second point of ingress/egress is provided along Lundin Road. Parking for employees and visitors is located on the north, west and south side of the building.

Drainage: A drainage plan was submitted. One stormwater pond will be constructed on the east side of the property and stormwater structures are located throughout the property. Drainage will be finalized during the Final Engineering review by the DCEO.

Signage: Wall signs advertising “Station 352”, “BST&G Fire District” and “Delaware County EMS”, and emblems for each will be located on the southeast portion of the station facing Wilson Road.

Lighting: A lighting plan was submitted. Downcast, LED wall and pole light fixtures will be used.

Sanitary Treatment: The Delaware County Regional Sewer District will provide public sanitary sewer service.

Staff Recommendations

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

Commission / Public Comments

No one was present to represent the applicant.

Ms. Holt made a motion to recommend Approval of the rezoning request by WDC Group LLC. Ms. Drayer seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Berkshire Twp.). Motion carried.

27-24 ZON **Jared & Rachel Jacobus – Harlem Twp. – 5.49 acres – AR-1 to FR-1**

The applicants, Jared and Rachel Jacobus, are requesting a 5.49-acre rezoning from AR-1 to FR-1 to allow the lot to be split into two residential lots.

Conditions

Location: 3363 Green Cook Rd.

Present Zoning: Agricultural (AR-1) / **Proposed Zoning:** Farm Residential (FR-1)

Present Use(s): One single-family house / **Proposed Use(s):** Two single-family house lots

Existing Density: 1 du / 5 acres **Proposed Density:** 1 du / 2 acres

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

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



Introduction

The request will allow for one new developable residential lot to be created through the NPA process. The property is located on the east side of Green-Cook Rd., between Robins and Center Village Roads. The 5.49-acre lot currently includes a single-family home that was constructed in 1961 and the applicant purchased the property in 2021. If this rezoning is approved, a split would require a new flag lot utilizing a 60-foot strip. The current zoning of Agricultural Residential (AR-1) requires a 5-acre minimum lot size and 300 feet of frontage while the proposed FR-1 zoning requires a minimum lot size of 2 net acres with a sliding scale of frontage (2-3

acres: 175', 3-4: 210', 4-5: 250', 5+: 300). The current parcel has 242.62 feet – a split using 60 feet would leave 182.62 feet for the frontage lot. As long as that lot was 3 acres or less, it would comply.

Comprehensive Plan

Harlem Township's 2021 Comprehensive Plan includes the site in Sub Area C, which recommends a minimum of 2-acres for lots rezoned to Farm Residential. Other recommendations, like creating a 100-foot buffer from Duncan Run, are not applicable to this proposal as the site is ~800 feet southwest of the stream. Staff believes the request adheres to the Plan's recommendations; this is evident as a property two lots south that is similar in size and configuration successfully rezoned to FR-1 in 2022 and created a flag lot.

Issues

Access: Green-Cook Rd. is generally flat in this location, suggesting the site has good sight distance.

Process: As with any division under 5 acres in size, further subdivision of this parcel would require review and approval from a number of county agencies and township zoning.

Sanitary Treatment: The soil information indicates Bennington soils, which typically can support an on-site system. As always, care should be taken by the applicant to ensure an on-site system can be placed on the rear acreage.

Staff Recommendations

Staff recommends **Approval** of the rezoning request by Jared and Rachel Jacobus from AR-1 to FR-1 to the DCRPC, Harlem Twp. Zoning Commission and Harlem Twp. Trustees.

Commission / Public Comments

No one was present to represent the applicants.

Mr. Manley made a motion to recommend Approval of the rezoning request by Jared and Rachel Jacobus. Mr. Matlack seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

28-24 ZON Scioto Twp. Zoning Commission – Zoning Resolution amendments – Telecommunication Towers

Request

On 08/12/24, the Scioto Township Zoning Commission initiated various changes to their zoning resolution, primarily including Telecommunication Towers ('Towers') as a Conditional Use.

Summary

The Scioto Township Zoning Resolution has historically only permitted Telecommunication Towers in the Planned Industrial (PI) district, with no option for a Conditional Use in any other district. The Towers update essentially mimics the Delaware County Zoning Resolution language related to regulating this use. Districts that will now Permit Towers: PC, I and PI. Districts that will include Towers as a Conditional Use: FR-1, C-1, C-2 and A-1. The Scioto Township Zoning Commission members will also be updated to reflect current members.

Staff Comments

Staff agrees with the addition of Telecommunication Towers as a Permitted Use and Conditional Use in the districts listed by the Township. However, there are a few modifications Staff recommends to add clarity and limitations to the use:

- Define Telecommunication Towers in the Resolution;
- Add development standards, such as height restriction, setbacks (from the tower, stabilization structures, guide wires, ROW, with larger setbacks to residential properties), minimum lot size, require security fencing and restrict signage on the Tower and fencing.

Staff Recommendation

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

Commission / Public Comments

Mr. Matlack made a motion to recommend Conditional Approval of the text amendments to the Scioto Township Zoning Resolution, subject to Staff Comments. Ms. Holt seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Scioto Twp.). Motion carried.

29-24 ZON Harlem Twp. Zoning Commission – Zoning Resolution amendment – Sec. 21.18

Request

The Harlem Township Zoning Commission initiated a change to Section 21.18 – Temporary Structures Incidental to Construction. The only change is removing “as he/she deems necessary” and leaving the rest of the sentence as written, “The Zoning Inspector may require provisions for sanitary waste disposal and water supply as **deemed necessary**.”

Staff notes that although this is an extremely minor amendment, the Zoning Commission will roll it into a set of larger amendments in other Districts that have been reviewed by the DCRPC. These will all be forwarded to

the trustees so that a number of changes can be made at the same time. The Zoning Commission was concerned that this change was discovered after the previous Planning Commission review.

Staff Recommendation

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

Commission / Public Comments

Mr. Merrell made a motion to recommend Approval of the text amendments to the Harlem Township Zoning Resolution. Mr. Manley seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained. Motion carried.

SUBDIVISION PROJECTS

Preliminary

03-24 **BET-FISH CAD – Brown Twp. - 5 lots / 13.562 acres**

Conditions

Applicant: Lawrence Bettler / **Engineer:** GHG Civil

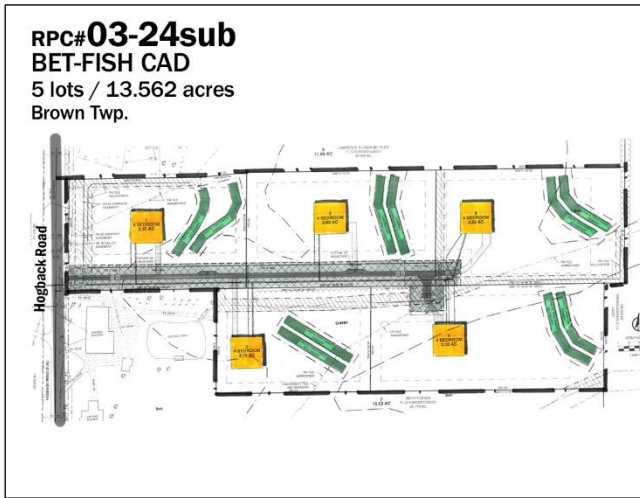
Subdivision Type: Single-Family Residential CAD

Location: East side of Hogback Rd., north of Howard Rd.

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

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





Staff Comments

The request is for Preliminary Plan approval to create a five lot CAD. The area to be platted will come out of two existing properties, 2418 and 2242 Hogback Road. The development site is 13.562 acres in size with proposed lot sizes ranging from 2.10 to 3.16-acres, all of which meet zoning requirements. All CAD lots will be served by on-site wastewater treatment systems, drainage easements cross properties as needed to drain off-site and a sidewalk easement is provided along the Hogback Road frontage. A subdivision variance was approved in March, 2024 and a zoning variance was approved in April, 2024 to allow for five total lots to be permitted with only one lot having road frontage, which is noted on the plan.

A technical review was held on August 20, 2024, after which the applicant has addressed all of the required changes.

Staff Recommendation

Staff recommends *Preliminary Approval* of **BET-FISH CAD** to the DCRPC.

Commission / Public Comments

M. Aaron Heydinger, Gandee Heydinger Group, was present to represent the applicant.

Mr. Price made a motion for Preliminary Approval of BET-FISH CAD. Mr. Thompson seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

10-22 Evans Farm, Section 6 (revised) – Orange Twp. - 97 SF lots, 159 MF lots / 41.69 acres

Conditions

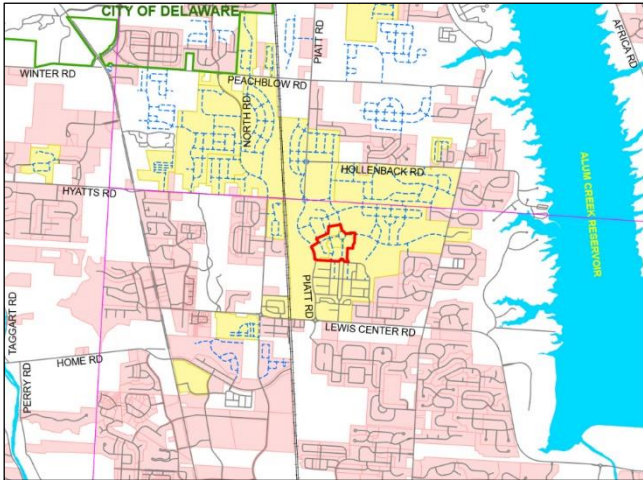
Applicant: BZ Evans II, LLC., Bavelis Zenios Dvlpt. LLC. / **Engineer:** Kimley Horn

Subdivision Type: Planned Residential

Location: north side of Maple Drive West, east of Piatt Rd.

Current Land Use: Vacant / **Zoned:** Planned Commercial / **Zoning Approval:** March 20, 2016

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



RPC#10-22sub
Evans Farm, Section 6 (revised)
97 lots / 41.69 acres (20 lots revised)
Orange Twp.

Staff Comments

This is the next section of Evans Farm, extending from Section 2 and includes 97 single-family lots in a variety of styles and 159 multi-family units. The adjacent section of Piatt Road is extended along the western edge of the site, Hickory Drive is extended north, and Evans Farm Drive extends north around an oval-shaped open space and beyond. Inglesh Drive is a major east/west road which will eventually extend all the way to Old State Road. Hickory Drive and Leopold Drive both provide local access to lots. The smallest lots to the west are generally 40' x 135' in size (5,400 s.f.) and are serviced by alleys to the rear. Other lots are generally 56' x 175' (9,800 s.f.) to the north and 64' x 167' (10,704 s.f.) along Evans Farm Drive. The other main feature of this plat is 159 townhouse multi-family units that surround the oval. These units have rear-loading garages accessed from open space areas, similar to existing units in the southern-most section of Evans Farm. The oval is 1.28 acres.

This request for amendment will change the lot layout of 20 lots to the southwest of Inglesh and Hickory Drive to provide alley access and additional open space. Lot depth has been reduced to a size of 56' by 135' or 7,560 s.f. with the largest lots at 11,425 s.f. Previously, lots were 175' deep without alleys.

Additionally, the amendment adds 28 more multi-family units and reconfigures the multi-family building layout, although this does not amend the lot layout. There is also 0.57-acres of added open space; fronting on Leopold Drive and surrounded by alley access.

A technical review was held on August 20, 2024, after which the applicant has addressed all of the required changes.

Staff Recommendation

Staff recommends *Conditional Preliminary Approval Evans Farm, Section 6 (revised)* to the DCRPC, subject to resolving any outstanding zoning conformance issues.

Commission / Public Comments

Mr. Kevin Kershner, Kimley-Horn, was present to represent the applicant.

Mr. Matlack made a motion for Conditional Preliminary Approval Evans Farm, Section 6 (revised), subject to staff recommendation. Mr. Thompson seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

OTHER BUSINESS

- Consideration for Approval: ERSI Conference Reimbursement – Da-Wei Liou \$2,139.95

The approval limits in the By-Laws do not currently apply to reimbursements, which are defined in the Employee Handbook. This reimbursement has been recommended by the Executive Committee and requires Commission approval.

Ms. Holt made a motion to Approve the conference reimbursement for Da-Wei Liou for \$2,139.95. Mr. Duffee seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

Having no further business, Mr. Manley made a motion to adjourn the meeting at 6:45 p.m. Mr. Duffee seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

The next meeting of the Delaware County Regional Planning Commission will be Thursday, September 26, 2024, 6:00 PM at the Byxbe Campus Conference Room, 1610 SR 521, Delaware, Ohio 43015.