

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, October 24, 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 September 26, 2024 RPC Minutes
- Executive Committee Minutes of October 16, 2024
- Statement of Policy

CONSENT AGENDA (Final Plats)

		Township	Lots/Acres
33-19.3	Berlin Farm West, Section 3	Berlin	37 lots / 19.851 acres
33-19.4	Berlin Farm West, Section 4	Berlin	28 lots / 25.336 acres
01-24	Steitz Road - Hyatts to Clark-Shaw Lot 6110 Div. #1	Liberty	2 lots / 12.981 acres
12-21.1	Clark Shaw Reserve	Liberty	61 lots / 42.126 acres

PLAT VACATION

		Township	Lots/Acres
14-24	Ceil's Estate Plat Vacation	Genoa	1 lot / 1.17 acres

VARIANCE / EXTENSION

28-22	Summer Crest Drive - Berlin Twp. - requesting 1 year extension
29-22	Royal Green Estates - Kingston Twp. - requesting 1 year extension
22-20.V	Porshi - Orange Twp. - requesting additional extension

ZONING MAP/TEXT AMENDMENTS

36-24 ZON	W/D Vision Acquisitions LLC & Home High LLC - Orange Twp. - 31.1 acres - PC
37-24 ZON	Hawks Nest Premier Living, Genoa Twp. - 25.79 acres - PRD to RR
38-24 ZON	Bunty & Owen Holding LLC - Concord Twp. - 19.298 acres - FR-1 to PCD
39-24 ZON	Central Ohio Development LLC - Berlin Twp. - 29.63 acres - FR-1 to R-1.85/PRD
40-24 ZON	M/I Homes - Berlin Twp. - 37.6 acres - FR-1 to TPUD
41-24 ZON	Pulte Homes - Berkshire Twp. - 13.218 acres - PRD
42-24 ZON	Wallick Communities - Berkshire Twp. - 8.40 acres - PMUD Art. 16
43-24 ZON	David & Belinda Jackson - Harlem Twp. - 2.325 acres - AR-1 to FR-1

W/D - withdrawn by Township

SUBDIVISION PROJECTS

		Township	Lots/Acres
<u>Preliminary</u>			
13-24	Del Webb - Northstar	Kingston / Berkshire	624 lots / 774.09 acres

OTHER BUSINESS

- 2025 Budget - 1st Review
- 2025 Meeting Schedule
- Consideration for Approval: Amendment to the Employee Handbook, Travel meal reimbursement update and expenditure threshold update

ADMINISTRATIVE BUSINESS

▪ **Call to Order**

Vice Chair Snodgrass called the meeting to order at 6:00 p.m.

▪ **Roll Call**

Representatives: Stephen Serio, Duane Matlack, Gary Merrell, Barb Lewis, Jeff Benton, Glynnis Dunfee, Sarah Holt, Jeff Kinnell, Staci Hood, Jeffrey Warner, Robin Duffee, Ed Snodgrass, Josh Vidor, Molly Drayer, Mike Dattilo, and Doug Price. *Alternates:* Cheryl Friend, Levi Koehler, David Setzer, Will Ferguson, Susan Dorsch, and Dave Stites. *Arrived after roll call:* Mike Cannon (R) and Joe Proemm (R). *Staff:* Scott Sanders, Brad Fisher, Da-Wei Liou and Stephanie Matlack.

▪ **Approval of the RPC Minutes September 26, 2024**

Mr. Price made a motion to Approve the minutes from the September meeting, seconded by Mr. Stites. VOTE: Majority For, 0 Opposed, 1 Abstained (Dublin). Motion carried.

▪ **October 16, 2024 Executive Committee Minutes**

A. Call to order

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

B. Approval of Executive Committee Minutes from September 18, 2024

Ms. Maag made a motion to Approve the minutes from the September meeting. Mr. Duffee seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

C. New Business

1. Financial / Activity Reports for September

REGIONAL PLANNING RECEIPTS		SEPTEMBER	YTD TOTAL
General Fees (Lot Split)	(4201)	\$1,230.00	\$5,125.00
Fees A (Site Review)	(4202)	\$800.00	\$4,400.00
Insp. Fees (Lot Line Transfer)	(4203)	\$400.00	\$2,300.00
Membership Fees	(4204)		\$222,529.20
Planning Surcharge (Twp. Plan. Assist.)	(4205)	\$691.60	\$15,169.88
Assoc. Membership	(4206)		
General Sales	(4220)		
Charges for Serv. A (Prel. Appl.)	(4230)	\$1,030.00	\$56,324.14
Charges for Serv. B (Final. Appl.)	(4231)	\$9,620.00	\$95,483.01
Charges for Serv. C (Ext. Fee)	(4232)	\$300.00	\$3,300.00
Charges for Serv. D (Table Fee)	(4233)		\$1,200.00
Charges for Serv. E (Appeal/Var.)	(4234)	\$500.00	\$3,300.00
Charges for Serv. F (Planned District Zoning)	(4235)	\$1,500.00	\$9,000.00
			\$500.00
OTHER DEPT. RECEIPTS			

Health Dept. Fees	(4242)		
Soil & Water Fees	(4243)	\$625.00	\$2,875.00
Commissioner’s fees	(4244)	\$600.00	\$4,000.00
		\$216.00	\$1,575.00
MISCELLANEOUS REVENUE			
Other Reimbursements	(4720)		
Other Reimbursements A	(4721)		\$54.98
Other Misc. Revenue (GIS maps)	(4730)		
Misc. Non-Revenue Receipts	(4733)	\$20.00	\$62.00
Sale of Fixed Assets	(4804)		
TOTAL RECEIPTS		\$17,532.60	\$427,198.21

Balance after receipts	\$1,063,376.75
Expenditures	<u> \$ 48,802.58</u>
End of September balance (carry forward)	\$1,014,574.17

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

2. RPC Preliminary Agenda October

- a) Sketch Plans

	<u>Township</u>	<u>Lots/Acres</u>
▪ 7380 Red Bank Road CAD	Genoa	2 lots / 6 acres
▪ Gregory Road Parcel	Berlin	44 lots / 29.3 acres
▪ The Courtyards at Evans Farm	Orange	161 lots / 62.8 acres

- b) Zoning Map / Text Amendments
 - Vision Acquisitions LLC & Home High LLC - Orange Twp. - 31.1 acres - PC
 - Hawks Nest Premier Living, Genoa Twp. - 25.79 acres - PRD to RR
 - Bunty & Owen Holding LLC - Concord Twp. - 19.298 acres - FR-1 to PCD
 - Central Ohio Development LLC - Berlin Twp. - 29.63 acres - FR-1 to R-1.85/PRD
 - M/I Homes - Berlin Twp. - 37.6 acres - FR-1 to TPUD
 - Pulte Homes - Berkshire Twp. - 13.218 acres - PRD
 - Wallick Communities - Berkshire Twp. - 8.40 acres - PMUD Art. 16
 - David & Belinda Jackson - Harlem Twp. - 2.325 - AR-1 to FR-1

- c) Subdivision Projects

	<u>Township</u>	<u>Lots/Acres</u>
Preliminary		
▪ Del Webb - Northstar	Kingston / Berkshire	624 lots / 774.09 acres
Final		
▪ Berlin Farm West, Section 3	Berlin	37 lots / 19.851 acres
▪ Berlin Farm West, Section 4	Berlin	28 lots / 25.336 acres
▪ Steitz Road - Hyatts to Clark-Shaw Lot 6110 Div. #1	Liberty	2 lots / 12.981 acres
▪ Clark Shaw Reserve	Liberty	61 lots / 42.126 acres

Plat Vacation

- Ceil's Estate Plat Vacation Genoa 1 lot / 1.17 acres

Variance / Extension

- Summer Crest Drive – Berlin Twp. – requesting 1-year extension
- Royal Green Estates – Kingston Twp. – requesting 1 year extension
- Porshi – Orange Twp. – requesting additional extension via variance

3. Director's Report

4. 2025 Budget

Carry forward 2024	\$988,848
Projected Revenue EOY 2024	\$523,676
Projected Expenses EOY 2024	\$565,474
Estimated carryforward into 2025	\$947,050

2025 Budget proposes \$0.75 per capita dues rate, 4% salary increase and no major expenses.

Proposed Revenues 2025	\$551,494
Proposed Expenditures 2025	\$592,332
Proposed carryforward into 2026	\$906,212

The Committee discussed the current application fee schedule and asked the Director to present his recommendations at the next meeting.

Mr. Merrell made a motion to recommend the proposed 2025 Budget to the full Commission. Ms. Maag seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

The full Commission will discuss this recommended budget at the October RPC meeting. The Executive Committee will consider input at and after that meeting and prepare a recommendation to be presented at the November RPC meeting for a vote.

D. Old Business

1. Amendment to the Subdivision Regulations regarding Variance and Extensions
Further discussion will take place at the November Executive Committee meeting to incorporate recommendations from Chairman Shafer.
2. Employee Handbook: Conference Reimbursement Policy update, Meal per diem
The Executive Committee discussed the Travel Expense Reimbursement policy in the DCRPC Employee Handbook. A per diem amount is not currently identified.

New language:

Meals

The reimbursement of meals is designed to offset the additional cost of travel, and not to entirely pay for the employee's meal expenses while traveling. Meal reimbursement will be in accordance with the limits approved by Delaware County at the time of travel. In the event that the travel is to a location where the reasonable cost of meals exceeds these limits, the traveler may request an additional meal allowance. Itemized receipts must be submitted to the DCRPC Executive Administrative Assistant for reimbursement.

If more than one employee/supervisor is included in the same receipt, the limits stated herein shall be multiplied by the number of employees/supervisors served.

Employees/supervisors shall not be eligible for reimbursement for meals included in the cost of training or conference registration.

Reimbursement for meals in Delaware County is not permitted unless these meals are pre-approved.

Mr. Merrell made a motion to amend the Employee Handbook regarding Travel Expense Reimbursement to include a per diem that matches that of Delaware County. Ms. Maag seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

3. Merit Compensation Policy

Further discussion will take place at the November Executive Committee meeting.

E. Adjourn

Having no further business, Mr. Merrell made a motion to adjourn at 10:26 a.m. Ms. Maag seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

The next regular Executive Committee meeting will be Wednesday, November 13, 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)

33-19.3 Berlin Farm West, Section 3 – Berlin Twp. - 37 lots / 19.851 acres

Conditions

Applicant: M/I Homes of Central Ohio / **Engineer:** EMH & T

Subdivision Type: Single Family Residential

Location: north side of Berlin Station Rd., east of the railroad tracks

Zoned: R-3/PRD / **Preliminary Approval:** 06/30/22

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

Staff Comments

Berlin Farm West, Section 3 is a 37-lot residential subdivision located on the north side of Berlin Station Road and north of Gregory Road. Preliminary approval was granted on June 30, 2022 and 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 **Berlin Farm, West, Section 3** to the DCRPC.

Commission / Public Comments

Mr. Stites made a motion for Final Approval of Berlin Farm, West, Section 3. Ms. Holt seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

33-19.4 Berlin Farm West, Section 4 – Berlin Twp. - 28 lots / 25.336 acres

Conditions

Applicant: M/I Homes of Central Ohio / **Engineer:** EMH&T

Subdivision Type: Single-Family Residential

Location: north of Berlin Station Rd., east of the railroad tracks

Zoned: R-3/PRD / **Preliminary Approval:** 06/30/22

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

Staff Comments

Berlin Farm West, Section 4 is a 28-lot residential subdivision located just north of Berlin Station Road and gains primary access from Roloson-Piatt Road. Preliminary approval was granted on June 30, 2022 and 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 **Berlin Farm West, Section 4** to the DCRPC.

Commission / Public Comments

Mr. Stites made a motion for Final Approval of Berlin Farm, West, Section 4. Ms. Holt seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

01-24 Steitz Road – Hyatts to Clark-Shaw, Lot 6110, Div. #1- Liberty Twp. - 2 lots / 12.981 acres

Conditions

Applicant: Pulte Homes / **Engineer:** Advanced Civil Design

Subdivision Type: Dedication of Right-of-Way

Location: south east side of Steitz Rd., south of Roland Way

Zoned: PR (Planned Residential) / **Preliminary Approval:** 04/29/21 & 12/19/2019

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

Staff Comments

This plat is dedicating a section of Roland Way that will provide access from the proposed Clark Shaw Reserve residential subdivision to Steitz Road. Clark Shaw Reserve is also on this month's meeting agenda for Final Plat approval. Lots 7416 and 7417 will be 12.686-acres within dedicated reserves. Roland Way will intersect with Bluejay Ridge Drive, just south of Clark Shaw Road. The ROW and lot 7417 were part of Clarkshaw Reserve Preliminary Plan, which was approved on April 29, 2021. Lot 7416 was part of Woodcrest Crossing Preliminary Plan, which was approved on December 19, 2019.

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 **Steitz Road – Hyatts to Clark-Shaw, Lot 6110, Div. #1** to the DCRPC.

Commission / Public Comments

Mr. Stites made a motion for Final Approval of Steitz Road – Hyatts to Clark-Shaw, Lot 6110, Div. #1. Ms. Holt seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

12-21.1 Clark Shaw Reserve - Liberty Twp. - 61 lots / 42.126 acres

Conditions

Applicant: Pulte Homes / **Engineer:** Advanced Civil Design

Subdivision Type: Single Family Residential

Location: South east side of Steitz Rd., north of Hyatts Rd.

Zoned: PRD (Planned Residential District) / **Preliminary Approval:** 04/29/21

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

Staff Comments

Clark Shaw Reserve is a 61-lot residential subdivision located just south of Clark-Shaw Road and gains access from Roland Way via Steitz Road. Preliminary approval was granted on April 29, 2021 and 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 Clark Shaw Reserve to the DCRPC.

Commission / Public Comments

Mr. Stites made a motion for Final Approval of Clark Shaw Reserve. Ms. Holt seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

PLAT VACATION

14-24 Ceil's Estate Plat Vacation – Genoa Twp. - 1 lot / 1.17 acres

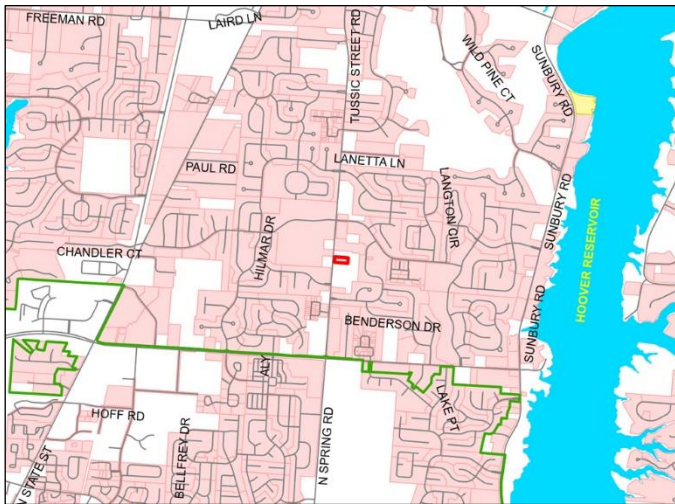
Applicant: Teresa Koch Foss Trustee / **Consultant:** A to Zoning

Location: East side of Tussic Street Rd., north of Park Bend Dr.

Zoned: Rural Residential (RR)

Utilities: Del-Co Water, private on-lot treatment system (sewer is available)

School District: Westerville



RPC#14-24sub
Ceil's Estate Plat Vacation
1 lot / 1.17 acres
Genoa Twp.

A composite image showing a plat map and a site plan. The plat map on the left shows the subject property within a larger estate, with various lots and streets. The site plan on the right shows the subject property with dimensions and bearings. The site plan includes a north arrow and the following text: "S 88° 11' 30\"/>

Staff Comments

Ceil's Estate plat was recorded in 1984. The plat includes 1 lot within a total area of 1.17 acres. The lot is zoned Rural Residential District and vacating the plat will not impact the area. This process will vacate the plat to potentially allow the 1.17 acres to be combined with the 6.603-acre lot to the east, which is under common ownership. The resulting acreage could then be reconfigured in a way that meets zoning and other agency requirements. Reconfiguration may be accomplished with a No Plat process or a Common Access Driveway subdivision, based on the desired end result. All requirements of the other signatory agencies, including Genoa Township, must be met during the subdivision process.

The applicant has presented to the RPC Office a survey and legal description, a requirement for vacating platted lots.

Staff Recommendation

Staff recommends *Final Approval* of the vacation of Ceil’s Estate to the DCRPC.

Commission / Public Comments

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

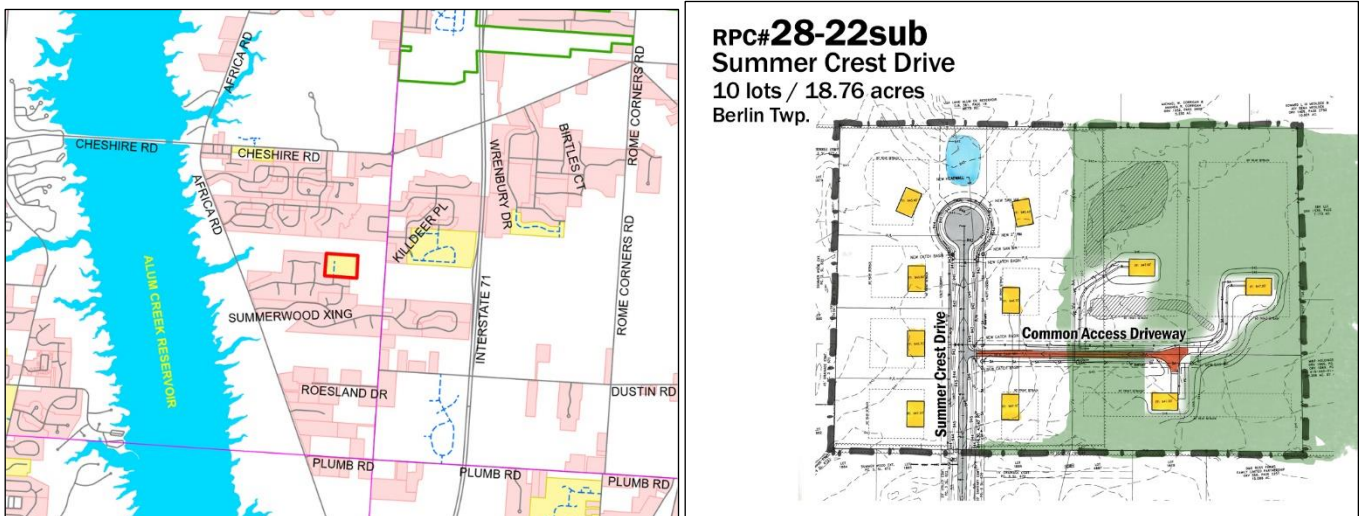
Mr. Matlack made a motion for Final Approval of the plat vacation of Ceil’s Estates. Mr. Price seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

VARIANCE / EXTENSION

28-22 Summer Crest Drive – Berlin Twp. – requesting 1 year extension

Applicant: M & R Land Holdings / Consultant: Plan 4 Land

Preliminary approval: 11/17/22



Staff Comments

The applicant is requesting a 1-year extension for the Summer Crest Drive Subd. The consultant states the project “has approved final engineering plans and is currently under construction. The Subdivision plat should be presented in the next couple of months for RPC approval.” Staff notes that the lot layout that was approved with the Preliminary Plan has changed, requiring a new Preliminary Plan to be submitted and approved prior to Final Plat approval. Lot sizes have changed, but zoning requirements can still be met and the CAD will still only be accessed by five lots.

Staff Recommendation

Staff recommends *Approval* of a 12-month Extension for Summer Crest Drive Subdivision to the RPC.

Commission / Public Comments

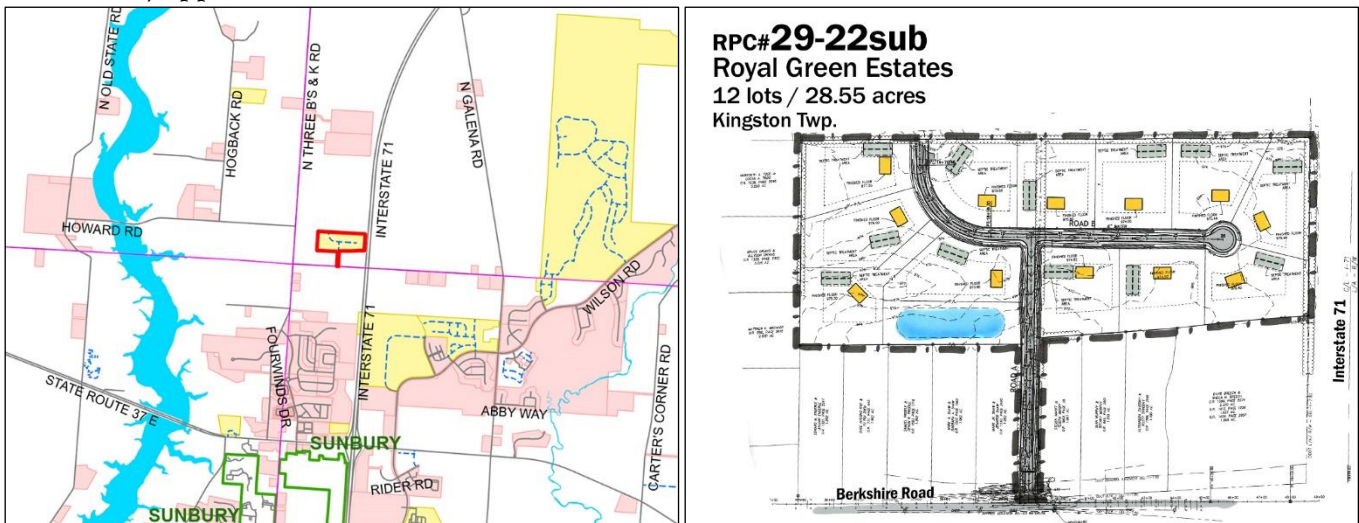
Mr. Joe Clase, Plan 4 Land, was present. He stated that they received the last signature needed on the plat to submit for Final approval.

Ms. Holt made a motion to Approve the 12-motnh extension of Summer Crest Drive Subdivision. Mr. Stites seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Berlin Twp.). Motion carried.

29-22 Royal Green Estates – Kingston Twp. – requesting 1 year extension

Applicant: Heena Patel / Consultant: Plan 4 Land

Preliminary approval: 11/17/22



Staff Comments

The applicant is requesting a 1-year extension for Royal Green Estates. The consultant states “final engineering plans are still in review phase for this project. It is projected to break group in Spring 2025 and a final plat is expected to be presented for Regional Planning approval before the end of this extension timeframe.” Staff notes that this 12-lot subdivision takes access off of Berkshire Road, is currently being farmed and is essentially hidden back-land located behind developed single-family residential lots on Berkshire Road and N. Three B’s & K Road.

Staff Recommendation

Staff recommends *Approval* of a 12-month Extension for **Royal Green Estates** to the RPC.

Commission / Public Comments

Mr. Joe Clase, Plan 4 Land, was present. He stated the plat is currently in review at the County Engineers office.

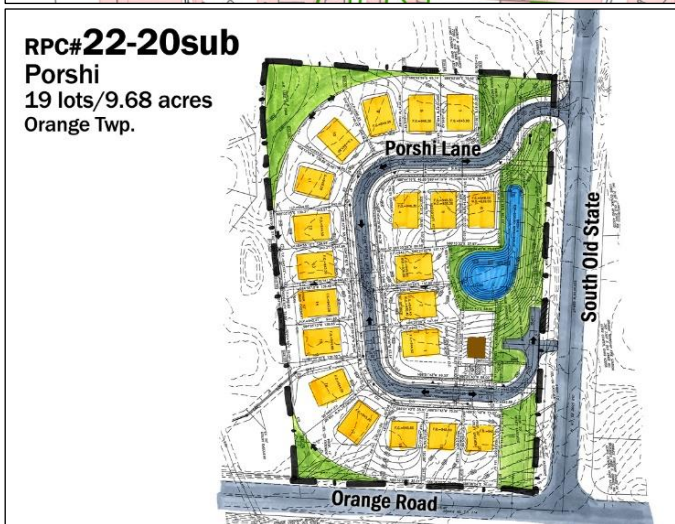
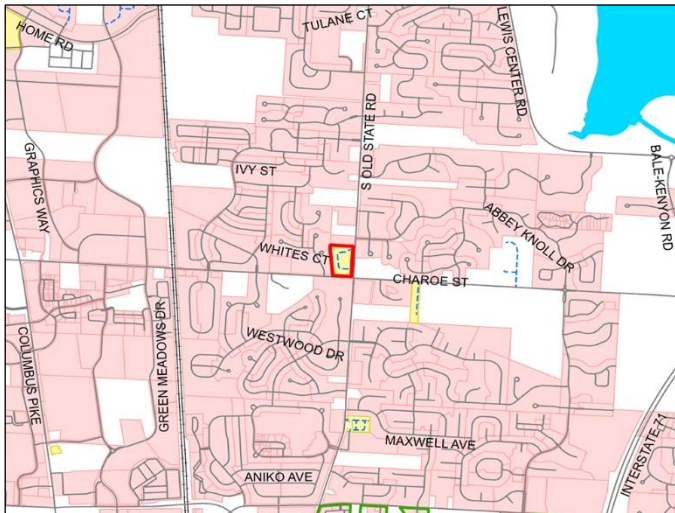
Mr. Matlack made a motion to Approve the 12-motnh extension of Royal Green Estates. Mr. Price seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

22-20.V Porshi – Orange Twp. – requesting additional extension via Variance

Applicant: Porshi Development LLC. / **Engineer:** EDB International Inc.

Subdivision: Porshi / **Preliminary approval:** 10/29/20

Extensions granted: 10/27/22 – 10/27/23, 10/26/23 – 10/26/24



Request

The applicant is requesting a second one-year extension via Variance request for the Porshi subdivision. The proposed subdivision is located on the west side of S. Old State Rd., north of E. Orange Rd.

Facts

1. The Subdivision Regulations require that a Final plat be submitted within 2 years of Preliminary plan approval;
2. Porshi received Preliminary approval on October 29, 2020;
3. The project was given a 1-year extension on October 27, 2022; and
4. A variance for an additional 1-year extension was granted on October 26, 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.
- 2) The conditions upon which this variance request is based are unique to the property for which this variance is sought.
- 3) Due to the physical surroundings, shape, or characteristics of the property, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of the Delaware County Subdivision Regulations were carried out.
- 4) The granting of this variance will not vary the provisions of the applicable zoning regulations, comprehensive plans, or other existing development guidelines and regulations, nor shall it otherwise impair the intent and purpose of these regulations, or the desirable development of the neighborhood and community.

***Applicant's Response:** "Due to the unforeseen circumstances, construction was put on hold. Legal issues have been resolved recently. Accordingly, construction has begun in January 2024. Substantial site and Utilities installation is completed; and expected to be done this year. Once the utilities are installed and accepted by the county Engineers office; Owner would like to reduce the bond and recording the plat will be completed. Under these circumstance, EDB International Inc., on-behalf of the PORSHI Development LLC., requesting for an extension for recording the Final Plat."*

Staff Comments

No adjacent developments rely on the improvements of this project and the proposed road will be private, only serving this development. While staff has concerns about the pace of this project and recent issues with adjacent property owners, the applicant has made recent progress. A previous sanitary sewer installation issue has been resolved and sewer infrastructure continues to be installed. The engineer has informed DCEO that they are continuing to work on the project.

Staff recommendation

DCRPC staff recommends, based on the Findings of Fact, the *Variance* request from Sec. 102.03 & 204.04 for *Porshi* and a one-year *Extension* of the Preliminary Plan be *Approved*.

Commission / Public Comments

Mr. Shafi Alam, Principal Engineer with EDB International Inc., was present to represent the applicant. He stated that the sewer is 90% installed.

Mr. Price made a motion to Approve the Variance request for the Porshi subdivision and a one-year Extension based on the Findings of Fact. Mr. Stites seconded the motion. VOTE: Majority For, 1 Opposed (Orange Twp.). Motion carried.

ZONING MAP/TEXT AMENDMENTS

36-24 ZON W/D Vision Acquisitions LLC & Home High LLC – Orange Twp. – 31.1 acres – PC

The applicant for this case has continued the project at the Orange Township Zoning Commission until December 2 and will submit revised plans for a thorough RPC staff review prior to the November 21st meeting.

37-24 ZON Hawks Nest Premier Living - Genoa Twp. – 25.79 acres – PRD to RR

Request

The applicant, Hawks Nest Premier Living, is requesting a 25.79-acre rezoning from Planned Residential (PRD) to Rural Residential (RR) to allow a more flexible rural development with larger lots.

Conditions

Location: east side of S Old 3C Hwy.

Present Zoning: Planned Residential District (PRD) / **Proposed Zoning:** Rural Residential (RR)

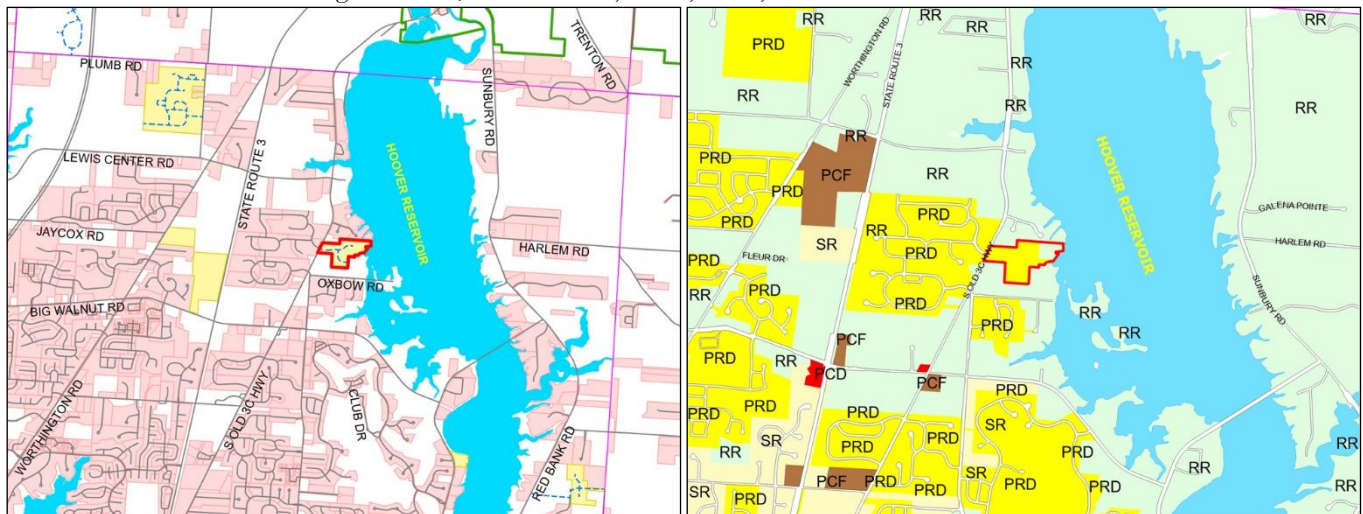
Present Use(s): Barn, vacant / **Proposed Use(s):** Single Family Residential

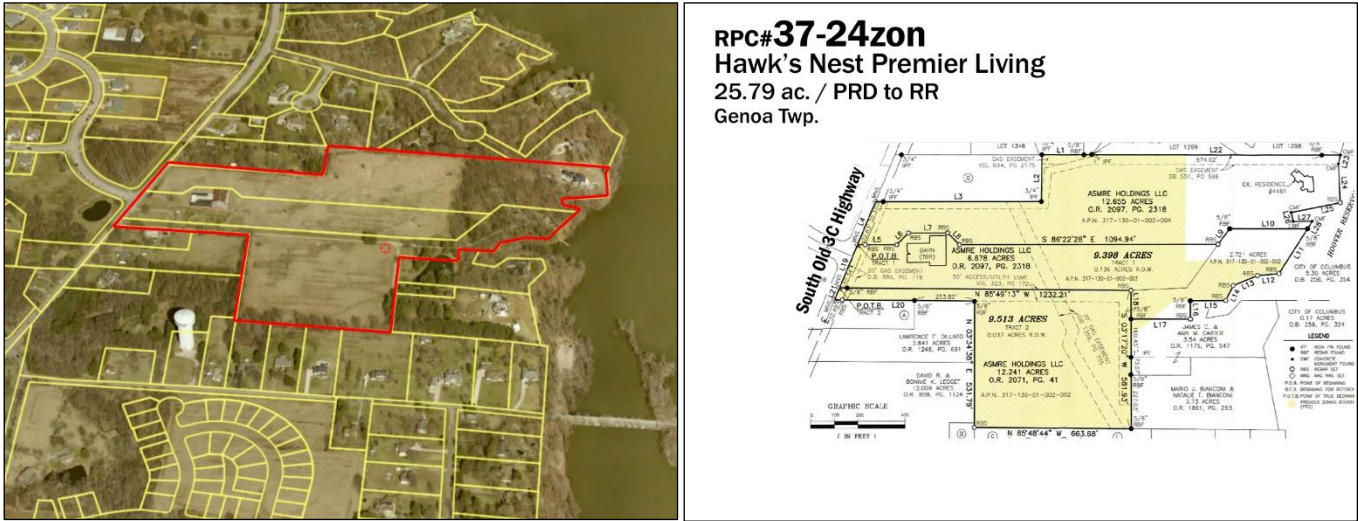
Existing Density: N/A (Preliminary Plan expired) **Proposed Density:** 1 du / 2 acres

School District: Big Walnut Local School District

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

Critical Resources: drainage course / **Soils:** BeA, PwA, CaB, BeB





Introduction

The request is to rezone from PRD to RR, which is essentially reverting back to the property’s original zoning. The site was zoned to PRD in 2017 to allow for the Hawks Nest at Hoover residential subdivision, which included 29 lots. That project is no longer moving forward. The request will match the general area as all surrounding properties are zoned RR. The 12.241-acre parcel (PID #31713001002002) was developed with a single-family home in the early 1900s. That lot also provides access to two existing homes with access to Hoover Reservoir. Redevelopment (potentially with a Common Access Driveway) will need to take these issues into consideration during the planning process.

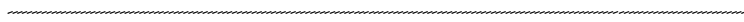
Staff Recommendations

Staff recommends **Approval** of the rezoning request by Hawks Nest Premier Living LLC from PRD to RR to the DCRPC, Genoa Twp. Zoning Commission and Genoa Twp. Trustees.

Commission / Public Comments

Mr. Todd Faris, Faris Planning and Design, was present to answer questions from the Commission.

Ms. Holt made a motion to recommend Approval of the rezoning request by Hawks Nest Premier Living LLC from PRD to RR. Mr. Matlack seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Genoa Twp.). Motion carried.



38-24 ZON Bunty & Owen Holding LLC – Concord Twp. – 19.298 acres – FR-1 to PCD

Request

The applicant, Bunty & Owen Holding LLC, is requesting a 19.298-acre rezoning from FR-1 to PCD for the development of Columbus Soccer Academy – Outdoor Field and Agricultural Tree Farm.

Conditions

Location: northwest corner of Bunty State Rd. and Owen Fraley Rd.

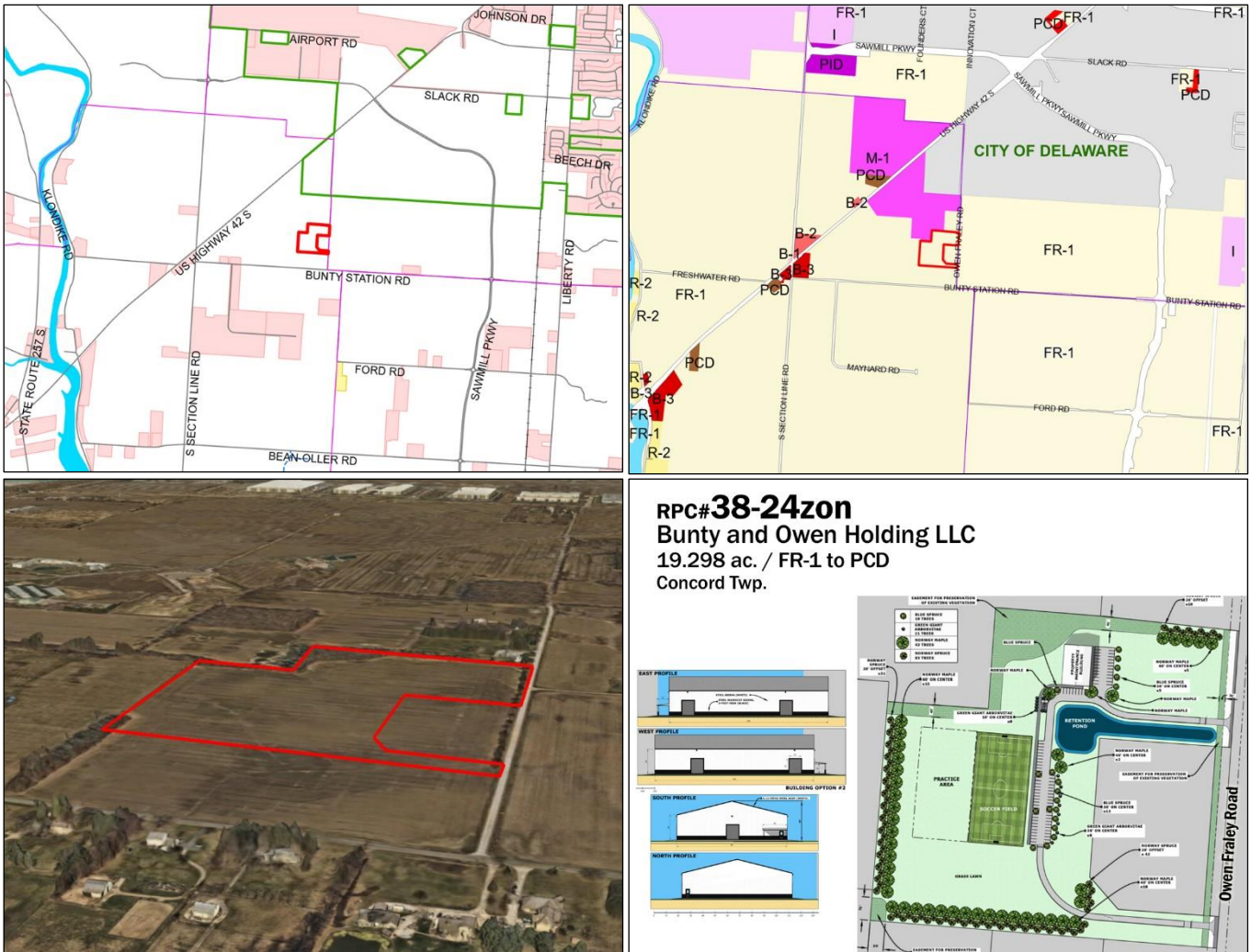
Present Zoning: Farm Residential (FR-1) / **Proposed Zoning:** Planned Commercial and Office District (PCD)

Present Use(s): vacant / **Proposed Use(s):** soccer field, parking, tree farm

Existing Density: 1 du / 1.5 acres **Proposed Density:** N/A

School District: Buckeye Valley / **Utilities Available:** No water service and private on-lot treatment systems

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



Introduction

The area to be rezoned fronts on Owen-Fraley Road and is just north of Bunty Station Road. This request would allow 19.298-acres of the existing 40.367-acre sized parcel to be used and developed with an 11,700 square foot maintenance/office building, one turf soccer field, one grass soccer field, 84 parking spaces, a

stormwater pond, an area reserved for future on-site wastewater treatment, pedestrian trails, portable restrooms, and a tree farm located within dedicated open space and setback areas. Columbus Soccer Academy Inc. will utilize the property primarily for soccer practice and for occasional games on the turf field. Event capacity is anticipated to be a maximum of 30 players and 60 spectators. No more than one game will be played on-site at any time, practice will be limited to two teams preparing for a game, three full-time employees (two athletic managers and a facility manager) and volunteers will assist with day-to-day activities. Hours of operations will be weekdays, 4:30 p.m. to 8:30 p.m., Saturdays 8 a.m. to 8 p.m. and Sundays 8 a.m. to 6 p.m.

Comprehensive Plan

Concord Township's 2021 Comprehensive Plan includes the site in Subarea V – Upper Scioto and recommends industrial zoning and uses when agriculture is no longer viable. Light industrial uses are supported in order to broaden the jobs and tax-base and to prevent property taxes from rising faster than the growth in the tax base. When commercial/industrial uses are proposed, they should provide a dense landscape buffer when adjacent to residential uses. A road connecting Bunty Station to U.S. 42 is also recommended in this area.

The use in general would be a positive addition to the township and the Plan does support the addition of active and passive recreational uses in the township. However, it is not supported for this specific site.

Issues

Traffic and access:

One full access driveway to Owen-Fraley Road to the north is proposed, which aligns with the driveway to the east. An emergency access driveway to the south will access Owen-Fraley Road and be gated.

Drainage:

A drainage plan was not submitted. However, a stormwater pond is proposed and roadside drainage is located along Owen-Fraley Road.

Signage:

A sign detail was submitted. One pole sign is proposed outside of the ROW at the entrance, not to exceed 6 sq. ft. per side and only advertises the "Columbus Soccer Academy" and address.

Lighting:

A lighting plan was submitted. The only lighting appears to be on the proposed building.

Sanitary Treatment:

Portable restrooms only. There is an area reserved for future on-site wastewater treatment if needed.

Landscaping:

A landscaping plan was submitted. A buffer will be planted along all sides of the property to screen the use; existing trees will be located in an easement to be preserved.

Divergences

Two divergences are requested:

1. **Sec. 21.01(b)** – All common parking areas and adjacent aisles or driveways shall be paved with asphaltic material or concrete. Only the first 100 feet of the main and emergency access driveways will

be paved with asphaltic material or concrete. Beyond the first 100 feet will be constructed with compacted gravel, and treated to ensure they are dust free, maintained free of ruts and potholes.

***Staff Comment:** Staff has no concerns with this request as gravel drives and parking areas are typical with this type of sports facility. The applicant may want to consider providing pervious pavers in ADA spaces and either paving or using pervious pavers for the pedestrian path that leads from the parking lot to the fields.*

2. **Sec. 19.06(g)** – No use shall be established and no structure shall be constructed until the site has been platted. The applicant requests the ability to split the proposed PCD lot(s) prior to occupancy through the traditional lot split process and does not feel that a plat is necessary, nor should be required. The cross-access easement and landscaping easements shall be recorded prior to the Zoning Inspector signing off on occupancy of the proposed commercial use.

***Staff Comment:** Based on the majority of the site being used for outdoor recreation, no easements are necessary and the lots to be split outside of this rezoning will be zoned FR-1, Staff has no concerns with this request. However, Staff is unclear why the area to be rezoned is shown as two parcels; 7.084-acres and 12.214-acres. Staff does not support subdividing the area to be rezoned.*

Staff Comments

Staff believes the soccer fields could be an added amenity for the area and would serve the greater community. However, this property is on the fringe of what is expected to develop with industrial uses and there are other areas of the township that could support the proposed uses. If the Township Zoning Commission and Trustees decide to approve the request, Staff conditions are listed below:

1. Consider amending the Comprehensive Plan to reduce Industrial recommendations from this parcel to Bunty-Station Road; and
2. Consider providing pervious pavers in ADA spaces and either paving or using pervious pavers for the pedestrian path that leads from the parking lot to the fields.

Staff Recommendations

Staff recommends **Denial** of the rezoning request by Bunty & Owen Holding LLC from FR-1 to PCD to the DCRPC, Concord Twp. Zoning Commission and Concord Twp. Trustees, *based on the findings in this report.*

Commission / Public Comments

Mr. Joe Clase with Plan 4 Land along with the applicant Mr. Nguyen Jr., were present. Mr. Clase said that they have been working closely with the Township and have met with the neighbors who are in support of the plan. He explained that there is currently no water or sewer and the site has poor soils, so they feel this is a good use of the property.

When asked the location of the tree farm, Mr. Clase stated it was the buffer areas. There is a large field to the south of the soccer fields. The maintenance building would be used as the headquarters of the tree farm. The area to the east of the home would also support some of the trees. Mr. Nguyen Jr. stated his family owns Winchester Landscape and Garden in Groveport. He explained the trees planted would be on a long range plan. Once the trees were large enough to harvest they would bring in the equipment to do that. They would use onsite wells to keep them watered and maintained. In the overall area, about one acre would be tree farm.

Ms. Holt questioned the need for the rezoning. Mr. Fisher explained that the tree farm use could be considered ag. exempt but the soccer fields require the rezoning. There is no recreational district in their zoning code. Ms. Holt asked what the end use is as she feels a single soccer field doesn't seem to make much sense. Mr. Fisher explained that anything shown as a buffer on the plan will remain and not be removed for use as a part of the tree farm. Mr. Nguyen said there would be no on-site sales of trees.

Mr. Vidor asked if there is a proposed wastewater area. Mr. Clase stated that there is currently no plan but would save an area to be impacted for future on-site treatment.

Mr. Stites recommended Denial of the rezoning request by Bunty & Owen Holding LLC, based on staff recommendations. Ms. Holt seconded the motion. VOTE: Unanimously For Denial, 0 Opposed. Motion carried.

39-24 ZON Central Ohio Development LLC – Berlin Twp. – 29.63 acres – FR-1 to R-1.85/PRD

Request

The applicant, Central Ohio Development LLC, is requesting a 29.63-acre rezoning from FR-1 to R-1.85/PRD for the Estates at Berlin subdivision.

Conditions

Location: east side of Gregory Rd., south of Berlin Station Rd.

Present Zoning: Farm Residential (FR-1) / **Proposed Zoning:** R-1.85 with PRD overlay

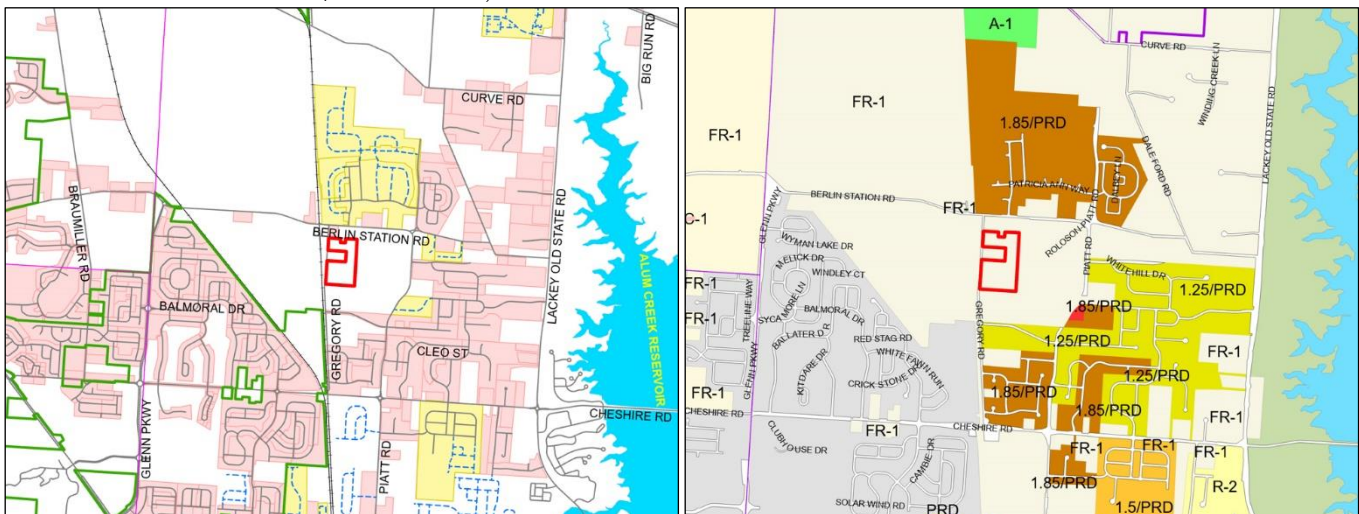
Present Use(s): vacant, agricultural / **Proposed Use(s):** single family residential

Existing Density: 1 du / NDA **Proposed Density:** 1 du / 1.77 acres

Number of units requested: 44

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

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





Introduction

The Estates at Berlin subdivision proposes 44 single-family lots with a minimum lot size of 0.25-acres. Generally, lots have either 90' or 100' of frontage and are 130' – 140' deep. The project would be developed in two phases with one Cluster Mailbox Unit (CBU) in each phase, extensive four to six-foot mounding with landscaping along the entire Gregory Road frontage, signs at each entrance, sidewalks on both sides of the internal streets and an 8-foot-wide multi-use path connecting to the Olentangy Berlin Middle School to the south. On-street parking will be permitted on one side of the streets.

The development fronts on Gregory Road, surrounding a 5.001-acre lot that is developed with a single-family home built in 2001. The land was reconfigured in 2022 to reshape the 5-acre lot and allow for future development of this parcel. Adjacent single-family lots zoned FR-1 to the north/northeast/southwest, with Olentangy Berlin High School to the east and Middle School to the south.

Comprehensive Plan

Berlin Township's 2023 Comprehensive Plan includes the site in Planning Area Four – Suburban Transition and recommends residential development with 20,000 sq. ft. lots with a maximum density of 1.85 du/net acre. General recommendations promote the development of parks, leisure trails and multi-use paths as part of new developments to connect neighborhoods, provide useable open space that include amenities and have multiple entrances. The proposed development adheres to the Plan's recommendations as density is met, pedestrian connections are being made and useable open space is provided.

Issues

Traffic and access:

Two points of ingress/egress are provided along Gregory Road, with a single-entry point and left/right exit lanes provided at each access point.

Drainage:

A drainage plan was submitted. The development is proposed to drain to an on-site stormwater pond, and ultimately off-site to the school pond. Drainage must be reviewed and approved by the DCEO prior to Final Plat approval.

Signage:

A sign detail was submitted. One entry sign feature with a 9 sq. ft. metal entry sign will be located at each entrance.

Lighting:

No street lights are proposed.

Sanitary Treatment:

Sanitary sewer can connect from multiple points at the Berlin High School site.

Open Space / Health:

Open space of 20% is required (5.86-acres) and 20.2% (5.9-acres) is proposed. Much of this open space is a landscape buffer along Gregory Road and surrounding the retention pond. An open area of roughly 0.66 of an acre is located north of the retention pond and would be an appropriate place for a pocket park or some type of active recreation. The township should consider what amenity might be appropriate for this site since it is not directly accessible to other neighborhood parks.

Divergences

Three divergences are requested:

1. **Sec. 10.06(F) & 24.03** – Minimum side yard setback is proposed at 10 feet for buildings and structures where 12.5 feet is the regulation.

Staff Comment: Staff notes that most of the nearby subdivisions meet the minimum 12.5 ft. side yard setback. A potential compromise would be to provide a minimum side yard setback of 10 ft. on one side only, with a combined 25 feet. This was permitted with The Pines subdivision.

2. **Sec. 24.05** – Minimum front yard setback is proposed at 20 feet where 25 feet is the standard. This is specifically proposed to allow porches to extend toward the ROW.

Staff Comment: Based on how Sec. 24.05 is written, Staff is unclear if a divergence is necessary as front yard setbacks are “as approved in the development plan.”

3. **Sec. 10.06** – Minimum rear yard setback is proposed at 10 feet where 25 feet is the requirement to allow rear porches, decks, and patios within the setback area.

Staff Comment: Staff has no concern with this request provided each lot has the potential for adding these features and not requiring a future variance to exceed lot coverage. Sec. 10.06(H) allows a maximum lot coverage of 50%.

4. **Potentially required but not requested:** Sec. 24.01(C) – No driveway shall be located so that it enters a public road within 100 feet of the intersection of any two (2) public roads. It appears lots 11 and 29 may require a divergence and lots 16 and 27 will need to take care when locating a driveway if accessing Street B. Per Sec. 24.09(B)(1) requires a minimum driveway setback of 5 ft. from side property lines unless otherwise approved as part of a Development Plan.

Staff Comment: *If requested, Staff has no concerns provided the driveways are located as far from the intersection as possible.*

Staff Comments

Staff supports this subdivision design as it provides two access points, sidewalks and path connections, required open space, and adheres to the recommendations of the Comprehensive Plan. The requested divergences appear to be minimal and can be addressed in a way that minimizes impacts. With 16 lots proposed to back up to, and surround the existing single-family home in the center of the site, the applicant should consider including a small tree buffer/easement (similar to the 10 ft. preservation zone to the east) along the boundary of that lot and install trees as deemed necessary by the township.

Staff Recommendations

Staff recommends **Conditional Approval** of the rezoning request by **Central Ohio Development LLC** from FR-1 to R-1.85 PRD overlay to the DCRPC, Berlin Twp. Zoning Commission and Berlin Twp. Trustees, subject to:

- 1.) *A drainage plan should be informally reviewed by DCEO to ensure changes to the Development Plan are not required;*
- 2.) *Consider reducing only one side yard setback with the total side yard meeting the required 25 feet;*
- 3.) *Provide a detail for the smallest lots showing potential porch, deck, or patio to ensure a standard version could be installed without exceeding lot coverage;*
- 4.) *Add a note to the Plan indicating that lots 11 and 29 must locate their driveways as far as possible from nearest intersection;*
- 5.) *Consider including a small tree buffer/easement along the boundary of the central lot and install trees as deemed necessary by the township; and*
- 6.) *Provide active recreation in the open space area just north of the retention pond.*

Commission / Public Comments

Mr. Dave Denniston, Advanced Civil Design was present along with Mr. Patrick Fisher of Alto Real Estate. He stated that they have been working with the Township and will continue to address the staff comments.

Ms. Holt expressed concern with the rear yard setback. They have similar situations in Dublin where several residents are very upset that they have no room to build decks or patios. She cautioned against leaving such a small space. She emphasized staff comment #3 and agreed that needs to be looked at to avoid problems down the road. Mr. Denniston stated that the request is for an encroachment of non-enclosed structures like a deck or patio.

Ms. Hood questioned the buffer around the neighbor. Mr. Fisher said that he met personally with the individual and he is fine with the development. He also explained that they will provide a buffer from his property.

Mr. Vidor expressed concern with the interior lots and their setbacks near the pond.

Mr. Matlack made a motion to recommend Conditional Approval of the rezoning request by Central Ohio Development LLC, subject to staff recommendations #1-6. Mr. Price seconded the motion. VOTE: Majority For, 0 Opposed, 2 Abstained (Berlin Twp. and Shawnee Hills). Motion carried.

40-24 ZON M/I Homes – Berlin Twp. – 37.6 acres – FR-1 to TPUD

Request

The applicant, M/I Homes, is requesting a 37.6-acre rezoning from FR-1 to TPUD for the Bluffs at Alum Creek single-family residential condominium subdivision.

Conditions

Location: west of N 3 Bs & K Rd.

Present Zoning: Farm Residential (FR-1) / **Proposed Zoning:** Transitional Planning Unit Development (TPUD)

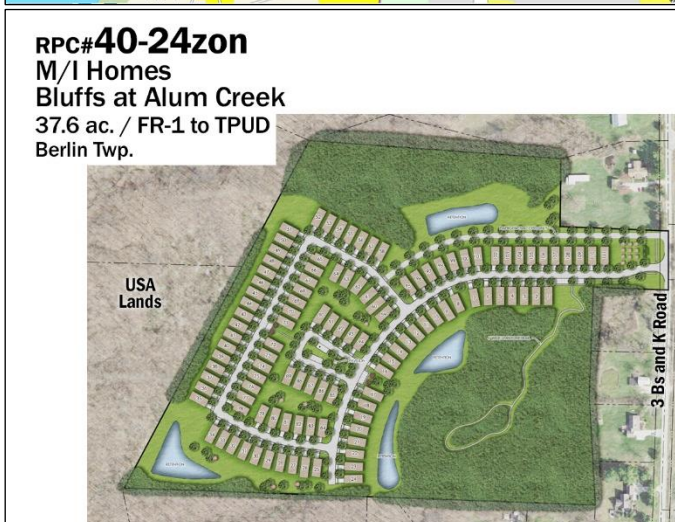
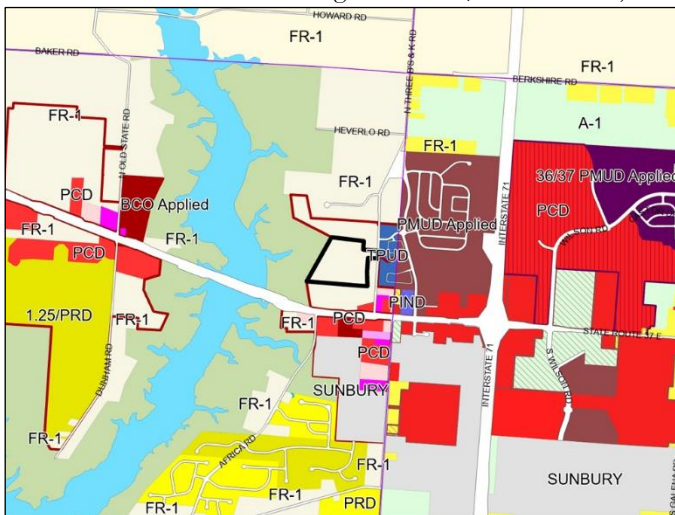
Present Use(s): vacant / **Proposed Use(s):** free standing condominiums

Existing Density: 1 du per NDA / **Proposed Density:** 4.08 du / NDA

Number of units requested: 111

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

Critical Resources: drainage courses / **Soils:** LbF, CaB, BeB, AmE



Introduction

The “Bluffs at Alum Creek” is proposed as a 111 single-family detached condominium project with private tree-lined streets, sidewalks, and preserved woods and ravines as open space. The layout includes an emergency access drive, a large amount of open space, two retention ponds, a pavilion, tot-lot, and two Cluster Mailbox Units (CBU) with related parking.

Berlin Township zoning provides the Transitional Planned Unit Development (TPUD) district for “multi-family residential structures of any type, attached or detached units, including but not limited to attached, modular, patio, common wall, or any reasonable variation on the same theme.” Utilizing a multi-family designation for single-family structures indicates a condominium approach.

The development fronts on N. Three B’s & K Road, backs up to USA lands, with single-family residential lots to the east and south that are zoned FR-1. There are streams and steep slopes that limit development on site. However, these areas are protected in dedicated open space. The Reserve at Northlake Condominium and The Cottages at Northlake Condominium are located across the street and have the TPUD designation.

Comprehensive Plan

Berlin Township’s 2023 Comprehensive Plan includes the site in Planning Area Two – North East, Subarea 1K and recommends multi-family residential uses with a maximum density of 4 units per net developable acre (NDA) in structures that are commercially taxed (minimum four units per building). This was inserted in the Comprehensive Plan to match the approach and requirements of the Berlin Commercial Overlay (BCO). Goals and objectives of the Plan include preserving natural resources, maintaining wildlife corridors, promote passive/active recreational activities, promote diverse housing options, and increase commercial areas, especially in the Berlin Business Park.

If the township were to support the single-family detached condominium development as opposed to the recommended multi-family units, the proposal would adhere to the Plan’s recommendations. The density is negligibly higher than the recommendation, but a slight increase in existing wooded land (same owner) could be included to easily meet the maximum density and protect additional wooded land within dedicated open space.

Issues

Traffic and access:

One point of full ingress/egress connects to N. Three B’s and K Road and one emergency access drive is approximately 110 feet north of the main access point. The emergency drive is supported by the Fire Department. Street “A” terminates 40 feet north of the southern property line, with streets “B” and “C” designed as a loop road system. The emergency access drive connects to street “B” between lots 58 and 95. The DCEO will require a Traffic Study for this development.

Drainage:

Four stormwater ponds will be constructed, with the storm outlet located at the southwest corner of the site, which will ultimately drain to the Alum Creek Reservoir via an existing stream. The DCEO will require a detailed stormwater management engineering report with Final Engineering, and drainage maintenance and drainage, erosion, and sedimentation control requirements shall apply.

Signage:

One entry sign is proposed and an elevation/conceptual image was submitted. However, a sign detail including sign facing size was not submitted.

Lighting:

Street lights are not proposed.

Sanitary Treatment:

Sanitary sewer connection is available. However, capacity to serve this development will not be available until the East Alum Creek Pump Station upgrade is constructed and accepted for public use.

Open Space / Health:

Ample open space of 22 acres, or 58.5%, is proposed where only 10% is required. Amenities include a community gathering area with pavilion, a tot-lot, an unpaved path through the woods, and sidewalks along the internal drives.

Divergences

Four divergences are requested:

1. **Sec. 13.06(A)** – Maximum permitted density is 4 du/NDA and 4.08 is proposed. The applicant stated that “the gross density of the site is 2.9 units per acre. Due to the natural features of the site that are being preserved by clustering the development, the net density results in a negligible overage of .08 units per acre. The Berlin Commercial Overlay (BCO) would permit the site to have 300 apartment units at up to 10 units per acre. Given the low gross density and unique features of the site, the Applicant believes that the divergence is reasonable.”

Staff Comment: The applicant’s review of the BCO as a guide appears to be accurate. However, as noted earlier in this report, staff isn’t overly concerned about the density, but it could be met with the addition of acreage to the north.

2. **Sec. 13.06(D) & 24.03** – Required side-yard setback is 25 feet and 12 feet is proposed. The applicant stated “This reduction yields significant additional common open space and preservation of the natural features within the developed site as compared to strict adherence to the Zoning Resolution. For purposes of clarity, the eaves (up to 12”) and overhangs (up to 12”) are not considered part of the principal structure and shall be permitted to encroach into the 12-foot separation, up to 12” per structure. The proposed front yard setback for homes shall be 20 feet from the edge of sidewalk running along a private road where a sidewalk is present, or 20 feet from back of curb where no sidewalk is present. There shall be a minimum setback of 100 feet for homes from the edge of ROW for 3 Bs and K Road. An entry feature shall be permitted within this setback, as well as a fence with details and specifications as set forth in accompanying plans.”

Staff Comment: Based on the approved setbacks for The Reserve at Northlake condominium across the street, Staff has no concerns with this request. This is a cluster-style condominium subdivision that is protecting a large area of natural features. The setback table in Article 24.03 of the Zoning Resolution is likely intended for apartment structures and not for single detached units, particularly the side yard setbacks.

3. **Sec. 13.06(K)** – Approved exterior materials do not include vinyl, which is being proposed. The applicant states “A divergence to permit vinyl siding that is .046” thick and 4.5” in width. The requested material is stronger gauge and more durable than typical vinyl material and is consistent with the vinyl product used by the Applicant in Berlin Township at Berlin Farm and The Pines. The most-recently approved TPUD project in the Township, The Greenery, has vinyl as a permitted exterior material.”

Staff Comment: Staff recommends considering using an approved material on the front of the homes and vinyl on the side and rear of the homes. Otherwise, Staff concurs that prior concern over vinyl siding has been recently resolved with the thicker products.

4. **Sec. 13.06(L)** – Roof pitch shall be a minimum of 6/12 pitch, or as otherwise approved by plan. One of the exterior elevations per home design (5 home designs total) are proposed to have an accent roof that has a roof pitch less than 6/12.

Staff Comment: Staff would generally support the idea of having a mix of home designs in a neighborhood. However, it's undetermined if there would be negative impacts to homes with a pitch below 6/12 in central Ohio related to snow and debris accumulation, ponding, efficiency, etc.

Staff Comments

As noted in this report, Staff generally supports the site design, the use of the lower impact single-detached condo approach, the conservation of environmental resources, and the amenities that are being proposed. Staff notes that the Comprehensive Plan complements the Berlin Commercial Overlay (BCO) and the overlay's intent to create a commercially-taxed product in the area. Prior to the most-recent update, the Plan did not anticipate this area to have sanitary sewer and recommended two-acre lots. As the applicant indicates, the BCO would allow for a much higher density than what is being proposed, and the unique features of the site are being protected. Staff supports the proposal, but is basing its recommendation on the Comprehensive Plan.

Staff Recommendations

Staff recommends **Denial** of the rezoning request by M/I Homes from FR-1 to TPUD to the DCRPC, Berlin Twp. Zoning Commission and Berlin Twp. Trustees.

Commission / Public Comments

Mr. Aaron Underhill, Underhill and Hodge LLC, was present to represent the applicant and gave a brief presentation noting the areas of rezoning, the heavily treed area and slopes of the property. He confirmed there are sewer capacity issues. He stated that they have received confirmation that sewer can serve the site at the density they have proposed but would have to develop in a more traditional multi-family way in a sewer sense. He explained they met with the Zoning Commission in late August, received some feedback and they seemed to be supportive of the plan with the reduced density.

Ms. Holt commented that she likes the plan and is a fan of the cluster type developments especially with something that has so many natural features. She continued that the RPC has been asked by various Townships to uphold the Comprehensive Plan when making recommendations. She asked if there were any thought in connecting the southern road stub to the property to the south. Mr. Underhill stated that if the topography would allow them to do so, that could be considered. Mr. Sanders explained that staff thought about

recommending an emergency access to the south, however, there is a stream and a ravine that might make it difficult.

Ms. Holt made a motion to recommend Conditional Approval, noting staff comments #1-4, and that the 4.0 dwelling units per acre density, per the Comprehensive Plan be met. Mr. Stites seconded the motion. VOTE: Majority For, 1 Opposed (Ashley), 1 Abstained (Berlin Twp.). Motion carried.

41-24 ZON Pulte Homes of Ohio LLC – Berkshire Twp. – 13.218 acres – PRD

Request

The applicant, Pulte Homes of Ohio LLC, is requesting an amendment to a Development Plan for 13.218 acres zoned Planned Residential District (PRD) to be known as Honey Grove Neighborhood at Northstar.

Conditions

Location: northeast corner of Goldwell Dr. and Honey Grove Dr.

Present Zoning: Planned Residential District (PRD)

Proposed Zoning: Planned Residential District (PRD)

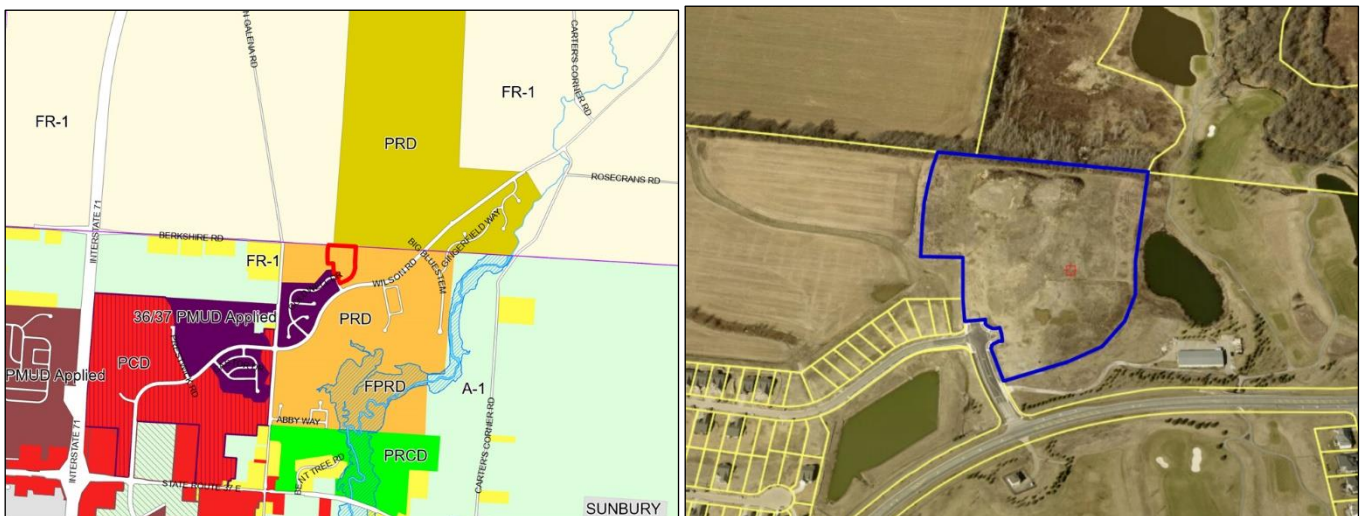
Present Use(s): vacant / **Proposed Use(s):** single family residential subdivision

Existing Density: 1.25 du / acre (gross/based on original 828.1-acres) **Proposed Density:** 2.42 du / acre (gross for this site only)

Number of units requested: 32

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

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





Introduction

Honey Grove Neighborhood at Northstar is a proposed 32 lot, single-family residential development located on the north side of Wilson Road, east of N. Galena Road, surrounding a portion of the existing Northstar Golf Course. The development text states that the typical lot sizes will be 80' x 100', with an average lot size of 13,500 sq. ft. Approximately 50 percent of the lots will have side-load garages, with the following setbacks; 25'-35' front, minimum 7.5' side, and 25' rear with a reduced 15' for lots that back up to open space. However, sheet 2 of the development plan shows the typical lot size being 80' x 130' with the following setbacks; 25' front, 7.5' side yard (one side) and 25' rear. Mail kiosks (CBUs) for this development will be located in the Kingston Township portion of the development. The approved zoning from 2001 for all sections of this project in Berkshire Township included 218 single-family lots, 200 "tennis and swim club condominiums," 236 cluster homes, with 654 total units on 828.1-acres; all located along Wilson Road, east of North Galena Road. This is the last part of the original residential portion in Berkshire to be developed.

The site is surrounded by an agricultural lot (future park) to the west, single-family lots within the Northstar-Goldwell Neighborhood, Sec. 2 to the southwest, Northstar golf course to the east and proposed Del Webb at Northstar single-family subdivision to the north. The site gains access from Honey Grove Drive via Wilson Road. This development and the portion located in Kingston Township to the north will be constructed in a single phase and expected to begin subdivision improvements in Summer, 2025 and individual home construction in early 2026.

Issues

Traffic and access:

There are two points of ingress/egress, at the Honey Grove Drive/Goldwell Drive intersection within Berkshire Township. Provided the adjacent Del Webb at Northstar development is approved and develops, Honey Grove Neighborhood at Northstar will connect to a northern road that terminates with a cul-de-sac and also to an emergency access drive that connects to the Del Webb development.

Drainage:

There are existing stormwater ponds in the proposed Del Webb and Northstar-Goldwell subdivisions that this site will drain to.

Signage:

One entry column with plaque at the northeast corner of the development. Signage size is not identified, but appears to be a small plaque with the “N” (Northstar logo) and “Goldwell”.

Lighting:

No street lights are proposed, only standard residential lamp posts.

Sanitary Treatment:

Central sanitary sewer will be provided. However, no letter from the DCRSD was included with the submission.

Open Space / Health:

Required Open Space is 25% (3.3-acres) where this area proposes 2.3% (0.31-acres). This includes two reserves within only this portion of the development but does not include the overall open space originally approved with Northstar which includes roughly 250 acres of golf course (in Berkshire) and the 29-acre park parcel to the west. Still, the township should confirm that the required open space for the entire Northstar development is still met.

The plan notes that an 8-foot multi-use path adjacent to Honey Grove will serve as a Northstar community amenity. Staff is unclear where this is and how it will connect the two communities based on the development plan. Sheet A1 shows the existing path along Wilson Road and sheet 4 shows a proposed path to the northeast, but it does not connect this development to Del Webb.

Divergences

Two divergences are requested:

1. **Sec. 11.04(4)** – Model homes are permitted as an accessory use with applicable development standards. It appears lighting, parking, and signage standards will not be met, and potentially termination of use timeline (after 90% of building permits for lots have been issued).

Staff Comment: Without additional details as to why these standards cannot be met, Staff does not support this request.

2. **Sec. 21.09** – Reduce required setbacks only for specific numbered lots in the Wiltshire Neighborhood subdivision. The referenced subdivision is constructed and not associated with this rezoning.

Staff Comment: It appears this request may be related to Sec. 11.08- min. front setback is 40' with 25' proposed; min side yard setback is 12.5' each side with 7.5' proposed, min. rear yard setback is 30' with 15' proposed. Sec. 21.09 requires that min. setback distance from internal streets is “as approved in Development Plan.” Regarding the above deficiencies to setbacks, those should be listed as separate divergences if deemed necessary by the township. Staff notes that other than the reduced rear yard of 15', these setbacks are in line with the referenced Wiltshire Neighborhood (Northstar, Sec. 1, Phase B) which has similar lot sizes.

Staff Comments

The BST&G Fire District provided a letter that requires changes to the No Parking signage locations and fire hydrant locations. These must be addressed prior to Final Plat approval.

Staff Recommendations

Staff recommends **Conditional Approval** of the rezoning request by Pulte Homes for 13.218 acres to PRD Article 11 to the DCRPC, Berkshire Twp. Zoning Commission and Berkshire Twp. Trustees, *subject to:*

- 1.) *Submit signage detail that includes sign facing;*
- 2.) *Submit service letter from the Sanitary Engineer;*
- 3.) *Meet all Model Home requirements as defined in Sec. 11.04(4);*
- 4.) *Show where the “8-foot multi-use path in the open space adjacent to Honey Grove to serve as a Northstar community amenity” will be located. Staff is unclear where this is and how it will connect the two communities based on the development plan. Sheet A1 shows the existing path along Wilson Road and sheet 4 shows a proposed path to the northeast, but it does not connect this development to Del Webb; and*
- 5.) *Amend divergence request related to Sec. 21.09 and update any language in the Development Text that discusses Wiltshire Neighborhood.*

Commission / Public Comments

Mr. Jim Hilz with Pulte Homes was present. With regards to the divergences, he stated that they would meet the requirements for Berkshire Township with regards to the model homes. The setbacks are consistent with what was approved with Wiltshire and Goldwell. They are working with the Township on the rear yard setback. He stated the signage matches what is in Northstar now. He explained the 8’ path on the east side of Honey Grove will extend south, where the open space is, down to Wilson Rd.

Mr. Matlack made a motion to recommend Conditional Approval of the rezoning request by Pulte Homes for 13.218 acres, subject to staff recommendations #1-5. Mr. Price seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

42-24 ZON **Wallick Communities – Berkshire Twp. – 8.40 acres – PMUD Art. 16**

Request

The applicant, Wallick Communities, is requesting adoption of the PMUD Art. 16 Overlay for the 8.40-acre site known as The Ashford of Berkshire.

Conditions

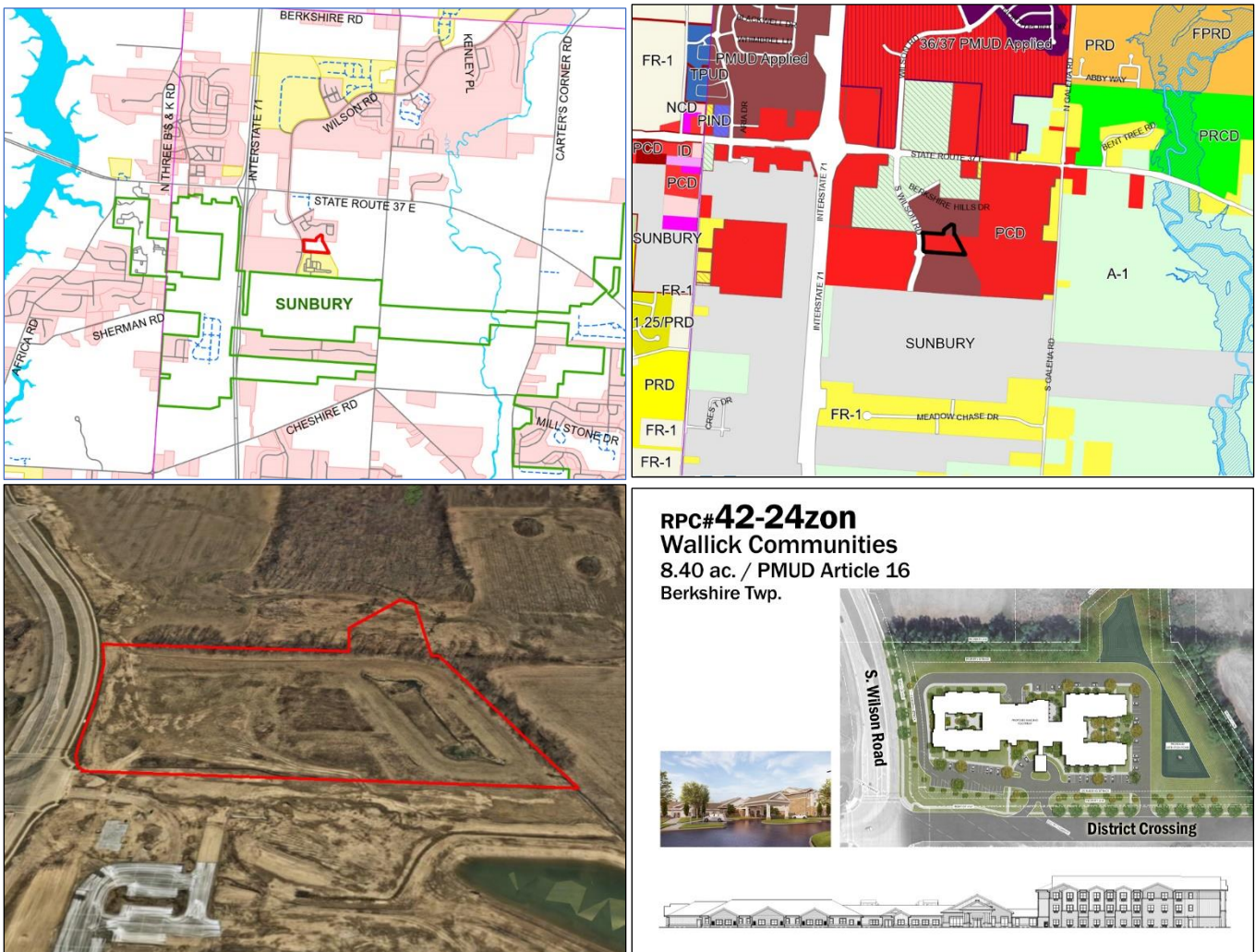
Location: northeast corner of the intersection of S. Wilson Rd. and District Crossing

Present Zoning: Planned Commercial District (PCD) / **Proposed Zoning:** PMUD Art. 16

Present Use(s): vacant / **Proposed Use(s):** senior living development

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

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



Staff Comments

The request is for adoption of the PMUD Art. 16 Overlay for the 8.4-acre site. 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 site is located in the Southeast Quadrant of the area within the PMUD overlay. The Northeast and Southeast Quadrants of the PMUD allow for a maximum of 700

dwelling units, of which 612 units have been approved. With this being a Residential Care Facility, density does not apply and this is a permitted use (NAICS code 623).

Project Overview

The Development Plan calls for a single 97,148 s.f. building which will include 108 units, with 82 units of assisted living and 26 units of memory care. The community will be staffed with administrative, food service, nursing and maintenance departments; creating approximately 45 full time job opportunities. The community will include resident amenities such as nursing care, multi-purpose rooms, salon, fitness/rehab facilities, and a commercial kitchen serving three meals per day. The site will gain access from District Crossing, which will be dedicated ROW once The District at Berkshire receives approval of a Final Plat (submitted for November, 2024). The required open space is 30 percent (2.52-acres), with 53 percent (4.49-acres) provided. A landscape plan, lighting plan, and signage plan were submitted, all of which appear to comply with the overlay. No divergences were requested.

The applicant indicated that if approved, construction would begin in early 2025 and have a 21-month construction timeline. The project would be complete and ready for residents the first quarter of 2027.

Drainage:

A preliminary drainage plan was reviewed by the County Engineer's office. The exhibits indicate a stormwater pond at the eastern end of the site extending into the parcel to the north. A retention area currently exists on the eastern end of this parcel which serves as stormwater management for Wilson Road. The plans show this existing pond being reduced in size and connected to an additional retention area on the parcel to the north, owned by Carlton at Berkshire LLC, and within an existing high-tension powerline easement. One exhibit shows this pond extending all the way to Wilson Road on the adjacent parcel. Construction is well underway to the north to allow apartment development. That project dedicated drainage easements to the west and east of this proposed retention area. Although stormwater requirements will be determined during Final Engineering, staff recommends more detail be provided as to how the stormwater will be managed, if it will be managed partially off-site, and which entity will own that off-site drainage. If this can't be resolved, the Development Plan may need to be amended.

Platting:

Based on the zoning and development of the site, including drainage, this project will require a plat.

Staff Recommendations

Staff recommends **Conditional Approval** of the rezoning request by Wallick Communities for PMUD Article 16 to the DCRPC, Berkshire Twp. Zoning Commission and Berkshire Twp. Trustees, *subject to submitting additional information related to stormwater management and the proposed location and ownership of retention areas.*

No vote is required for this application. There was no discussion.

43-24 ZON David & Belinda Jackson – Harlem Twp. – 2.325 acres – AR-1 to FR-1

Request

The applicants, David and Belinda Jackson, are requesting a 2.325-acre rezoning from AR-1 to FR-1 to allow a lot split from their 98 acre farm.

Conditions

Location: 2335 State Route 605 South

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

Present Use(s): farm storage, agricultural / **Proposed Use(s):** One single-family house lot

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:** BeB, PwA



Introduction

The applicant seeks to rezone a 2.325-acre site to the FR-1 District. The FR-1 District allows for one single-family dwelling on a lot not less than two acres in size. The subject site is currently an active farm, developed with single-family home in the early 1900s, multiple barns, grain bins, and a gravel driveway that serves the

agricultural use. The silos will be separated from this 2.325-acre site with the proposed lot split, leaving a remainder 96.626-acres. The applicant/owner split a 5.349-acre lot from the subject site in 2021 and constructed a home that same year. The surrounding area is a mix of land zoned AR-1 and FR-1. Based on the survey submitted, the proposed frontage of the parcel will be 421 feet. It appears all FR-1 and General Development Standards found in the Township Zoning Resolution can be met with this request. The proposed lot split will require review and approval of all the typical No Plat review agencies, including DPHD.

Comprehensive Plan

Harlem Township's 2021 Comprehensive Plan recommends preserving the Township's rural character and maintaining a 2-net acre minimum lot size for all lot splits and rezonings for residential developments that do not utilize sewer facilities. Staff believes the proposal conforms to these recommendations.

Staff Recommendations

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

Commission / Public Comments

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

Mr. Price made a motion to recommend Approval of the rezoning request by David and Belinda Jackson. Mr. Vidor seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

SUBDIVISION PROJECTS

Preliminary

13-24 Del Webb – Northstar - Kingston & Berkshire Twps. - 624 lots / 774.09 acres

Conditions

Applicant: Pulte Homes of Ohio LLC / **Engineer:** Kimley-Horn

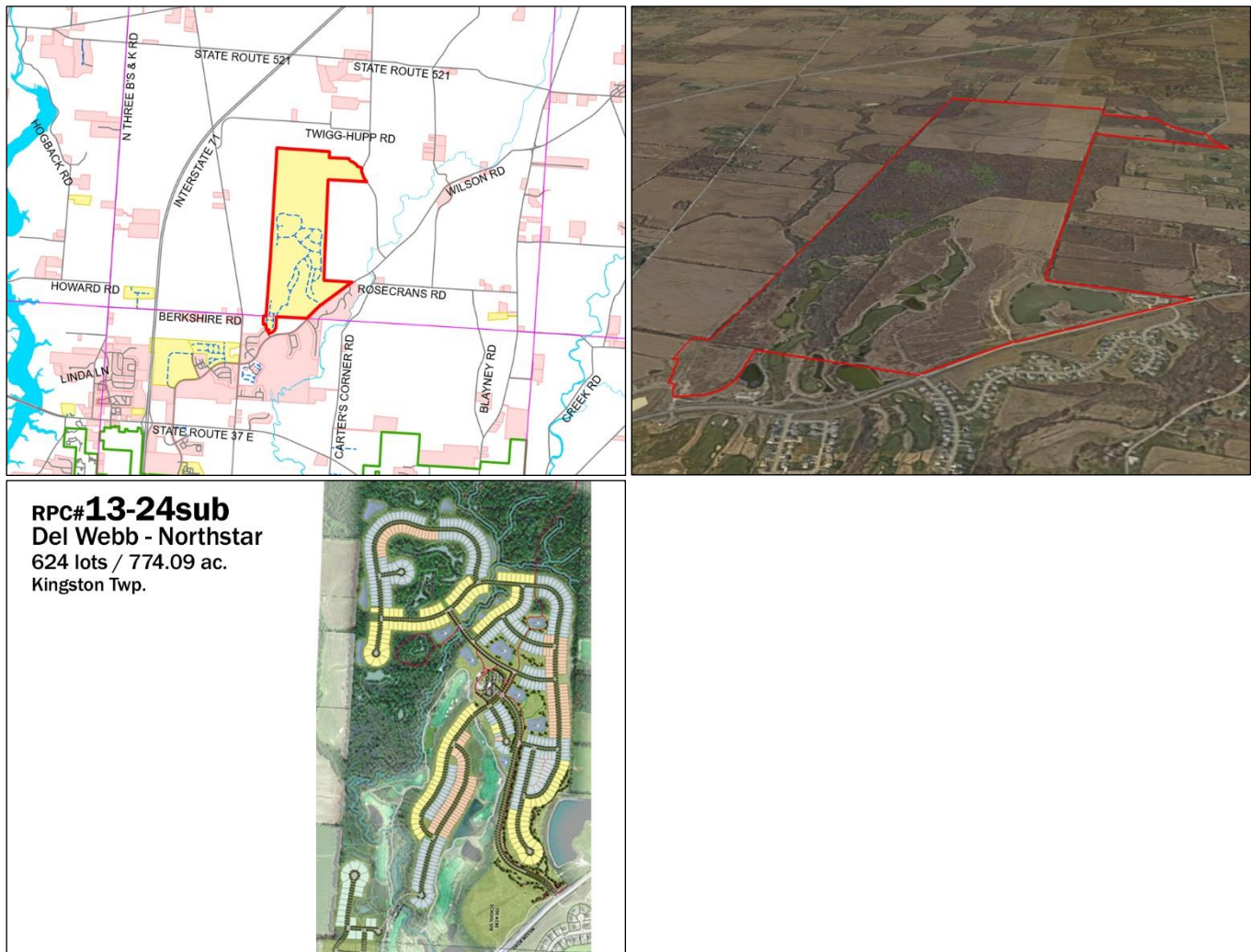
Subdivision Type: Single-Family Planned development

Location: North side of Berkshire Rd., west of Wilson Rd.

Current Land Use: Golf course, agricultural

Zoned: Planned Residential Development (PRD) / **Zoning Approval:** Berkshire - December 10, 2001/Kingston - December 18, 2004, Revised October 17, 2024

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



Staff Comments

Del Webb at Northstar is a residential subdivision with a total of 624 single-family lots; 592 in Kingston Township and 32 in Berkshire Township. All lots will front on internal public right-of-way. The one main point of ingress/egress for both subareas is to Wilson Road. An emergency access drive connects the cul-de-sac in Subarea B to Subarea A (the Honey Grove subdivision) and a road stub is provided to the west of Road C and to the east of Road D. There are four typical lot configurations; Subarea A has 80' x 130', Subarea B has a 46' x 125', 52' x 125' and 66' x 125'. Ample open space is provided throughout (153.55-acres), the entire development includes sidewalks along all public roads, 8' and 10' wide multi-use paths, entry features including a monument sign, multiple stormwater ponds and cluster mailboxes (CUB), a clubhouse in Subarea B, and there are numerous potential wetlands on site that are protected within dedicated reserves/open space.

A technical review was held on October 15, 2024, after which the applicant has addressed all of the required changes.

Staff Recommendation

Staff recommends *Conditional Preliminary Approval* of Del Webb - Northstar to the DCRPC, *subject to zoning*

case #41-24 ZON being approved by Berkshire Township Trustees.

Commission / Public Comments

Mr. Kevin Kershner, Kimley-Horn, was present.

Ms. Drayer questioned the sanitary treatment. Mr. Sanders explained that all of Northstar is served by a land application system where sewage is treated and sprayed on the golf course. The plant is on Wilson Rd. at Woodruff Dr.

Mr. Stites commented that Kingston Township Trustees unanimously approved an amendment to the Final Development Plan for Northstar on October 17th that allows this development to move forward.

Mr. Matlack made a motion for Conditional Preliminary Approval of Del Webb-Northstar subdivision, subject to zoning case #41-24 ZON being approved by Berkshire Township Trustees. Mr. Merrell seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Kingston Twp.). Motion carried.

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OTHER BUSINESS

- 2025 Budget – 1st Review

The proposed budget includes:

- 1.) Projected platting revenue is conservative at \$233,500;
- 2.) Salaries: 4% increase;
- 3.) Materials and supplies are conservative estimates. No significant expenses are anticipated;
- 4.) Services and Charges include the ongoing Trakit software maintenance and funds for RPC hosted conferences;
- 5.) Membership dues (\$280,874) were calculated with a 75¢ per capita; and
- 6.) Projected carry forward to 2026 - \$906,212

The Commission will vote on the Budget at the November 21st meeting.

- 2025 Meeting Schedule

Proposed schedule was presented. All monthly meetings will take place on the last Thursday of each month, with the exception of October, November and December 2025.

- Consideration for Approval: Amendment to the Employee Handbook, Travel meal reimbursement update and expenditure threshold update

1. Add the following language to Appendix B, 4.0 Reimbursement:

Meals

The reimbursement of meals is designed to offset the additional cost of travel, and not to entirely pay for the employee's meal expenses while traveling. Meal reimbursement limits will be in accordance with the limits

approved by Delaware County at the time of travel. In the event that the travel is to a location where the reasonable cost of meals exceeds these limits, the traveler may request an additional meal allowance. Itemized receipts must be submitted to the DCRPC Executive Administrative Assistant for reimbursement.

If more than one employee/supervisor is included in the same receipt, the limits stated herein shall be multiplied by the number of employees/supervisors served.

Employees/supervisors shall not be eligible for reimbursement for meals included in the cost of training or conference registration.

Reimbursement for meals in Delaware County is not permitted unless these meals are pre-approved.

Mr. Stites made a motion to Approve the language addition as presented. Mr. Price seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

2. Update reimbursement threshold amounts for approval in the **Seminar and Conference Reimbursement Application Form** to match those currently approved for in the By-Laws.

Up to \$5,000 – Executive Director

\$5,000.01 - \$10,000 – Executive Director and Executive Comm. Chairperson or Vice Chairperson

\$10,000.01 or more – majority of the Executive Committee and presented to the full Commission.

Ms. Holt made a motion to Approve the threshold language as presented. Ms. Drayer seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

Having no further business, Mr. Matlack made a motion to adjourn the meeting at 7:35 p.m. Mr. Vidor seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

The next meeting of the Delaware County Regional Planning Commission will be Thursday, November 21, 2024, 6:00 PM at the Byxbe Campus Conference Room, 1610 State Route 521, Delaware, Ohio 43015.

Ed Snodgrass, Vice Chairman

Stephanie Matlack, Executive Administrative Assistant