

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



AGENDA

Thursday, November 21, 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 October 24, 2024 RPC Minutes
- Executive Committee Minutes of November 13, 2024
- Statement of Policy

CONSENT AGENDA (Final Plats)

		Township	Lots/Acres
01-23	The District at Berkshire	Berkshire	1 lot / 25 acres
16-23.1	Northstar Ivywood, Section 1	Berkshire	63 lots / 32.717 acres
08-23	Hyatts Plaza Revised	Berlin	1 lot / 3.252 acres
03-24	BET-FISH CAD	Brown	5 lots / 13.65 acres
12-24	Dream Weaver Alive CAD	Liberty	3 lots / 7.226 acres

ZONING MAP/TEXT AMENDMENTS

36-24 ZON	Vision Acquisitions LLC & Home High LLC - Orange Twp. - 31.1 acres - PC		
44-24 ZON	Harlem Twp. Zoning Comm. - Text amendments - Mixed Service Business Residential overlay		
45-24 ZON	Harlem Twp. Zoning Comm. - Text amendments - Articles IV, V, VI, X, XVIII, XX and XXI		
46-24 ZON	BJ Builder LLC - Liberty Twp. - 20.05 acres - FR-1 to PR		
47-24 ZON	Berkshire Lofts LLC - Berkshire Twp. - 4.65 acres - PMUD Article 16		

SUBDIVISION PROJECTS

Preliminary

		Township	Lots/Acres
16-24	The Courtyards at Big Walnut	Genoa	80 lots / 60.31 acres
15-24 T	The Courtyards at Evans Farm	Orange	17 lots / 62.8 acres

Preliminary / Final

28-22 F-T	Summer Crest Drive	Berlin	10 lots / 17.854 acres
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OTHER BUSINESS

- Consideration for Approval: 2025 Budget
- Consideration for Approval: 2025 Meeting Schedule
- Consideration for Approval: Merit Compensation

POLICY / EDUCATION DISCUSSION

RPC STAFF AND MEMBER NEWS

ADMINISTRATIVE BUSINESS

- Call to Order
- Roll Call
- Approval of the RPC Minutes October 24, 2024
- November 13, 2024 Executive Committee Minutes

A. Call to order

Chairman Shafer called the meeting to order at 5:45 a.m. Present: Joe Shafer, Robin Duffee, Gary Merrell, Ed Snodgrass, and Tiffany Maag. Staff: Scott Sanders and Stephanie Matlack.

B. Approval of Executive Committee Minutes from October 16, 2024

Ms. Maag made a motion to Approve the minutes from the last meeting, seconded by Mr. Duffee.

VOTE: Unanimously For, 0 Opposed. Motion carried.

C. New Business

1. Financial / Activity Reports for October

REGIONAL PLANNING RECEIPTS		OCTOBER	YTD TOTAL
General Fees (Lot Split)	(4201)	\$615.00	\$5,740.00
Fees A (Site Review)	(4202)	\$2,400.00	\$6,800.00
Insp. Fees (Lot Line Transfer)	(4203)	\$300.00	\$2,600.00
Membership Fees	(4204)		\$222,529.20
Planning Surcharge (Twp. Plan. Assist.)	(4205)	\$385.59	\$15,555.47
Assoc. Membership	(4206)		
General Sales	(4220)		
Charges for Serv. A (Prel. Appl.)	(4230)	\$86,385.40	\$142,709.54
Charges for Serv. B (Final. Appl.)	(4231)	\$21,960.00	\$117,443.01
Charges for Serv. C (Ext. Fee)	(4232)	\$900.00	\$4,200.00
Charges for Serv. D (Table Fee)	(4233)		\$1,200.00
Charges for Serv. E (Appeal/Var.)	(4234)	\$500.00	\$3,800.00
Charges for Serv. F (Planned District Zoning)	(4235)	\$3,500.00	\$12,500.00
		\$500.00	\$1,000.00
OTHER DEPT. RECEIPTS			
Health Dept. Fees	(4242)		
Soil & Water Fees	(4243)	\$200.00	\$3,075.00
Commissioner's fees	(4244)	\$1,803.00	\$5,803.00
		\$417.00	\$1,992.00
MISCELLANEOUS REVENUE			
Other Reimbursements	(4720)		
Other Reimbursements A	(4721)		\$54.98

Other Misc. Revenue (GIS maps)	(4730)		
Misc. Non-Revenue Receipts	(4733)	\$60.00	\$122.00
Sale of Fixed Assets	(4804)		
TOTAL RECEIPTS		\$119,925.99	\$547,124.20

Balance after receipts	\$1,134,500.16
Expenditures	- \$ 42,166.37
End of October balance (carry forward)	\$1,092,333.79

Mr. Merrell made a motion to Approve the Financial report as presented, subject to Audit. Mr. Snodgrass 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>
▪ Berkshire Lofts	Berkshire	1 lot / 4.646 acres
▪ Plumb Creek	Berkshire	91 lots / 87 acres
▪ 4461 S. Old 3C Highway acres	Genoa	4 lots / 22.021

b) Zoning Map / Text Amendments

- Vision Acquisitions LLC & Home High LLC – Orange Twp. – 31.1 acres - PC
- Berkshire Lofts LLC – Berkshire Twp. – 4.65 acres – PMUD Article 16
- Harlem Twp. Zoning Comm. – Text amend. – Mixed Service Business Residential overlay
- Harlem Twp. Zoning Comm. – Text amend. – Articles IV, V, VI, X, XVIII, XX and XXI
- BJ Builder LLC – Liberty Twp. – 20.05 acres – FR-1 to PR

c) Subdivision Projects	<u>Township</u>	<u>Lots/Acres</u>
Preliminary		
▪ The Courtyards at Big Walnut	Genoa	80 lots / 60.31 acres
▪ The Courtyards at Evans Farm	Orange	17 lots / 62.8 acres
Preliminary / Final		
▪ Summer Crest Drive acres	Berlin	10 lots / 17.854
Final		
▪ The District at Berkshire	Berkshire	1 lot / 25 acres
▪ Northstar Ivywood Section 1	Berkshire	63 lots / 32.717 acres
▪ Hyatts Plaza Revised	Berlin	1 lot / 3.252 acres
▪ BET-FISH CAD	Brown	5 lots / 13.65 acres
▪ Dream Weaver Alive CAD	Liberty	3 lots / 7.226 acres

3. Director’s Report

- 10/29/24 Summit on Sustainability – Scott and Brad both attended
- Brad is continuing work on the Comp. Plan

- Concord has asked to review their Comp. Plan, start beginning in early 2025

D. Old Business

1. Merit Compensation Policy

Mr. Snodgrass made a motion to recommend Approval of applying the Merit Compensation Policy for 2024 including compensating Mr. Sanders for his work on Planning Contracts in the amount of \$1,100. Mr. Duffee seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Mr. Merrell). Motion carried.

2. 2025 Meeting Calendar

Mr. Snodgrass made a motion to recommend Approval of the 2025 Meeting Calendar, subject to discussion of the need to move the March RPC meeting due to Spring Break. Mr. Merrell seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

E. Other Business

1. Beginning at the December Sketch Plan and Technical Review Committee meetings, a Zoom meeting log in will be sent with the meeting invitation.
2. Consideration of charging a fee for all rezoning application reviews. Currently a fee applies when rezoning to a Planned District. Further discussion to take place.

At 9:52 a.m., Mr. Snodgrass made a motion to go into Executive Session per ORC 121.22 (G) (1) for the consideration of employment of a public employee. Mr. Merrell seconded the motion. All in favor. Motion carried.

At 10:00 a.m. Mr. Snodgrass made a motion to return to regular session, seconded by Mr. Merrell. All in favor. Motion carried.

F. Adjourn

Having no further business, Mr. Snodgrass made a motion to adjourn at 10:00 a.m. Mr. Merrell seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

The next regular Executive Committee meeting will be Wednesday, December 11, 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)

01-23 **The District at Berkshire – Berkshire Twp. - 1 lot / 25 acres**

Conditions

Applicant: Champion Companies / **Engineer:** Advanced Civil Design

Subdivision Type: Multi-Family

Location: East side of S. Wilson Rd., south of SR 36/37

Zoned: PMUD Art. 16

Preliminary Approval: January 26, 2023

Utilities: Del-Co Water, central sanitary sewer

School District: Big Walnut

Staff Comments

The District at Berkshire is a 300 unit multi-family development located just to the east of the Tanger Outlet. This plat will dedicate ROW for District Crossing, which aligns with Mall Drive and provides access to this development. Preliminary approval was granted on January 26, 2023 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 **The District at Berkshire** to the DCRPC.

16-23.1 **Northstar Ivywood, Section 1 – Berkshire Twp. - 63 lots / 32.717 acres**

Conditions

Applicant: Northstar Residential Development LLC. / **Engineer:** Terrain Evolution

Subdivision Type: Single Family Residential community

Location: north side of Wilson Rd., west of Ivy Wood Dr.

Zoned: PMUD Art 17

Preliminary Approval: October 26, 2023

Utilities: Del-Co Water, central sanitary sewer

School District: Big Walnut

Staff Comments

Northstar Ivywood, Section 1 is a 63-lot single-family residential subdivision located on the north side of Wilson Rd., west of N. Galena Rd. The development will gain access from Wilson Rd., with access to Starpoint Dr. within the Northstar Flats and connect to Prestwick Rd. in Section 2. Preliminary approval was granted on October 26, 2023 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 **Northstar Ivywood, Section 1** to the DCRPC.

08-23 **Hyatts Plaza Revised - Berlin Twp. - 1 lot / 3.252 acres**

Conditions

Applicant: AAT Properties / **Engineer:** Smart Services

Subdivision Type: Commercial

Location: West side of US 23, north of Hyatts Rd.

Zoned: Planned Commercial & Office (PCD)

Preliminary Approval: May 25, 2023

Utilities: Del-Co Water, central sanitary sewer

School District: Olentangy

Staff Comments

Hyatts Plaza is a commercial subdivision that will include a 13,460 sq. foot building with multiple tenant spaces. The site is located at the northwest corner of US-23 and Hyatts Road. Preliminary approval was granted on May 25, 2023 and the applicant is now requesting Final Plat approval. After the previous plat was approved and recorded the owner determined that the 0.079-acre triangular shaped lot that is within highway easement should be part of this lot, and is now identified as such within a note on the revised plat.

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 **Hyatts Plaza Revised** to the DCRPC.

03-24 **BET-FISH CAD – Brown Twp. - 5 lots / 13.65 acres**

Conditions

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

Subdivision Type: Single Family Residential, Common Access Driveway

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

Zoned: FR-1 (Farm Residential)

Preliminary Approval: August 29, 2024

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

School District: Buckeye Valley

Staff Comments

BET-FISH CAD is a 5-lot common access drive subdivision, located on the east side of Hogback Rd., north

of Howard Rd. A subdivision variance to allow five total lots on a CAD was approved on March 28, 2024. Preliminary approval was granted on August 29, 2024 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* **BET-FISH CAD** of to the DCRPC.

12-24 **Dream Weaver Alive CAD – Liberty Twp. - 3 lots / 7.226 acres**

Conditions

Applicant: Dream Weave Alive LLC. / **Engineer:** GHG Group
Subdivision Type: Single Family Residential, Common Access Driveway
Location: South side of Ford Rd., west of Sawmill Parkway
Zoned: FR-1 (Farm Residential)
Preliminary Approval: September 26, 2024
Utilities: Del-Co Water, private on-lot treatment systems
School District: Olentangy

Staff Comments

Dream Weaver Alive CAD is a 3-lot common access drive subdivision, located on the south side of Ford Rd., west of Sawmill Parkway. Preliminary approval was granted on September 26, 2024 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 **Dream Weaver Alive CAD** to the DCRPC.

ZONING MAP/TEXT AMENDMENTS

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

Request

The applicants, Vision Acquisitions LLC and Home High LLC, are requesting a 31.1-acre amendment to an existing Planned Commercial development plan to allow for a 220-unit multi-family residential apartment community with clubhouse, swimming pools, community bicycle hub and work-out facilities. The project name is Home & High.

Conditions

Location: northwest and southwest intersection of Home Rd. and U.S. 23

Present Zoning: Planned Commercial (PC) / **Proposed Zoning:** Planned Commercial (PC)

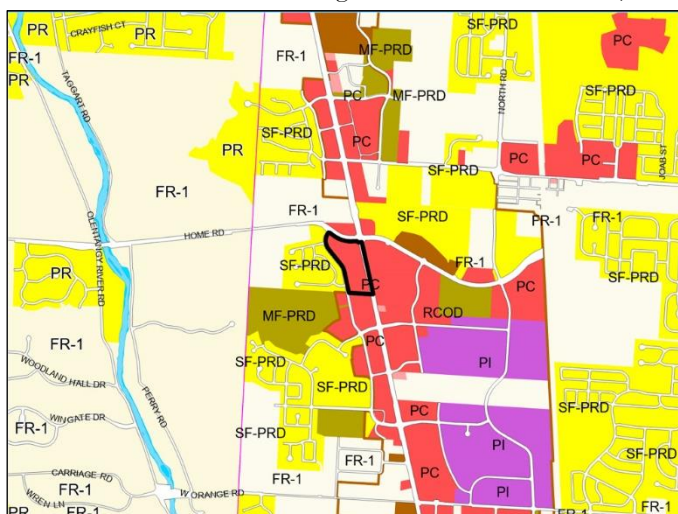
Present Use(s): vacant / **Proposed Use(s):** Multi-family apartments

Existing Density: N/A (3.13 du/acre with previous PC/MFPRD) **Proposed Density:** 16.54 du/acre

Number of units requested: 220

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

Critical Resources: drainage course / **Soils:** PwA, GwC2, BoA, GwB



Introduction

The applicant is requesting to amend an existing Development Plan so that a portion (13.3-acres) of the parcel can be developed with 220 multi-family residential units. The remaining land (including land north of Home Road) are to be developed at a later date, with parcel sizes of 4.5 acres and 9.8 acres. Proposed uses are broken down by parcel. Parcel one (north of Home Road) and two (north of the development area) would allow for all types of commercial and office, community facilities, commercial for traveling public, medical facilities/laboratories, kindergarten/childcare, temporary non-residential structures and parking structures. Parcel three would allow for multi-family residential apartments including accessory uses, temporary non-residential structures, and parking/garage structures.

Proposed development includes four large apartment buildings (50-unit and 54-unit), 6 smaller apartment buildings (2-unit carriage houses), fitness building, clubhouse with cluster mailbox unit (CBU), amenity area, and 458 parking spaces. There are three building types; two-story with garage below, three-story and four-story. The four-story type only includes the end units and has a similar overall roof height, with a maximum roof height of 50 feet. The proposed gross density is 16.54 du/acre. It should be noted that multi-family residential uses are not permitted in the PC district, and the MFPRD only allows for a maximum density of four du/acre with a maximum number of dwelling units on any single acre not to exceed eight.

The current development site (parcel three) is south of Home Road, fronts on Gooding Boulevard and backs up to U.S. 23. The Orange Township pedestrian overpass crosses the southern portion of the site and connects to the sidewalk along Gooding Boulevard. The Delaware County District Library – Orange Branch is located on the adjacent property to the south and single-family residential subdivisions are developed on the west side of Gooding Boulevard.

Comprehensive Plan

Orange Township's 2018 Comprehensive Plan includes the site in Subarea 8 – Olentangy Valley Central, acknowledges that this site is zoned Planned Commercial and Office (PC) and recommends PC zoning to serve as a transition to residential uses. The Plan also supports connecting bike/pedestrian paths. Public input in the plan stated that residents and business owners wish to see more well-planned, commercial development to help balance out the overwhelmingly residential development of the Township. The proposal does not adhere to the Plan's recommendations as residential uses are not supported in this area. However, Staff notes that apartments may serve as a transition from the surrounding single-family residential uses to the proposed commercial uses on the other parcels. Based on the materials submitted and other Vision developments that have been constructed, aesthetics of the building and landscaping are high-quality and may blend well with this area.

Route 23 Corridor Overlay District (RCOD)

The RCOD exists in this area and supports Mixed Use Development. A residential component is permitted if located above a commercial use and is not to exceed a residential density of eight du/acre. Similar to the Comprehensive Plan recommendations and the MFPRD standards, the proposed development is not supported by the RCOD.

Issues

Traffic and access:

Two points of ingress/egress are provided along Gooding Boulevard. Sidewalks are provided throughout the

development, within the right-of-way and the Orange Township pedestrian overpass provides a connection to the east side of U.S. 23. Pedestrian connections are not provided to future development to the north, although those could be added when development eventually takes place. Plan sheet LO.2 does show a “future 5’ sidewalk in ROW” along the east side of Gooding Blvd. in front of parcel 2 and a “future 10’ pedestrian path in ROW” along the south side of Home Rd. in front of parcel 2 and on the west side of Gooding Blvd.

Drainage:

A drainage plan was not submitted. The applicant indicates that the site would drain into a proposed stormwater basin located on the northwest portion of this site, and ultimately be directed west to an existing 36" storm line located within the limits of Gooding Boulevard.

Signage:

The signage plan indicates one double-sided monument sign that is 6 feet tall, with 36 sq. ft. of display per side located at the southern entrance on Gooding Boulevard. There is also a wall sign that is 40 feet off the ground, with 36 sq. ft. of display on building ‘D’ that faces U.S. 23.

Lighting:

A lighting plan was submitted showing cutoff LED lamp posts throughout the development with additional lighting located on the structures.

Sanitary Treatment:

Public sanitary sewer is proposed. Sewer service is available via an existing 8” sanitary sewer line on the western side of the property.

Open Space / Landscaping:

Required: 25% (3.3-acres) Proposed: 58% (7.75-acres)

A landscaping plan was submitted and includes a landscape buffer along U.S. 23, Gooding Blvd. and the northern property line. Tree islands are also provided and the dumpster is screened.

Divergences

Nine divergences are requested:

1. **Sec. 14.03** - To permit multi-family residential apartment and accessory uses including but not limited to community center(s), clubhouse(s), swimming pool(s), work-out facilities, and other such accessory uses on Parcel 3 (multi-family development) as delineated in Exhibit LO.1. The applicant indicated that a mix of residential uses with commercial and office uses is conducive to a balanced development that better serves the community and its surrounding areas than an exclusive commercial center.

Staff Comment: It appears using the MFPRD zoning designation would be a more appropriate option for this site and provide more consistency throughout Orange’s zoning map. However, Staff understands that this is currently zoned PC and that this is a change to the adopted development plan. Also, the same number of divergences would be required in the MFPRD as currently requested.

2. **Sec. 21.12(h)(3)(b)** - To permit the light uniformity ratio to be no more than 16:1 in the multi-family development area. The applicant indicated that the residential uses in this PC support the need for a

variation of light uniformity different from the requirements of commercial uses.

Staff Comment: Staff has no concerns with this request provided there is no light trespass onto neighboring properties or ROW.

3. **Sec. 14.06(b)(10)** - If the proposed timetable for development includes developing the property in phases, all phases to be developed after the first shall be fully described in textual form in a manner calculated to give township officials definitive guidelines for approval of future phases. Each phase, including the first, shall include a minimum of five (5) acres of property or the whole property, whichever is smaller. The applicant indicated that the phasing plan for this development has not been determined due to the size of the project and the inability to predict market conditions and the timetable for completion of the project. It is estimated that the development will be completed in fifteen (15) years depending on market conditions. However, each phase of Parcel 1 and Parcel 2, including the first, shall include a minimum of one (1) acre of property or the whole property, whichever is smaller.

Staff Comment: It does not appear that the spirit and intent of the PC has been met beyond this apartment development proposal. A Development Plan must be submitted to show the general development character, architectural design, lighting, traffic patterns, relationship to surrounding development, the ability of the applicant to carry forth the development plan; all of which have not been addressed outside this site. However, staff understands that the property owner can't predict the commercial market and that the site development has already exceeded the original zoning approval.

4. **Sec. 21.01(a)** - All parking spaces shall be not less than 9 feet wide by 20 feet long. Such spaces shall be measured rectangular and shall be served by aisle ways of sufficient width to permit easy and smooth access to all parking areas. The applicant is requesting a reduction in parking space length to 18 feet deep for ninety-degree spaces. These dimensions are sufficient to park a vehicle in the development and also reduce the amount of pavement.

Staff Comment: Staff has no concerns with this request.

5. **Sec. 21.01(b)** - All common parking areas and adjacent aisles or driveways shall be paved with asphaltic material or cement. The applicant is requesting to allow for the addition to all common parking areas and adjacent aisles or driveways to use concrete pavers, brick pavers or permeable pavers which are all reasonable and acceptable paving methods that allow diversity in paving patterns and provide another option for stormwater management shall be permitted subject to the prior written approval of the Orange Township Fire Department.

Staff Comment: Provided the DCEO and DSWCD approves of these materials for this development from a drainage perspective, Staff has no concerns.

6. **21.01(d)** - No parking lot or parking area shall be located nearer than six (6) feet to the side or rear line of the tract on which the structure is located and parking in front of the main structure may be permitted only if not more than 40% of the front set back area outside of the ROW is occupied by parking. All required parking spaces shall be located on the same lot with the buildings or use served. The remaining 60% of the front setback outside of the road ROW shall be green space adjacent to the road(s)

frontage(s). The applicant is requesting the elimination of interior lot line parking setbacks in areas where shared parking is utilized. All other parking areas shall comply.

Staff Comment: Staff is unclear why this divergence is being requested. It appears all side and rear lot line setbacks have been met. It's unclear if more than 40% of the front setback area outside of the ROW is occupied by parking. This should be graphically shown on the plan. If the request is related to parcels two and three, staff does not support the request as it is unclear how it applies.

7. **Sec. 21.01(e)** - Phase 1: Multi-Family residential apartments require three parking spaces per unit. The request is to reduce the required parking spaces from three per unit to two, or from the required 660 spaces to 458.

Staff Comment: Staff has no concerns with the reduction in parking spaces. Staff found other national regulations and articles that lean toward providing two or fewer parking spaces per unit. Additionally, the RCOD, for example, has minimum and maximum parking space requirements with 1 space per dwelling unit as the minimum.

8. **Sec. 21.10** - Non-residential uses except parking shall not be located closer than 100 feet to any lot line of a residential district. Request to reduce parcel one to a 25-foot setback from the northern property line, reduce parcel two to a 30-foot setback from the eastern ROW of Gooding Blvd. and reduce parcel three to a 45-foot setback from the eastern ROW of Gooding Blvd.

Staff Comment: Again, related to parcel one, staff does not support the setback reduction from 100 feet to 25 feet. A divergence is not required for parcels two and three as they are separated from the SF-PRD to the west by Gooding right-of-way. Additionally, buildings G, H, and I are screened from the ROW by mounding and landscaping, which appears to be acceptable.

9. **Sec. 22.03(C)(1)** - Commercial signs must be located on or along the building wall that faces a street, parking lot or service drive and be no more than 15 feet above finished grade. Request to allow signage to be mounted 40-feet above grade to be visible along US-23.

Staff Comment: Based on the Signage Plan there is only one monument sign (no divergence required) at the southern entrance along Gooding Blvd. and one wall sign (divergence required) that faces US-23. The wall sign appears to be minimal in size and would not be out of character with similar multi-family developments in the area.

Staff Comments

In general, the proposed use and style of construction could blend well with the community. However, the Comprehensive Plan does not support residential uses here. Additionally, the use is not permitted in the PC district. While it is permitted in the MFPRD, it would exceed the permitted density by 167 units. Staff isn't completely opposed to residential use at this location as it may blend well with future commercial uses. If Orange Township Zoning Commission and Trustees decide to approve the request, Staff recommends:

1. Reduce the building type to two-story, which better reflects the multi-family development pattern in the area and along U.S. 23. This would allow a reduction in parking and pavement, and reduce or improve several of the parking divergences. Additionally, the MF-PRD (where this use is permitted) only allows for a maximum building height of 35 feet and 50 feet is proposed;
2. Commit to the completion of sidewalks along Gooding Boulevard and Home Road.

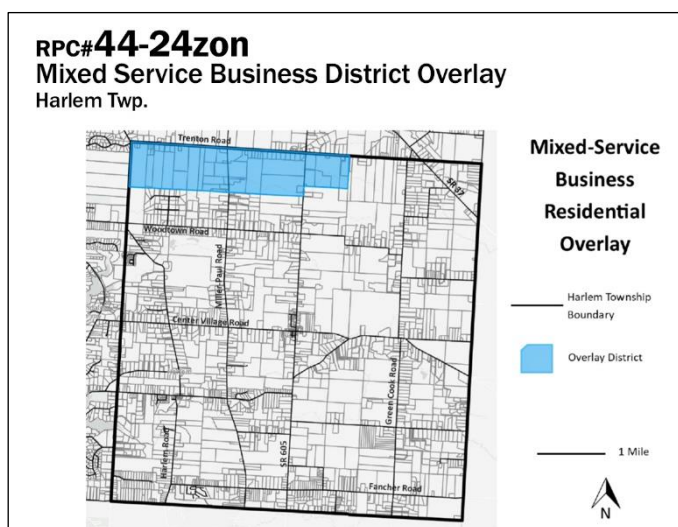
Staff Recommendations

Staff recommends **Denial** of the rezoning request by Vision Acquisitions LLC & Home High LLC from PC to PC to the DCRPC, Orange Twp. Zoning Commission and Orange Twp. Trustees, *based on the details in this report.*

44-24 ZON Harlem Twp. Zoning Comm. – Text amend. – Mixed Service Business Residential overlay

Request

Harlem Township Zoning Commission has initiated proposed text amendments for the RPC to consider and provide recommendations. The Township is proposing a Mixed Service Business Residential Overlay District (MSBR) that will serve as an overlay to specific properties in the northwest portion of Harlem Township; the majority of this land area is primarily agricultural fields. The Zoning Commission initiated the amendments on November 11th.



Staff Comments

To date there have been six other overlay districts adopted in Harlem Township and cover the majority of the southern and eastern portions of the Township, including the following districts: County Line Road Overlay District (CLR-A, CLR-B and CLR-C), Mixed Use District (MU-A and MU-B) and Cluster Residential Conservation District (CRCD-3). All of these overlays (including the proposal) overlap with an existing lower density Conservation Subdivision (PRCD). The proposed MSBR District will complement the other approved overlays and allow the township to grow and develop in a way that is supported by the Harlem Township Quick Strategy Guide, which identifies this area as the Northwest – Growth Area #3. This overlay is generally bound by the Township boarder to the west, Trenton Road to the north, 0.63 miles east of S.R. 605 and 0.63 miles south of Trenton Road.

Similar to the other adopted overlays in Harlem Township, central water and sanitary sewer services shall be required and the applicable district must certify that adequate capacity is available. Examples of **Permitted Uses**

include single-family, multi-family, and townhomes with a maximum of eight units per net developable acre. Also allowed are assisted living facilities, automobile-oriented uses, microbrewery/winery, commercial recreation facilities, hotels/motels, mixed-use buildings, offices, restaurants, schools, and small-scale alternative energy uses.

Examples of **Prohibited Uses** include outside storage, large business retail, data centers, warehousing, and gun ranges. For a property to be considered for the MSBR overlay the following standards must be met (but they are not limited to): Min. 25-acre tract, min 1-acre lots, 20% open space, preservation of trees, wildlife habitat, drainage ways and floodplain, historic/archaeological sites, and provide pedestrian circulation and connections to other developments and include street trees. Standards for building design, lighting, landscaping, parking, and signage are also identified in the MSBR overlay. With approximately 1,246 acres included in this overlay there could potentially be over 243 acres preserved as open space.

Central water and sanitary sewer are required for the utilization of this overlay. The township anticipates gaining sewer from a neighboring municipality, based on the time-frame of development. However, limited uses may be approved by the township trustees if central water and sanitary sewer are not available. The Zoning Commission may grant divergences from any standard or requirement in this Section except for permitted uses, the density of dwelling units per acre, and the percentage of required open space. The following are comments and suggestions:

1. The MSBR is noted to be a “Transect” district, where priority is placed on the scale and form of buildings rather than on the land use. However, the language is very similar in structure and design details to the other adopted overlays, which are not called out as Transect districts. The language includes a “Summary of Transect Districts” which only includes a box related to car washes and how they will be “intertwined with multi-family uses...to effectively serve adjacent developments.” Staff does not feel there is enough clarification of how this is a Transect district and how that would impact a development application.
2. Site Design Standards require that the “bulk, height, and surface materials of buildings...shall be compatible with the surrounding area.” General language in this section is repeated in the other overlays, but the language also includes a detailed set of Design Standards including materials, colors, architectural elements, etc. The general language appears to be unnecessary and could potentially cause confusion.
3. Clarify the hotel/motel use by referencing the applicable section of the Ohio Revised Code or specify that maximum densities do apply to residential hotels;
4. 36.08(L): The 200' woodland buffer and 200' setback from Trenton Road and SR 605 is excessive, particularly with parking required behind or beside a building. The difference between the 200' setback from Trenton Road and SR 605 and 30' setback from new local roads is extreme. Perimeter setbacks of 100 to 200 feet depending on the adjacent land use, are also required. The township should consider asking DCRPC staff to create a map showing these buffers for reference;
5. Being that there is only one column in Table 36.10, put that info in one sentence and delete table. (Example: Maximum number of signs permitted per non-residential tenant: 1; Maximum square footage: 6; Maximum height: 15 ft.; Minimum height: 8 ft.) The same comment for Tables 36.11 and 36.12;
6. 36.08(F): Consider modifying this to address drainage in general and add a similar statement as the following: “In no event shall any person interfere with any existing tile or surface drainage channel unless it is determined that such tile or channel can be removed or relocated without interfering with the drainage on adjacent properties. All drainage conditions must adhere to and be approved by the

Delaware County Soil and Water Conservation District.” The majority of this land is currently agriculture and care should be taken to ensure drainage is adequately addressed;

7. Ensure text in all figures and graphics are legible;
8. Permitted uses include Automobile Oriented Uses (Gas Stations, Oil Change, Car Repair etc.), Banks, and Drive Throughs and directs such uses to within 1,000 feet of Trenton Road (but outside the 200 foot setback from the road). Despite the requirement that any use would conceptually be part of a larger 25-acre development, this seems to open the door to the type of uses that communities want to see additional detail before approving.
9. Table 36.7: “those with curbside and pick-up windows” min. and max. columns are blank. If no min./max. required then include N/A. It may be worth including a max. as many fast food restaurants are providing dedicated parking spaces;
10. This overlay provides standards for EV parking requirements, which should apply anywhere EV spaces appear and should be handled in Section 21.02 – Parking. Staff also wonders if township should be mandating 1 EV space per 100 standards spaced in this overlay and not elsewhere. Also, although it is probably understood, staff recommends spelling out “Electric Vehicle” in at least the title of the table.
11. As with other recently approved overlays in Harlem Township, residential uses are allowed at 8 dwelling units per net developable acre. As uses are not required to be mixed, this could lead to standalone three-story apartment developments (45 foot height maximum) along Trenton Road. Staff understands the strategic nature of overlays, but is concerned that this density is excessive in this location.

Staff Recommendation

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

45-24 ZON Harlem Twp. Zoning Comm. – Text amendments – Art. IV, V, VI, X, XVIII, XX and XXI

Request

On 11/11/24, the Harlem Township Zoning Commission initiated a number of relatively small changes to numerous Articles within their Zoning Resolution.

Summary

DCRPC staff has been working with the Harlem Township Zoning Commission for over two years on updating sections of its current code. The package of changes that has been initiated includes the following:

- (XX) New Solar Energy Systems section based on the recent OTA template with changes;
- (IV) New Solar Energy definitions to be added to the definitions article;
- (V) Adding recently-adopted districts to a listing of Districts;
- (VI) ORC reference correction;
- (X) Clarification within the current “PUD” district (mixed uses) to direct applicants to a standard rezoning process that was previously adopted;
- (XVIII) Clarification within the current “PID” district (Planned Industrial) to direct applicants to a standard rezoning process that was previously adopted;
- (XVIII) Additional standards in the PID district;

- (XXI) Updating County agency names, adds standard Floodplain language, and clarifies that front setbacks in Overlays are “as approved in the Development Plan.”

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.

46-24 ZON BJ Builder LLC – Liberty Twp. – 20.05 acres – FR-1 to PR

Request

The applicant, BJ Builder LLC, is requesting a 20.05-acre rezoning from FR-1 to PR for a 17-unit development known as Liberty Place. This is the second application by the owner for this site and includes a new street layout, amended density, and other changes.

Conditions

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

Present Zoning: Farm Residential (FR-1) / **Proposed Zoning:** Planned Residence (PR)

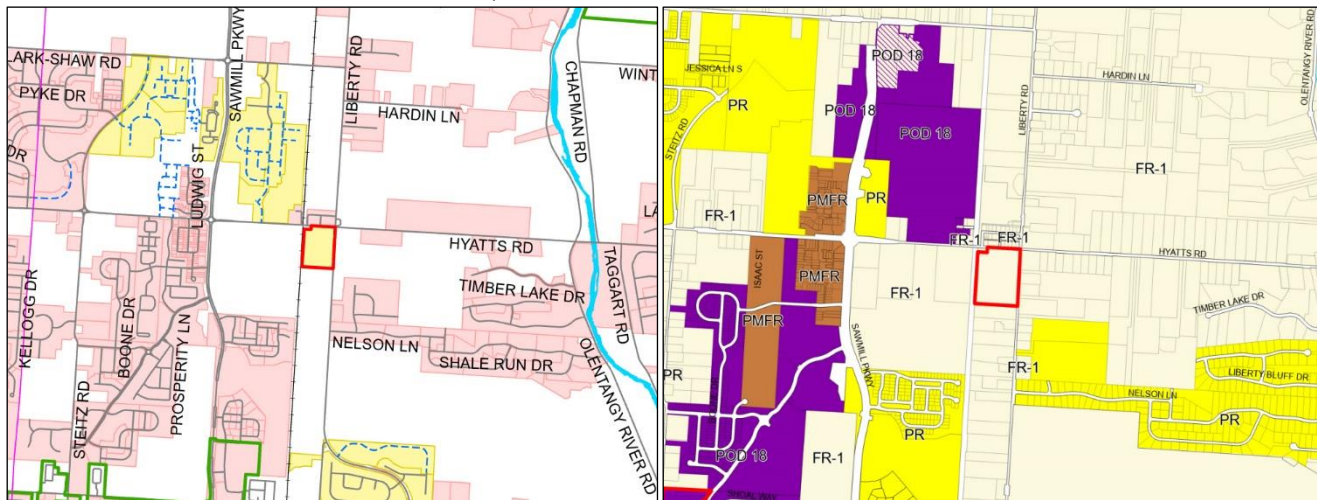
Present Use(s): One single-family house / **Proposed Use(s):** 17 lot single-family development

Existing Density: 1 du/acre **Proposed Density:** 1.19 du/net developable acre

Number of units requested: 17

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

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





Introduction

The Liberty Place subdivision is proposed to be developed in a single phase with 17 single-family residential lots. It is proposed to include mounding and screening along Hyatts Road, Liberty Road and the railroad tracks, and will utilize two stormwater basins. Public streets will be developed with one main point of ingress/egress toward the south part of the site to Liberty Road. The plan shows a 10-foot wide multi-use path along Liberty Road and most of Hyatts Road, which connects to the sidewalk between lots four and nine. The existing stream on site is preserved within dedicated open space and a 60-foot wide stream buffer. There are high-voltage power lines that bisect the property from northwest to southeast within an easement that totals an area of 3.18-acres. There are a mix of lot sizes and configurations, with the smallest lot being 0.31 acres at 100 feet wide by 160 feet deep and the largest being 0.85 acres at 100 feet wide by approx. 462 feet.

Process

Liberty Township allows the filing of a Preliminary Development Plan for consideration and approval as the rezoning action. Should the rezoning be approved, a Final Development Plan will be submitted with additional detail.

Comprehensive Plan

Liberty Township's 2018 Comprehensive Plan includes this area in Sub Area II – Olentangy West Highlands. The site is recommended for residential development within a planned residential zoning district with a maximum net density of 1.25 dwelling units per acre and a minimum 20 percent open space. The Plan also recommends preserving natural resources and wildlife corridors, encouraging greenways and trails, and potentially creating park lands. The Comprehensive Plan Map identifies three potential wetlands on site, which should be fully reviewed by OEPA or the applicable agency to ensure they may be impacted as proposed. The proposal conforms to the Plan's recommendations as the proposed density is less than what is permitted, the required open space is exceeded, and the stream and wildlife corridor to the south is protected.

Issues

Density:

The density recommended in the Comprehensive Plan is 1.25 net du/acre and the proposal is for 1.19 du/net developable acre.

Traffic and access:

There will be one point of full access at Liberty Road with internal public streets that terminate with two cul-de-sacs. The DCEO has plans to construct a roundabout at the Hyatts and Liberty Road intersection, which is identified on the site plan.

Drainage:

Stormwater structures are located throughout, draining to two stormwater basins, all of which drain to the stream on site. The development text states “surface drainage, storm sewer, and detention will be handled on-site as determined during Final Engineering.”

Signage:

One monument-style entry sign is proposed to the south of Road ‘A’. The development text states that “Temporary sales signage and model home signage is anticipated for this development. Final locations and details will be provided at the Final Development submission.” A sign detail for the monument sign can be found on Exhibit D-2.

Lighting:

The only lighting proposed is for the entry sign. No street lights are proposed.

Sanitary Treatment:

Public sanitary sewer is available through Delaware County via a recently built line in Nelson Farms North approximately 600 feet to the southeast.

Open Space / Health:

Open Space requirement is 20% (4.01-acres). The applicant is proposing 38% (7.68 acres), or 31% (6.21 acres) excluding easements & ponds with acreage over 15%.

A multi-use path is shown along Liberty Road and along a portion of Hyatts Road that connects to the sidewalk within this development. There is also a sidewalk easement provided to the west to connect to a future path.

Divergences

No divergences are requested. However, the applicant is using the side yard setback of 20 feet (allowed for Cluster Housing) rather than 25 feet. The Zoning Resolution defines Cluster Housing as “concentrating dwelling on a part of the site to allow the remaining land to be used for recreation, common open space, and preservation of environmentally sensitive features.” Based on that definition, any Planned Residence development would comply, as opposed to a typical FR-1 subdivision where every parcel is a buildable parcel.

Staff notes that the shape of lots 16 and 17 create an awkward area of open space along the southern border of the site. Although this area is preserved with trees, staff recommends that the parcels extend to the southern border and that a tree preservation easement be placed along the property line. Any loss of open space can be mitigated by reducing the size of lot 16 (the largest in the development). Also, the shape and size of Open Space B to the east of the cul-de-sac may create a maintenance issue. Staff recommends making this area part of the buildable lots. At minimum, Lot 3 should have a horizontal southern property line.

Staff Comments

Staff supports the subdivision design as it protects the stream and wildlife corridor on site, provides adequate open space and screens the development from neighboring properties and the ROW, lots are clustered, sidewalks and trails are provided, and the development adheres to the Comprehensive Plan.

Staff Recommendation

Staff recommends **Conditional Approval** of the rezoning request by BJ Builders LLC. from FR-1 to PRD to the DCRPC, Liberty Twp. Zoning Commission and Liberty Twp. Trustees, *subject to*:

1. *Changing the shape of Lots 16 and 17 and Open Space B east of the cul-de-sac as noted in the report.*
-

47-24 ZON **Berkshire Lofts LLC – Berkshire Twp. – 4.65 acres – PMUD Article 16**

Request

The applicant, Berkshire Lofts LLC, is requesting the application of the standards of the PMUD Art. 16 Overlay for the 4.65-acre site known as Berkshire Commons.

Conditions

Location: west side of Rider Rd., west of S. Wilson Rd.

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

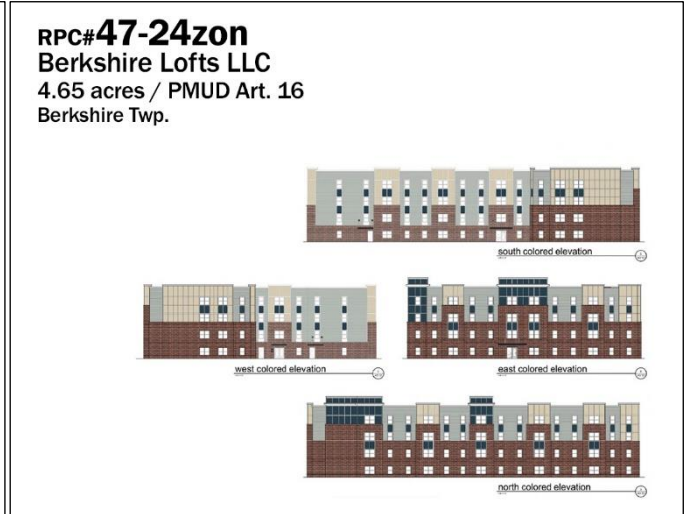
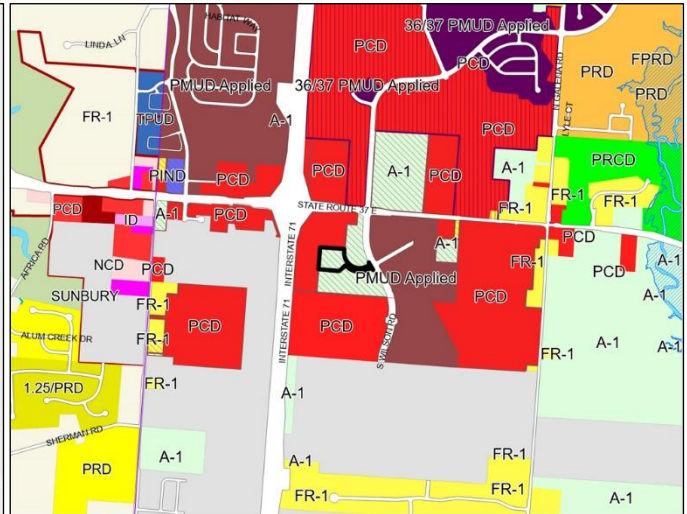
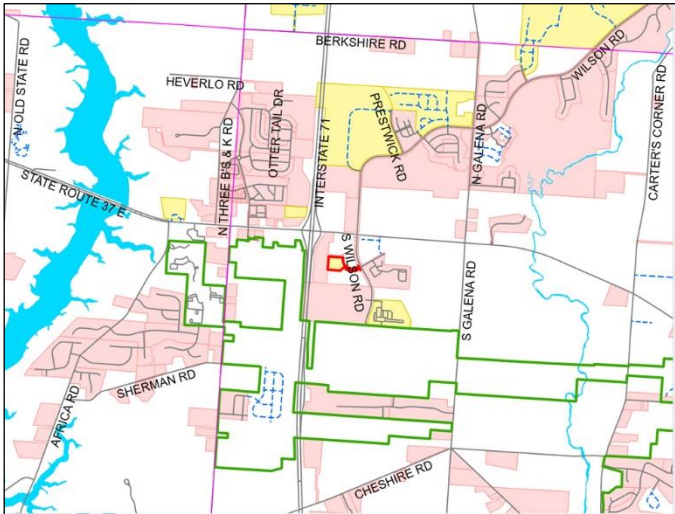
Present Use(s): vacant / **Proposed Use(s):** workforce housing

Existing Density: 1 du/5 acres **Proposed Density:** 12.47 du/acre

Number of units requested: 58

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

Critical Resources: High tension power lines / **Soils:** BeA, BeB, PwA, CaB



Staff Comments

The request is for adoption of the PMUD Art. 16 Overlay for the 4.65-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.

Project Overview

The Development Plan calls for a single, four-story building with 58 units, which will feature 15 one-bedroom units (704 SF), 31 two-bedroom units (902-911 SF), and 12 three-bedroom units (1,105 SF). This project is identified as workforce housing and will include 122 parking spaces, a stormwater basin, one monument sign, a pavilion with seating, full-time on-site management and offices, a community room, a fitness center and a playground. There is a high-voltage powerline that bisects the property from southeast to northwest, generally located over the parking area and open space.

The site will gain access from the Rider Road extension, which will be platted with this project. The DCEO indicated that the two access points as proposed must be revised as they are not permitted this close together. BST&G Fire District approved the secondary access to be Emergency Access only and be gated. There is a private drive that is owned by the Farrow North Harley-Davidson dealership that abuts this site to the north and west, which will not provide access to this property. The required open space is 30 percent (1.39-acres), with 68 percent (3.17-acres) provided. A landscape plan, lighting plan, and signage plan were submitted, all of which appear to comply with the overlay requirements. No divergences were requested.

Building Design: Although specific design standards are minimal in the PMUD overlay, there is language that notes “Buildings and structures shall be designed to enhance both areas within the development and surrounding areas, giving due regard to building footprints, building orientation, massing, roof shape, pitch and exterior materials.” The design indicates brick on the lower two levels and portions of the third. Fiber Cement panels complete the third floor and extend to the fourth. These materials are all included in the permitted materials list. However, the flat fronts and small horizontal soffits at the roofline appear more commercial than residential. Currently, the District at Berkshire and the Carlton are under construction to the east of this site, with pitched roofs and a more traditional residential design. Staff recommends the Zoning Commission and applicant discuss design options that will provide a more “harmonious development within the PMUD and those areas adjacent to it” as noted in the PMUD language.

Additionally, the proposed outdoor amenities appear to be lacking based on the potential number of residents on site. There is a ~630 sq. ft. playground with two benches and a small picnic shelter that is located at the western portion of the parking lot. There is a note on the plan that says to see plan sheet A1.30 for the pavilion (picnic shelter) details, however that sheet is not included with the submission. A shared use path should be considered that meanders throughout the open space and additional details regarding the picnic shelter should be submitted to the township.

The applicant indicated that if approved, construction could begin in March 2025 or sooner and be constructed in a single phase. Staff notes that 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 Berkshire Lofts LLC. for PMUD Article 16 to the DCRPC and Berkshire Twp. Zoning Commission; *subject to the following:*

1. *The driveway location be amended to the satisfaction of the DCEO.*

No vote is required for this application.

SUBDIVISION PROJECTS

Preliminary

16-24 The Courtyards at Big Walnut – Genoa Twp. - 80 lots / 60.31 acres

Conditions

Applicant: Epcon Communities / **Engineer:** EMH&T

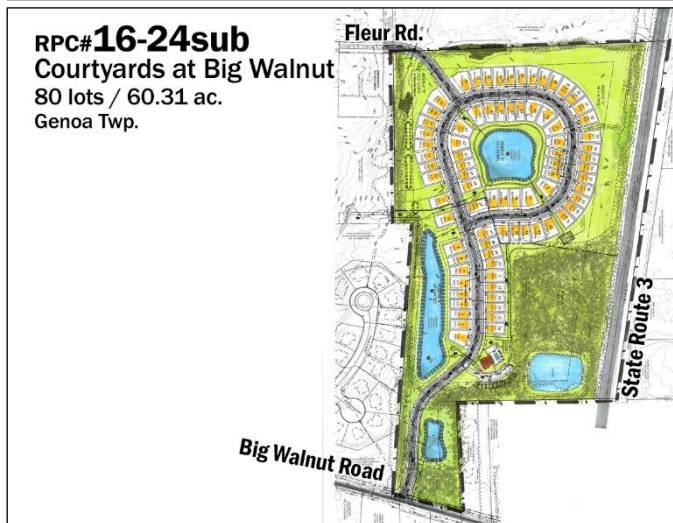
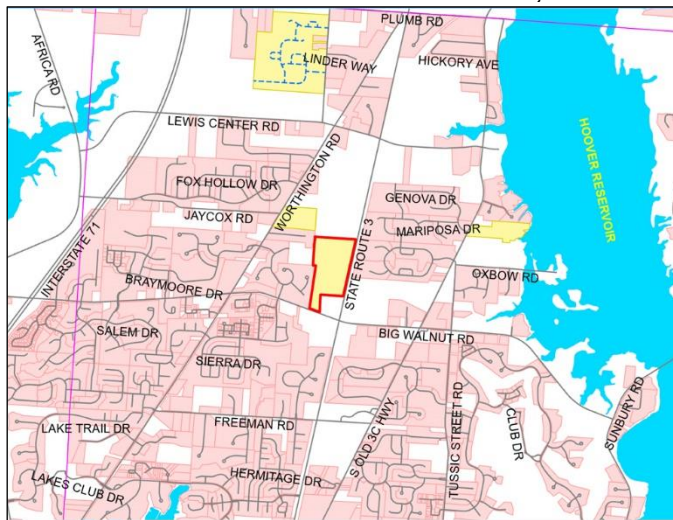
Subdivision Type: Single-Family Residential

Location: North side of Big Walnut Rd., west of State Route 3

Current Land Use: Vacant

Zoned: Rural Residential / **Zoning Approval:** PRD Pending

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



Staff Comments

The Courtyards at Big Walnut is a proposed residential development located on the north side of Big Walnut Rd., west of State Route 3. The development will include 80 single-family lots with assorted lot configurations that generally range from 50' wide by 120' deep to 73' wide by 123' deep. 62.1% (34.7-acres) of open space is provided. The development will gain access from Big Walnut Road and will include internal

public streets that loop around the northern portion of the site. A stub street is provided to the northwest that could potentially connect to Fleur Drive in the Jardin Estates subdivision if Fleur Road were extended. A 60' wide access easement is provided between lots 11 and 12 to the 13.72 acres to the west. There will be four stormwater ponds and amenities include a clubhouse, pool, pickleball courts, sidewalks on both sides of the streets, a 5-foot-wide path that meanders throughout the site, a 10-foot-wide path along Big Walnut Road, and a community garden. One monument-style sign will be located at the northeast corner of the entrance along Big Walnut Road. The site will be developed in two sections, with 21 lots and the clubhouse in Section 1 and 59 lots in Section 2.

A technical review was held on November 12, 2024, after which the applicant has addressed all of the required changes.

Staff Recommendation

Staff recommends *Conditional Preliminary Approval* of **The Courtyards at Big Walnut**, *subject to successfully rezoning to PRD through Genoa Township* to the DCRPC.

15-24 T **The Courtyards at Evans Farm – Orange Twp. - 17 lots / 62.8 acres**

Applicant: EC New Vision Ohio, LLC.

Engineer: Kimley-Horn

Request

The applicant is requesting a 30-day tabling of **The Courtyards at Evans Farm**.

Staff Recommendation

Staff recommends *Approval of the 30-day Table request* by **The Courtyards at Evans Farm** to the DCRPC.

Preliminary/Final

28-22 F-T Summer Crest Drive (revised) – Berlin Twp. - 10 lots / 17.854 acres

Conditions

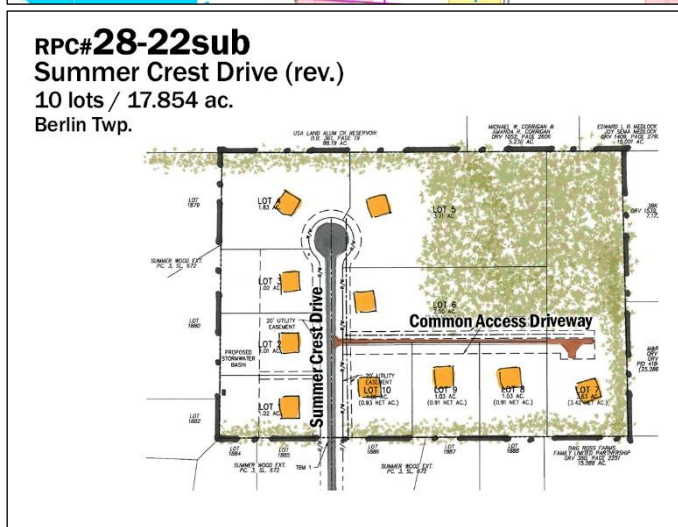
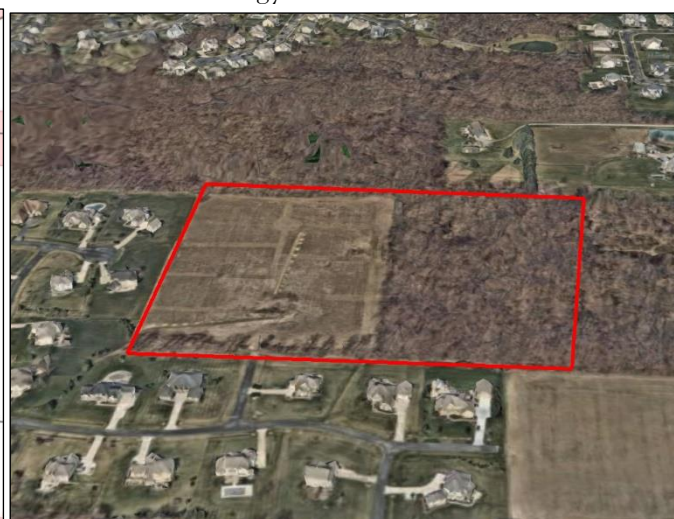
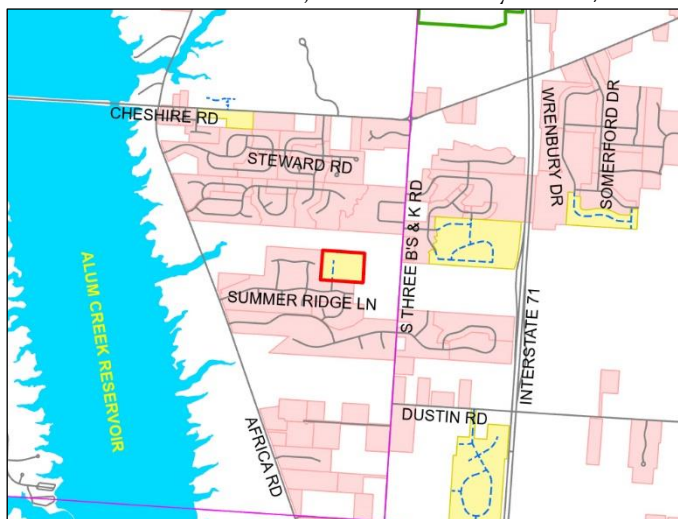
Applicant: N & M LLC. / **Consultant:** Plan 4 Land

Subdivision Type: Single Family Subdivision with a Common Access Drive

Location: North side of Summer Crest Drive, north of Summer Ridge Lane

Zoned: Farm Residential (FR-1)

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



Staff Comments

The Preliminary Plan for Summer Crest Drive subdivision was conditionally approved on November 17, 2022. However, the applicant has reconfigured the lots, requiring a new Preliminary Plan to be voted on by the RPC. This is still a 10 lot, single-family subdivision with five lots gaining access from a CAD. A stormwater pond crosses lots 1, 2, and 3, and outlets through a drainage easement to the southwest (Summerwood Extension subdivision). Two wetlands exist and will remain on lots 5 and 6, which will not be impacted by development. Lot sizes range from 1.01 to 3.71-acres and all FR-1 and general development

standards are met. This request was intended to be for a combined Preliminary Plan and Final Plat. However, the site has not been constructed to the satisfaction of the DCEO and the mylar has not been signed by all required agencies. Therefore, the applicant is requesting to table the Final Plat at this time.

The **Final Plat** was submitted for review and approval by the required deadline. However, construction and agreements were not in place and could not be signed by all agencies by the signature deadline. Staff is recommending a 30-day Tabling of the Final Plat to ensure these signatures can be secured.

Preliminary Plan - Staff Recommendation

Staff recommends *Preliminary Approval* of **Summer Crest Drive subdivision** to the DCRPC.

Final Plat - Staff Recommendation

Staff recommends *Approval of a 30-day Tabling* of **Summer Crest Drive subdivision** to the DCRPC.

OTHER BUSINESS

- Consideration for Approval: 2025 Budget
- Consideration for Approval: 2025 Meeting Schedule
- Consideration for Approval: Merit Compensation

The Executive Committee recommended approval of applying the Merit Compensation Policy for 2024 including compensating Mr. Sanders for his work on Planning Contracts in the amount of \$1,100. This action requires approval from the full Commission.

POLICY / EDUCATION DISCUSSION

RPC STAFF AND MEMBER NEWS

The next meeting of the Delaware County Regional Planning Commission will be Thursday, December 19, 2024, 6:00 PM at the Byxbe Campus Conference Room, 1610 State Route 521, Delaware, Ohio 43015.