

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, February 27, 2025 at 6:00 PM
Byxbe Campus Conference Room, 1610 State Route 521,
Delaware, Ohio 43015

ADMINISTRATIVE BUSINESS

- Call to order
- Roll Call
- Approval of January 30, 2025, RPC Minutes
- Executive Committee Minutes of February 19, 2025
- Statement of Policy

ZONING MAP/TEXT AMENDMENTS

04-25 ZON Jeremy and Summer Ortman – Berkshire Twp. – 2.05 acres – A-1 to FR-1
 05-25 ZON Maple Leaf Rentals Ltd. – Harlem Twp. – 5.228 acres – AR-1 to FR-1

SUBDIVISION PROJECTS

Preliminary/Final

		Township	Lots/Acres
18-24	Berkshire Lofts	Berkshire	1 lot / 6.061 acres

VARIANCE / EXTENSION

04-20.V	Slate Ridge Commercial – Emil’s Way Extension	Orange	2 lots / 13.43 acres
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OTHER BUSINESS

- Executive Committee member election

ADMINISTRATIVE BUSINESS

- **Call to Order**

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

- **Roll Call**

Representatives: David Weade, Stephen Serio, Ric Irvine, Duane Matlack, Gary Merrell, Tiffany Maag, Sarah Holt, Matt Shock, Joe Shafer, Mike Cannon, David Willyerd, Staci Hood, Robin Duffee, James Hatten, Dan Boysel, Herb Ligocki, Molly Drayer, Kent Manley, and Mike Dattilo. *Alternates:* Cheryl Friend, Levi Koehler, Mike Rogich, Will Ferguson, Ed Reely, Barry Bennet and Mike Endsley. *Staff:* Scott Sanders, Brad Fisher, Da-Wei Liou and Stephanie Matlack.

- **Approval of the RPC Minutes January 30, 2025**

Ms. Holt made a motion to Approve the January 30th minutes, seconded by Mr. Boysel. VOTE: Unanimously For, 0 Opposed. Motion carried.

- **February 19, 2025 Executive Committee Minutes**

A. Call to order

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

B. Approval of Executive Committee Minutes from January 22, 2025

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

C. New Business

1. Financial / Activity Reports for January

REGIONAL PLANNING RECEIPTS		January	YTD TOTAL
General Fees (Lot Split)	(4201)	\$410.00	\$410.00
Fees A (Site Review)	(4202)		
Insp. Fees (Lot Line Transfer)	(4203)	\$100.00	\$100.00
Membership Fees	(4204)	\$209,812.00	\$209,812.00
Planning Surcharge (Twp. Plan. Assist.)	(4205)	\$2,000.83	\$2,000.83
Assoc. Membership	(4206)		
General Sales	(4220)		
Charges for Serv. A (Prel. Appl.)	(4230)	\$35,160.00	\$35,160.00
Charges for Serv. B (Final. Appl.)	(4231)	\$13,580.00	\$13,580.00
Charges for Serv. C (Ext. Fee)	(4232)	\$600.00	\$600.00
Charges for Serv. D (Table Fee)	(4233)		
Charges for Serv. E (Appeal/Var.)	(4234)		
Charges for Serv. F (Planned District Zoning)	(4235)		
OTHER DEPT. RECEIPTS			

Health Dept. Fees	(4242)		
Soil & Water Fees	(4243)	\$600.00	\$600.00
Commissioner’s fees	(4244)	\$324.00	\$324.00
MISCELLANEOUS REVENUE			
Other Reimbursements	(4720)		
Other Reimbursements A	(4721)		
Other Misc. Revenue (GIS maps)	(4730)		
Misc. Non-Revenue Receipts	(4733)		
TOTAL RECEIPTS		\$262,586.83	\$262,586.83

Balance after receipts		\$1,277,558.21
Expenditures	-	\$ 42,688.88
End of January balance (carry forward)		\$1,234,869.33

Mr. Snodgrass 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 January

- a) Sketch Plans
- | | <u>Township</u> | <u>Lots/Acres</u> |
|-------------------------|-----------------|------------------------|
| • Seven Hills of Berlin | Berlin | 88 lots / 61.039 acres |

- b) Zoning Map / Text Amendments
- Jeremy & Summer Ortman - Berkshire Twp. - 2.05 acres - A-1 to FR-1
 - Maple Leaf Rentals Ltd. - Harlem Twp. - 5.228 acres - AR-1 to FR-1

- c) Subdivision Projects
- | | <u>Township</u> | <u>Lots/Acres</u> |
|---------------------|-----------------|---------------------|
| Preliminary / Final | | |
| • Berkshire Lofts | Berkshire | 1 lot / 6.061 acres |

Variance / Extension

- Slate Ridge Commercial - Emil’s Way Extension - Orange Twp. - requesting additional extension (Preliminary approval 2/27/20)

3. Director’s Report

Development Team Meetings

Hosted/scheduled by DCRPC, these meetings are generally quarterly and include RPC, DCEO, DCRSD, Building Safety, and Economic Development. Departments discuss project status throughout the County. **The regularly scheduled February meeting may be moved to March based on attendees’ availability.**

Transportation Advisory Committee

Hosted by MORPC, these are monthly in-person meetings. **Scott attended on February 5.**

Central Ohio GIS Users Group

Hosted by MORPC, these are hybrid meetings that occur quarterly. GIS tips, tools, projects, data, maps and apps are shared by various agencies. Staff attends occasionally. **Brad and Da-Wei will be attending on February 26th.**

Route 23 Connect – Active Transportation Study Stakeholder Workshop #1

This workshop was intended to plan for active improvements to the U.S. 23 corridor (typically pedestrian and non-auto) between I-270 and Waldo, aiming to provide safer and more efficient travel, including increased travel time reliability for through traffic. Attendees also considered different concepts that range in size and scope, and inform a future action plan that identifies specific projects that can be advanced into project development. There are four total workshops planned for 2025 (winter, summer, spring, and fall).

Brad attended this workshop on February 3.

DCRPC-Managed Projects

Harlem Township Zoning Resolution

Staff is working with the Zoning Commission on various updates in existing sections of the Zoning Resolution. **Met on February 24**

Liberty Township Comprehensive Plan

Plan was adopted by the Trustees on **February 10.**

Berkshire Township Zoning Project

Township is working with an external consultant to study certain parts of its Zoning Resolution. Staff is coordinating with consultant and providing GIS and background material. **Early draft submitted.**

Concord Township Comprehensive Plan Project

Scott attended an introductory meeting in late **January** and the first meeting on **February 5.**

Shawnee Hills Comprehensive Plan

Staff has been working on updating the 2016 Plan's background information over the last year. **Brad, along with the Village Engineer, MORPC, and DPHD attended a meeting to discuss applying for the AARP Challenge Grant. It was determined that a project for this grant would include new crosswalks and pedestrian infrastructure along Dublin Road. However, after further discussion with ODOT, these improvements would make more sense if used through ODOT's available grant programs. This project has been put on hold to allow for further discussions.**

Food System Capacity Building Project (contracted until September, 2025)

Collaboration between the Delaware Public Health District, DCRPC, the United Way of Delaware County, and the Delaware County Hunger Alliance (DCHA) to address food insecurity and promote healthy eating for residents within Delaware County. Staff has been contracted with Public Health for one year to complete this project, meeting with members of Public Health approximately twice a month and with the Steering Committee monthly. **Brad attended the first HA Taskforce meeting on February 4th and attended a Hunger Alliance Advisory Committee meeting on February 14th.**

Ashley is interested in updating their Comp Plan in 2025. Preliminary discussion in February.

Project-specific/other meetings

US 23 Connect: The Route 23 Connect Study focuses on improvements along the U.S. 23 corridor between I-270 and Waldo. This ODOT-led study is developing concepts which will be evaluated to determine an action plan for specific projects that can be developed. ODOT recently rolled out a complete [Action Plan](#) which can be accessed at the following link and looking for **Document – 2025 – U.S. 23 Corridor Action Plan**.
<https://publicinput.com/23connect>

EPA 208 Plan update: Discussion of the upcoming comment period for the update.

D. Adjourn

Having no further business, Mr. Snodgrass made a motion to Adjourn the meeting at 9:57 a.m. Ms. Maag seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

The next regular Executive Committee meeting will be Wednesday, March 19, 2025 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.

ZONING MAP/TEXT AMENDMENTS

04-25 ZON Jeremy and Summer Ortman – Berkshire Twp. – 2.05 acres – A-1 to FR-1

Request

The applicants, Jeremy and Summer Ortman, are requesting a 2.05-acre rezoning from A-1 to FR-1 to allow the lot to be split.

Conditions

Location: south side of Vans Valley Rd., east of Trenton Rd.

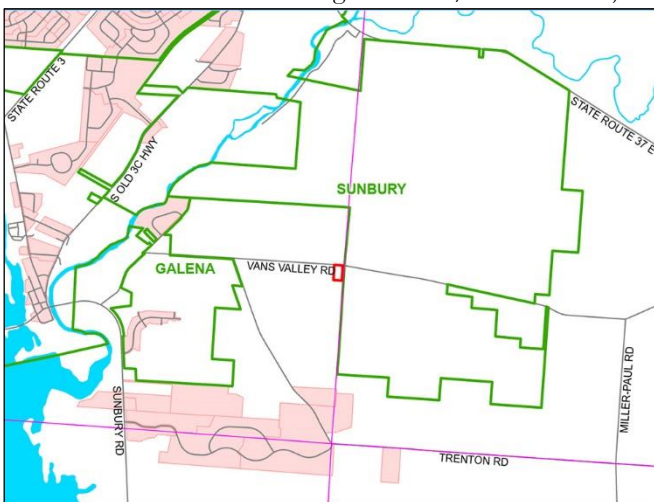
Present Zoning: Agricultural (A-1) / **Proposed Zoning:** Farm Residential (FR-1)

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

Existing Density: 1 du / 5 acres **Proposed Density:** 1 du / 1.95 acres

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

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



The request will allow for one new developable residential lot to be created through the “No Plat” process. The property is located on the south side of Vans Valley Rd., east of Trenton Rd. The 31-acre lot currently includes two barns.

The FR-1 district allows for one single-family dwelling on a lot not less than 1.95-acres in size. Based on the conceptual survey submitted, the proposed 2.045-acre lot will have 224.83 feet of frontage along Vans Valley Road, more than the required 175 feet for that lot size, and all applicable zoning requirements could be met. It's of note that the remainder lot may not have the required 300 feet of contiguous road frontage along Vans Valley Road (~ 256), but could be reviewed as a flag lot with over 60 feet of frontage or provide 300 feet of frontage along a future CAD if developed. There will also be a 38-foot residual strip to the east of the proposed 2.045-acre split, which may make more sense to include that land area with the area to be split. The two properties to the west were successfully rezoned to FR-1, along with other nearby residential lots.

Comprehensive Plan

Berkshire Township's 2017 Comprehensive Plan includes the site in Sub Area 8 and is generally recommended for single-family residential uses with a minimum 2-acre lot size when public sanitary sewer is not available. The request is supported by the Plan.

Issues

Access and Drainage must be reviewed and approved as part of the Development Plan process, prior to filing a Lot Split application with the DCRPC. There currently no access points off of Vans Valley Road, the site is generally flat and naturally drains to the southwest toward the existing drainage swale to the south.

Sanitary Treatment

The proposed lot will be served by on-site wastewater treatment systems as sanitary sewer is not yet available in this area. The Delaware County Public Health District must approve a system for this property if split.

Staff Recommendations

Staff recommends **Approval** of the rezoning request by Jeremy and Summer Ortman from A-1 to FR-1 to the DCRPC, Berkshire Twp. Zoning Commission and Berkshire Twp. Trustees.

Commission / Public Comments

No one was present to represent the applicant.

Mr. Matlack made a motion to recommend Approval of the rezoning request by Jeremy and Summer Ortman from A-1 to FR-1. Mr. Manley seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Berkshire Twp.). Motion carried.

05-25 ZON Maple Leaf Rentals Ltd. – Harlem Twp. – 5.228 acres – AR-1 to FR-1

Request

The applicant, Maple Leaf Rentals Ltd., is requesting a 5.228-acre rezoning from AR-1 to FR-1 to allow the rear acreage to be adjusted to the property to the northeast.

Conditions

Location: 5749 Harlem Rd., Galena

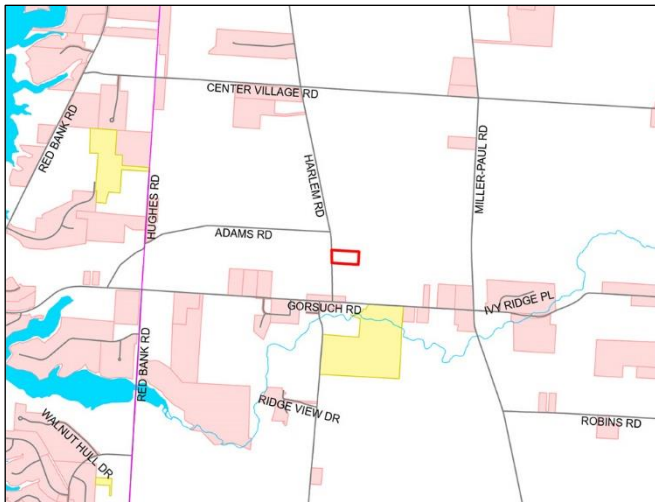
Present Zoning: Agricultural (AR-1) / **Proposed Zoning:** Farm Residential (FR-1)

Present Use(s): One single-family house / **Proposed Use(s):** Retain One single-family house/adjust acreage

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

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

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



Introduction

The applicant seeks to rezone a 5.228-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; road frontage for a lot 2 to 3 acres is 175 feet and a lot 3 to 4 acres is 210 feet. The property is currently developed with a single-family home, mobile home, and barn, with road frontage that totals 331.11 feet. Based on surrounding properties, any future split of this property that creates a new buildable lot would create a back-to-back flag lot, which is not permitted, as the northern and southern adjacent lots do not meet AR-1 road frontage requirements. However, the back acreage could be transferred to the adjacent lot and all zoning requirements would be met. If that is the intent, then the applicant could rezone only the frontage intended to be split with the current residence.

Comprehensive Plan

Harlem Township's 2021 Comprehensive Plan includes the site in Subarea B and 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.

Issues

Access and Drainage must be reviewed and approved as part of the Development Plan process, prior to filing a

Lot Split application with the DCRPC. There is currently one point of access to Harlem Road, the site is generally flat and there is roadside drainage that outlets to the field to the west of Harlem Road.

Sanitary Treatment

The site is served by an on-site wastewater treatment system. The Delaware County Public Health District must approve a secondary system if this property will be reduced in size.

Staff Recommendations

Staff recommends **Conditional Approval** of the rezoning request by Maple Leaf Rentals Ltd. from AR-1 to FR-1 to the DCRPC, Harlem Twp. Zoning Commission and Harlem Twp. Trustees, *subject to:*

1. *The applicant considering only rezoning the area intended to remain as a standalone residential lot.*

Commission / Public Comments

No one was present to represent the applicant.

*Ms. Holt made a motion to recommend **Conditional Approval** of the rezoning request by Maple Leaf Rentals Ltd. from AR-1 to FR-1, subject to staff recommendation #1. Mr. Manley seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Harlem Twp.). Motion carried.*

SUBDIVISION PROJECTS

Preliminary/Final

18-24 Berkshire Lofts – Berkshire Twp. – 1 lot / 6.061 acres

Conditions

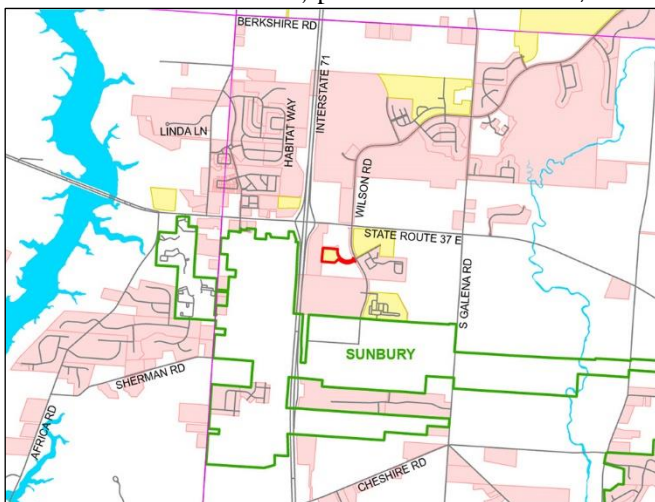
Applicant: Berkshire Commons / **Engineer:** Choice One Engineering

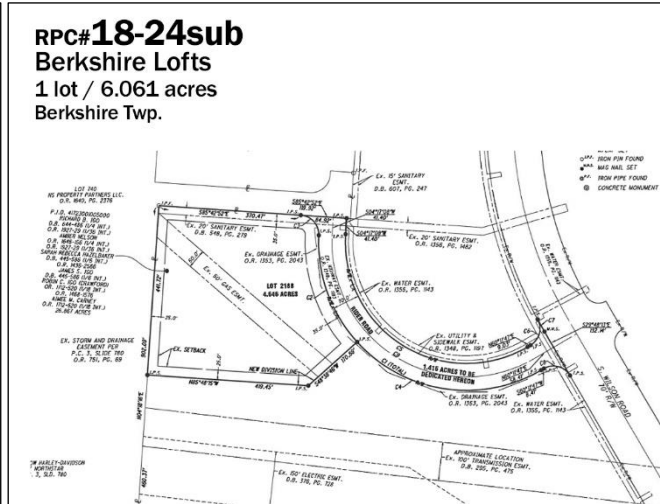
Subdivision Type: Planned Multi-Family Residential

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

Zoned: Planned Mixed Use Development (PMUD) / **Zoning Approval:** January 27, 2025

Utilities: Del-Co Water, public central sewer / **School District:** Big Walnut





Staff Comments

Berkshire Lofts is a multi-family residential subdivision to be built on a new 6.061-acre buildable lot that is currently vacant. The residual acreage will be 20.806 acres, also currently vacant, and abuts the Tanger Outlet property to the south and U.S. 36/S.R. 37 to the north. The site will gain access from Rider Road, with right-of-way being dedicated as part of this plat. PMUD zoning was approved by the township in January 2025, allowing for a four-story, 58-unit apartment building, parking lot, playground, and stormwater basin.

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 *Preliminary and Final Approval* of **Berkshire Lofts** to the DCRPC.

Commission / Public Comments

No one was present to represent the applicant.

Mr. Matlack made a motion for Preliminary and Final Approval of Berkshire Lofts. Mr. Irvine seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Berkshire Twp.). Motion carried.

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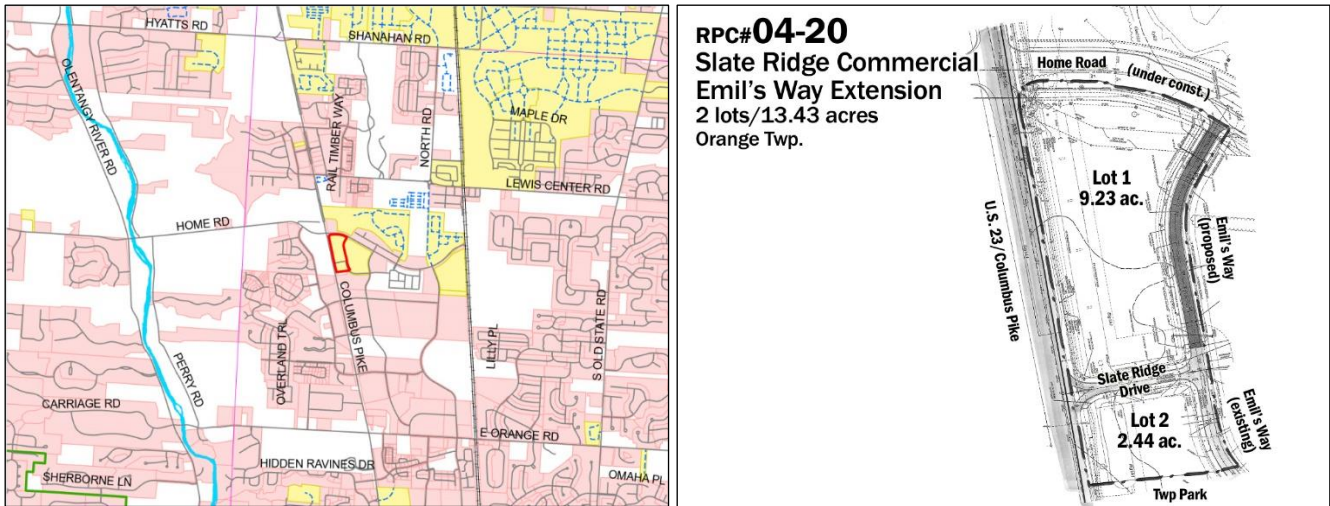
VARIANCE / EXTENSION

04-20.V **Slate Ridge Commercial – Emil’s Way Extension – Orange Twp. - 2 lots / 13.43 acres**

Applicant: Kerbler Farms, LLC. / **Engineer:** Kleingers

Preliminary approval: 02/27/20

Extensions: 03/31/22 – 02/28/23, 02/23/23 – 02/23/24 (via variance), 02/29/24 - 02/28/25 (via variance)



Request

The applicant, Kerbler Farms, LLC, is requesting their fourth Preliminary Plan extension, a one-year extension via Variance for Slate Ridge Commercial – Emil’s Way Extension. The site is located at the southeast corner of U.S. 23 and Home Road. The proposed development will connect the existing Emil’s Way to Home Road once the project is complete.

Facts

- 1) Section 204.04 of the Subdivision Regulations states that the Preliminary Plan shall expire if a complete Final Plat application for the first phase is not submitted within two (2) years of Preliminary Plan approval;
- 2) Slate Ridge Commercial – Emil’s Way received Preliminary approval on February 27, 2020;
- 3) The applicant received a one-year extension in March 2022 to February 2023;
- 4) The applicant received a one-year extension via variance in February 2023;
- 5) The applicant received a second one-year extension via variance in February 2024;
- 6) The applicant is requesting a fourth extension via Variance for 1 year; and
- 7) All improvements have been made and the project is in the maintenance period.

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: "We would like to formally request a variance from Sections 102.03 & 204.04 of the Subdivision Regulations for the above referenced project. The reason for the variance is to extend this project an additional year from its current expiration date of Feb 2025. This is needed due to delays in project commencement as well as DCEO advisement to record Final Plat only after construction has been completed and accepted. Please note that construction is slated to be completed in the first quarter of 2025."

Staff comments: Staff notes that the Slate Ridge Commercial – Emil's Way Extension subdivision will make the final connection between Emil's Way and Home Road if platted. This road connection will only impact the applicant's property and no reviewing agencies have any concerns with the request; therefore, the variance and a 1-year extension request will not be detrimental to the community. The entire site has been graded, with drainage infrastructure and roadway improvements complete. Zoned Planned Commercial since 2013, additional commercial space will be made available once the project is recorded.

Staff Recommendation

DCRPC staff recommends that based on the Findings of Fact under Criteria for a Variance above, the variance request from Sec. 102.03 & 204.04 and a one-year extension for **Slate Ridge Commercial – Emil's Way** be *Approved*.

Commission / Public Comments

No one was present to represent the applicant.

Mr. Weade asked what would happen if the request was denied. Mr. Sanders explained that the applicant would have to reapply with preliminary application fees.

There was some discussion as to why the platting hadn't moved forward. Mr. Sanders explained that the improvements are in place and questioned whether the delay was financial.

Mr. Matlack made a motion for Conditional Approval of the Variance request and a one-year extension, subject to the applicant understanding that this would be the last extension granted. Mr. Irvine seconded the motion. VOTE: Majority For, 1 Opposed (Berkshire Twp.). Motion carried.

OTHER BUSINESS

- Executive Committee member election

Mr. Shafer explained that the current Executive Committee members were happy to continue for another year. No other members contacted staff or the Chairman with interest in serving.

Mr. Irvine made a motion to elect the current members to serve another year on the Executive Committee. Members include Joe Shafer, Ed Snodgrass, Robin Duffee, and Tiffany Maag. Mr. Boysel seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

Having no further business, Mr. Boysel made a motion to adjourn the meeting at 6:25 p.m. Mr. Manley seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

The next meeting of the Delaware County Regional Planning Commission will be Thursday, March 27, 2025, 6:00 PM at the Byxbe Campus Conference Room, 1610 State Route 521, Delaware, Ohio 43015.

Joe Shafer, Chairman

Stephanie Matlack, Executive Administrative Assistant