

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, March 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 February 27, 2025 RPC Minutes
- Executive Committee Minutes of March 19, 2025
- Statement of Policy

CONSENT AGENDA (Final Plats)

		Township	Lots/Acres
33-19.5	Berlin Farm West, Section 5	Berlin	35 lots / 21.277 acres
10-23	Marigold	Orange	2 lots / 39.45 acres

ZONING MAP/TEXT AMENDMENTS

- 06-25 ZON T Derrick and Lorraine Neff – Harlem Twp. – 5.130 acres – AR-1 to PCD
 - 07-25 ZON Harlem Twp. Zoning Comm. – expanded boundary of CLR-C overlay district
 - 08-25 ZON Troy Twp. Zoning Comm. – Zoning Resolution amendments – Wedding or Event Venues
- T-Tabled*

VARIANCE / EXTENSION

- 17-21.V Homewood Corp. – Hidden Creek Sec.'s 2-4 – Berkshire Twp. – requesting additional extension

SUBDIVISION PROJECTS

		Township	Lots/Acres
<u>Preliminary</u>			
05-25	The Nest at Hoover (fka ASMRE Holdings Old 3C Hwy CAD)	Genoa	4 lots / 22.02 acres

ADMINISTRATIVE BUSINESS

- **Call to Order**

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

- **Roll Call**

Representatives: David Weade, Stephen Serio, Duane Matlack, Gary Merrell, Mike Benedetti, Sarah Holt, Matt Shock, Joe Shafer, David Willyerd, Jeffrey Warner, Robin Duffee, James Hatten, Ed Snodgrass, Dan Boysel, Herb Ligocki, Josh Vidor, Molly Drayer, Kent Manley, Mike Dattilo and Doug Price. *Alternates:* Dean Mosier, Ken O’Brien, Jeff Gibbs, David Setzer and Will Ferguson. *Staff:* Scott Sanders, Brad Fisher, Da-Wei Liou and Stephanie Matlack.

- **Approval of the RPC Minutes February 27, 2025**

Mr. Matlack made a motion to Approve the minutes from February 27th. Mr. Manley seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

- **March 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 and Ed Snodgrass. Absent: Gary Merrell and Tiffany Maag. Staff: Scott Sanders and Stephanie Matlack.

B. Approval of Executive Committee Minutes from February 19, 2025

Mr. Snodgrass made a motion to Approve the minutes as presented. Mr. Duffee seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

C. Position Elections

Position elections was postponed until April 16th.

D. New Business

1. Financial / Activity Reports for February

REGIONAL PLANNING RECEIPTS		February	YTD TOTAL
General Fees (Lot Split)	(4201)	\$1,025.00	\$1,435.00
Fees A (Site Review)	(4202)	\$400.00	\$400.00
Insp. Fees (Lot Line Transfer)	(4203)	\$500.00	\$600.00
Membership Fees	(4204)	\$65,650.25	\$275,462.25
Planning Surcharge (Twp. Plan. Assist.)	(4205)	\$867.43	\$2,868.26
Assoc. Membership	(4206)		
General Sales	(4220)		
Charges for Serv. A (Prel. Appl.)	(4230)	\$1,011.06	\$36,171.06
Charges for Serv. B (Final. Appl.)	(4231)		\$13,580.00
Charges for Serv. C (Ext. Fee)	(4232)	\$300.00	\$900.00
Charges for Serv. D (Table Fee)	(4233)		
Charges for Serv. E (Appeal/Var.)	(4234)	\$1,511.06	\$1,511.06

Charges for Serv. F (Planned District Zoning)	(4235)		
OTHER DEPT. RECEIPTS			
Health Dept. Fees	(4242)		
Soil & Water Fees	(4243)	\$400.00	\$1,000.00
Commissioner's fees	(4244)	\$3.00	\$327.00
MISCELLANEOUS REVENUE			
Other Reimbursements	(4720)		
Other Reimbursements A	(4721)		
Other Misc. Revenue (GIS maps)	(4730)		
Misc. Non-Revenue Receipts	(4733)		
TOTAL RECEIPTS		\$71,667.80	\$334,254.63

Balance after receipts	\$1,306,537.13
Expenditures	- \$ 50,166.11
End of February balance (carry forward)	\$1,256,371.02

2. RPC Preliminary Agenda March

- a) Sketch Plans
- | | <u>Township</u> | <u>Lots/Acres</u> |
|---------------|-----------------|----------------------|
| • Cedar Ridge | Concord | 63 lots / 42.8 acres |
| • Lane Road | Porter | 4 lots / 9.292 acres |

- b) Zoning Map / Text Amendments
- Derrick and Lorraina Neff – Harlem Twp. – 5.130 acres – AR-1 to PCD
 - Harlem Twp. Zoning Comm. – expanded boundary of CLR-C overlay district
 - Harlem Twp. Zoning Comm. – add parcels to CLR-C overlay District

- c) Subdivision Projects
- | | <u>Township</u> | <u>Lots/Acres</u> |
|---------------------------------|-----------------|------------------------|
| Preliminary | | |
| • ASMRE Holdings Old 3C Hwy CAD | Genoa | 4 lots / 22.02 acres |
| Final | | |
| • Berlin Farm West, Section 5 | Berlin | 35 lots / 21.277 acres |
| • Marigold | Orange | 2 lots / 39.45 acres |

Variance / Extension

- Homewood Corp. – Hidden Creek Sec.'s 2-4 – Berkshire Twp. – requesting additional extension

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 next scheduled meeting is today (March 19th).**

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

A group of agency directors, organizations, businesses, and residents representing multiple sectors of the county that assesses the health of the community and will develop an action plan to improve population health and drive policies, systems, and environmental change. The Collaborative acts as a subcommittee and is responsible for four strategies that fall within the Health Behaviors priority area of the 2023-2028 Health Improvement Plan. **Brad attended the Q1 meeting on March 6th.**

Delaware County Housing Alliance (Affordable Housing)

Hosted by United Way, this effort includes **Task Force main group** meetings and a **Land Use and Zoning subcommittee**, both of which staff is involved with. This is an immediate-term effort (with long-term ongoing activities) that seek various tools to increase access and opportunities for affordable housing. Many social service agencies are involved. The effort included an initial study by a national consultant and information can be found at www.delcohousing4all.org. **Scott attended on March 11.**

Transportation Advisory Committee

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

DCRPC-Managed Projects

Concord Township Comprehensive Plan

Staff is working on an update to the township's Comprehensive Plan. **Next meeting is April 2.**

Harlem Township Zoning Resolution

Staff is working with the Zoning Commission on various updates in existing sections of the Zoning Resolution. **Next meeting is March 24.**

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 information and background material. **Final draft will be complete soon.**

Shawnee Hills Comprehensive Plan

Staff has been working on updating the 2016 Plan's background information over the last year. **The Plan should be completed within the next few months.**

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 Hunger Alliance meeting on March 14th and is starting to create a Food System Story Map.**

Project-specific/other meetings

Sunbury Parkway: ODOT completed an Environmental Assessment Reevaluation in February, 2025 and will update the construction phasing schedule if needed. <https://PublicInput.com/SunburyParkway>.

US 23 Connect: The U.S. 23 Corridor Action Plan was completed in January, 2025. It explains the outcome of the 2024 Preliminary Feasibility Study and details the proposed improvement areas.

<https://publicinput.com/23connect>

Ohio Township Association

Brad attended the March 18th virtual Zoning Roundtable meeting and the Active Transportation Basics and Funding webinar.

E. Other Business

1. The Committee discussed the possibility of having the monthly RPC meetings available online for members that could not attend in person and what that would entail. The Committee agreed that since there currently doesn't seem to be an issue with quorum and with the limited available staff to ensure the live feed was monitored, it was not something the Committee wanted to pursue. If, at a later time, the need became more apparent, staff could look into a paid service for a protected live stream.

F. Adjourn

Having to further business, Mr. Snodgrass made a motion to adjourn the meeting at 10:13 a.m. Mr. Duffee seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

The next regular Executive Committee meeting will be Wednesday, April 16, 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.

CONSENT AGENDA (Final Plats)

33-19.5 Berlin Farm West, Section 5 – Berlin Twp. – 35 lots / 21.277 acres

Conditions

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

Subdivision Type: Planned Single Family Residential

Location: north of Berlin State Rd., east of the railroad

Zoned: R-3/PRD / **Preliminary Approval:** June 30, 2022

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

Staff Comments

Berlin Farm West, Section 5 will extend off of Sections two and three and includes 35 buildable lots and 9.521-acres of open space. Final Plats for Sections 6, 8 and 10 are currently under review. 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 5** to the DCRPC.

Commission / Public Comments

Mr. Price made a motion for Final Approval of Berlin Farm West, Section 5. Mr. Boysel seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Berkshire Twp.). Motion carried.

10-23 Marigold (fka Aldeia) – Orange Twp. – 2 lots / 39.45 acres

Conditions

Applicant: Onyx & East / **Engineer:** Kimley Horn

Subdivision Type: Multi-Family (condos)

Location: South of Lewis Center Rd., east of the future Green Meadows Drive extension

Zoned: Single-Family Planned Residential District (SFPRD)

Preliminary Approval: March 28, 2024

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

Staff Comments

Marigold is a residential subdivision with 117 single-family condominium units. For the purposes of this plat, the RPC is reviewing two large lots and the dedication of new right-of-way for Green Meadows Drive. The development of the individual condominium units is exempt from platting requirements. The development will provide garage access from alleys, 21 acres of open space, extend Green Meadows Drive, sidewalks, playground, pavilion, dog park, cluster mailbox and multi-use path.

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 **Marigold** to the DCRPC.

Commission / Public Comments

Mr. Price made a motion for Final Approval of Marigold. Mr. Boysel seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Berkshire Twp.). Motion carried.

ZONING MAP/TEXT AMENDMENTS

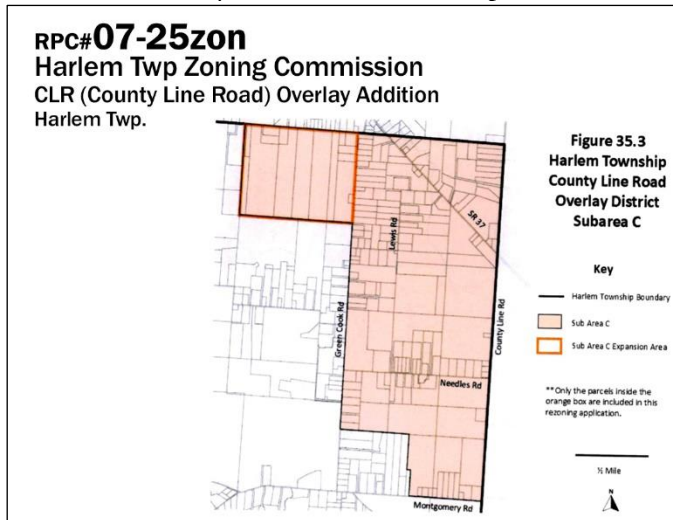
06-25 ZON T Derrick and Lorraina Neff – Harlem Twp. – 5.130 acres – AR-1 to PCD

The applicants have requested to table their application with the Township until after the April RPC meeting.

07-25 ZON Harlem Twp. Zoning Comm. – expanded boundary of CLR-C overlay district

Request

On 02/03/25, the Harlem Township Zoning Commission initiated an amendment to the Harlem Township Zoning Resolution that will add 16 parcels to the County Line Road (CLR) Overlay District, Subarea C, approved September, 2023. This amendment will add approximately 350 acres to this overlay; the majority of which is currently zoned A-1 with two parcels zoned FR-1.



Summary

The CLR Overlay was added to the Zoning Resolution in October 2023, and the Township has determined that this additional acreage will benefit from the CLR overlay. Staff notes that almost all of this additional land is active agricultural fields, as well as nine single-family homes and a drainage path that travels west. Based on the CLR development standards, there are approximately 35-acres of woods and the drainage course that may be preserved to protect wildlife habitats and native vegetation.

The CLR-C overlay includes a number of permitted uses, including Advanced Manufacturing, Biotechnology, Commercial Recreation, Data Processing, Contracting Offices, Daycare Centers, Equipment Repair, Flex-Office Laboratories and Warehouses, Hotels and Motels, Logistics, Manufacturing, Research and Development, and Educational Facilities. Attached dwelling unit projects (common wall, multi-family, row houses, and townhomes) are also permitted at a maximum density of 8 units per net developable acre. Minimum tract size for application is 25 acres and Open Space of at least 20% is required per project.

Staff Recommendation

Staff recommends *Approval* of the amendments to the Harlem Township Zoning Resolution and map, to the

DCRPC, Harlem Twp. Zoning Commission and Harlem Twp. Trustees.

Commission / Public Comments

Mr. Merrell made a motion to recommend Approval of the amendments to the Harlem Township Zoning Resolution and map. Mr. Matlack seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

08-25 ZON Troy Twp. Zoning Comm. – Zoning Resolution amendments - Wedding or Event Venue

Request

The following are the proposed changes to the Zoning Code.

- **FR-1, Section 8.03 (O):** “Wedding or Event Venue must be a minimum of 20 acres and must be accepted and approved as Ag-tourism by the Ohio Department of Agriculture regulations.”
- **Definitions:** “Wedding Venue is a physical location where a wedding ceremony and/or reception takes place. Event Venue is a physical space designed to host various events.”
- **Sign Requirements:** “The display area of any one surface does not exceed fifty square feet.”

Staff Comments

Staff agrees that Wedding and Special Event Venues should be addressed in the Zoning Resolution. However, it may be more suitable as a Conditional Use in the FR-1 district and potentially a permitted use in the Planned Commercial and Office (PCD) district. With respect to the reference to “Ag-tourism” (common term is Agritourism), it would be up to the property owner/applicant to confirm and provide the evidence for such. The Commission or Trustees should determine whether wedding and event venues would be acceptable without requiring that they also qualify as agritourism. A wedding venue is not necessarily going to qualify as Agritourism although the language appears to require it. Whether treated as Conditional Use or as a permitted use within the PCD (or both), the following conditions should be considered:

1. Minimum setbacks;
2. Hours of operation;
3. Number of employees;
4. Special lighting standards;
5. Sign locations;
6. Wastewater treatment requirements;
7. Building height limitations; and
8. Driveway location.

Staff Recommendation

Staff recommends *Denial* of the amendments to the Troy Township Zoning Resolution, to the DCRPC, Troy Twp. Zoning Commission and Troy Twp. Trustees. *Staff supports addressing the issue of Wedding and Event Venues and recommends additional work on such language based on Staff comments within this report.*

Commission / Public Comments

Ms. Holt suggested adding language regarding noise, music, traffic, screening and buffering to the list of items

the Township should also consider.

Mr. Manley made a motion to recommend Denial of the amendments to the Troy Township Zoning Resolution based on Staff recommendation. Mr. Weade seconded the motion. VOTE: Majority For Denial, 0 Opposed, 1 Abstained (Troy Twp.). Motion carried.

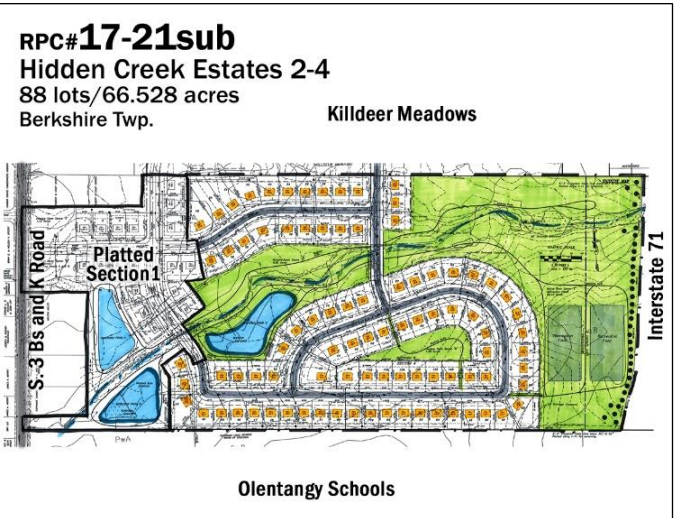
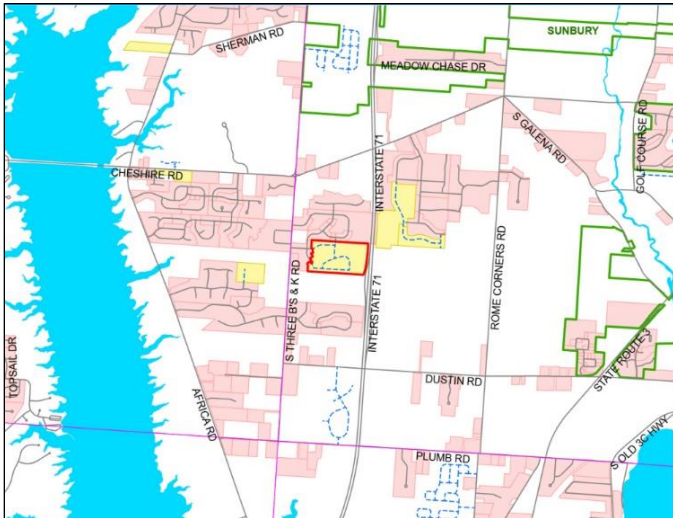
VARIANCE / EXTENSION

17-21.V **Homewood Corp. – Hidden Creek Estates Sec.’s 2-4 – Berkshire Twp. – req. add’l extension**

Applicant: Homewood Corp. / **Engineer:** Verdantas

Preliminary approval: 05/27/21

Extensions: 05/25/23 – 05/25/24, 02/29/24 – 05/25/25



Request

The applicant, Homewood Corp., is requesting a Variance for a one-year extension of the Preliminary Plan approval of Hidden Creek Estates Sections 2-4. The site is located on the east side of South 3 Bs & K Rd.,

south of Cheshire Rd.

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) Hidden Creek Estates Sections 2-4 received Preliminary approval on May 27, 2021;
- 3) The applicant received a one-year extension in May 2023 – May 2024;
- 4) The applicant received a second extension via Variance for 1 year to expire May 2025; and
- 5) The applicant is requesting a third 1-year extension via Variance.

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 shall not be 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: “Construction of the development is ongoing and we are out of lots in Section 1. We now have a signed contract for sections 2, 3, and 4 and will be moving forward with the final engineering plans as soon as this extension is granted. There were multiple issues that held back the final engineering for these sections, those issues are remedied and everything is on track for this project to move forward.”

Staff comments: Section 1 of this development was platted in 2007; however, no improvements were made to the development site prior to 2024. The Delaware County Engineer's office approved the final engineering plans for Section 1 with construction substantially complete. DCEO has approved the preliminary engineering for Sections 2-4. Being that no reviewing agencies have any concerns with the variance request, and Sections 2-4 will make roadway and pedestrian connections to the Killdeer Meadows residential development to the north and a pedestrian connection to Johnnycake Elementary School, staff is in support of the request.

If approved, the extension would be valid to May, 2026.

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 **Hidden Creek Estates Sections 2-4** be *Approved*.

Commission / Public Comments

Construction manager and design Engineer, Mr. Jim Watkins with Verdantas (1515 West Main Street, Newark, Ohio) was sworn in to represent the applicant. He stated that they are aggressively moving forward and making great progress on Section 1. They have moved 18,000 yards [of dirt] in Section 2 in preparation for this development.

Chairman Shafer stated that he had significant concerns when he first heard of the request at Executive Committee. He appreciated the verification from staff on the progress of the development, and paving in Sec. 1.

Mr. O'Brien asked if they are moving dirt and preparing the land, why can't they come in with a final plat within the time frame. Mr. Watkins stated that final engineering is underway but has not been approved by the County Engineer yet. He stated that the slowdown in the economy played a part but then there has been significant turnover in the company and three developers have left in the past 18 months. His company is working hard to get this project completed. Mr. Sanders stated that the current approvals started in 2021.

Mr. Price questioned if there were any issues with zoning due to the length of time this project is taking to complete. Mr. Weade stated that the preliminary zoning plan expired and they will have to follow the new regulations. There are a few minor changes that will need addressed but it's feasible.

Mr. O'Brien stated that the Commission should look at modifying the rules if they aren't going to enforce them. Mr. Shafer agrees that if the Commission continues to see these types of requests, then maybe the regulations need to be modified.

Mr. Shock stated that based on what he has seen (since December) it seems like whenever there is positive movement on the project, we seem to be willing to work with the applicant. He agrees that if improvements as started and progressing, that is a factor to weigh in along with a hard stop (May 2026) that if they don't show more improvement.

Ms. Holt motioned 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 Hidden Creek Estates Sections 2-4 be Approved, Mr. Duffee seconded the motion. VOTE: Majority For, 1 Opposed (Berlin Twp.), 1 Abstained (Berkshire Twp.). Motion carried.

SUBDIVISION PROJECTS

Preliminary

05-25 **The Nest at Hoover** (fka ASMRE Holdings Old 3C Hwy CAD) – Genoa Twp. - 4 lots / 22.02 acres

Conditions

Applicant: ASMRE Holdings LLC. / **Engineer:** Brack Engineering

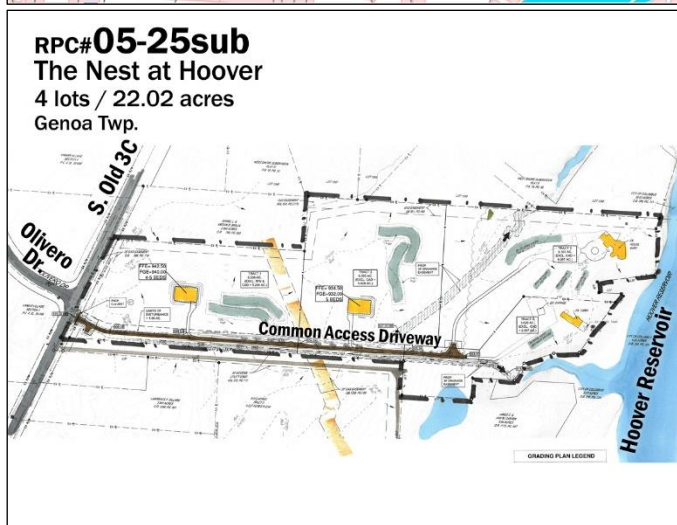
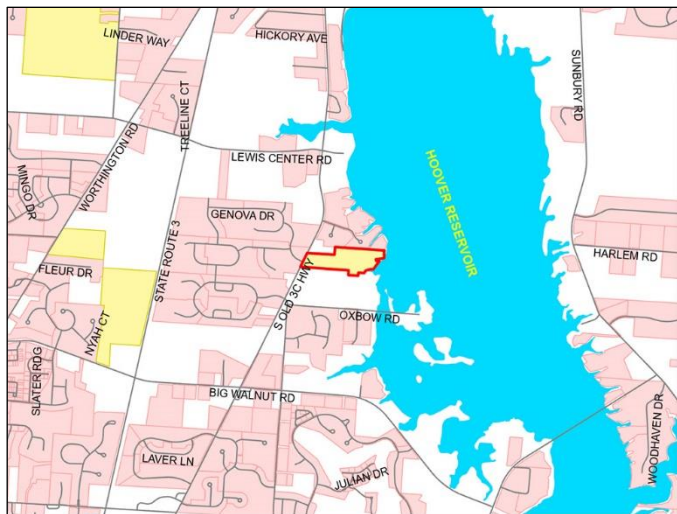
Subdivision Type: Single-Family Residential, CAD

Location: east side of Old 3C Hwy., south of Olivero Dr.

Current Land Use: residential

Zoned: Rural Residential / **Zoning Approval:** January 6, 2025

Utilities: Del-Co water and On-site wastewater / **School District:** Big Walnut



Staff Comments

The Nest at Hoover is a four lot CAD subdivision that will gain access off of South Old 3C Highway. Tract one includes three old barns that will remain, tracts three and four are already developed with single-family homes, and all lots will be served by on-site wastewater treatment systems. The site naturally drains northeast

toward an existing drainage path, which outlets to the Hoover Reservoir. All surrounding properties are zoned Rural Residential District (RR) and all but one lot are developed with single-family homes. The West Shore subdivision borders this development to the north.

A technical review was held on March 18, 2025, after which the applicant has addressed most of the required changes.

Staff Recommendation

Staff recommends Conditional Preliminary Approval of **The Nest at Hoover CAD** to the DCRPC, subject to moving the CAD access point closer to the intersection with Olivero Drive.

Commission / Public Comments

Mr. Pat Shively was present to answer questions from the Commission.

Mr. Price made a motion for Conditional Preliminary Approval of The Nest at Hoover CAD, subject to moving the CAD access point closer to the intersection with Olivero Drive. Mr. Manley seconded the motion. VOTE: Majority For, 1 Opposed (Berkshire Twp.), 1 Abstained (Genoa Twp.). Motion carried.

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

The next meeting of the Delaware County Regional Planning Commission will be Thursday, April 24, 2025, 6:00 PM at the Byxbe Campus Conference Room, 1610 State Route 521, Delaware, Ohio 43015.