

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, July 31, 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 June 26, 2025 RPC Minutes
- Executive Committee Minutes of July 23, 2025
- Statement of Policy

CONSENT AGENDA (Final Plats)

		Township	Lots/Acres
16-23.2	Northstar Ivy Wood, Section 2	Berkshire	102 lots / 32.993 acres
13-24.1.A	Del Webb Northstar, Section 1, Phase A	Kingston	60 lots / 39.617 acres
13-24.1.B	Del Webb Northstar, Section 1, Phase B	Kingston	94 lots / 29.954 acres

ZONING MAP/TEXT AMENDMENTS

20-25 ZON	Bondada Technologies Corp. - Orange Twp. - 9.156 acres - FR-1 to PC
21-25 ZON	Megan Kleinenkiser - Harlem Twp. - 5.373 acres - AR-1 to FR-1
22-25 ZON	Christopher & Misty Leigh Murfield - Harlem Twp. - 5.38 acres - AR-1 to FR-1
23-25 ZON	Raymond Kiser - Harlem Twp. - 6.306 acres - AR-1 to FR-1
24-25 ZON	Kass Corp. - Berkshire Twp. - 1.378 acres - PCD to PMUD Art. 16
25-25 ZON	Kimberly & David Conrad - Berlin Twp. - 1.0 acres - FR-1 to PCD

VARIANCE

05-25.V	ASMRE Holdings, LLC. - The Nest at Hoover CAD - Genoa Twp. - Sec. 306.02
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SUBDIVISION PROJECTS

		Township	Lots/Acres
<u>Preliminary</u>			
05-25	The Nest at Hoover CAD (Revised)	Genoa	5 lots / 22.02 acres

Preliminary / Final

01-25	Mercedes Benz Berkshire	Berkshire	1 lot / 13.579 acres
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POLICY / EDUCATION DISCUSSION

- Subdivision Regulation amendments hearing - August 28, 2025

ADMINISTRATIVE BUSINESS

▪ Call to Order

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

▪ Roll Call

Representatives: David Weade, Meghan Raehll, Stephen Serio, Ric Irvine, Duane Matlack, Gary Merrell, Glynnis Dunfee, Mike Benedetti, Sarah Holt, Matt Shock, Joe Shafer, Mike Cannon, David Willyerd, Jeffrey Warner, Robin Duffee, Joe Proemm, Ed Snodgrass, Molly Drayer, Mike Dattilo, and Doug Price. *Alternates:* Dean Mosier, David Setzer, and Chad Green. *Staff:* Scott Sanders, Brad Fisher, Da-Wei Liou, and Stephanie Matlack.

▪ Approval of the RPC Minutes June 26, 2025

Ms. Holt made a motion to Approve the minutes from the June meeting, seconded by Mr. Shock. VOTE: Unanimously For, 0 Opposed. Motion carried.

▪ July 23, 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, Gary Merrell and Ed Snodgrass. Staff: Brad Fisher and Stephanie Matlack.

B. Approval of Executive Committee Minutes from June 18, 2025

Ms. Maag made a motion to Approve the minutes from the June 18th meeting, seconded by Mr. Duffee. VOTE: Unanimously For, 0 Opposed. Motion carried.

C. New Business

1. Financial / Activity Reports for June

REGIONAL PLANNING RECEIPTS		June	YTD TOTAL
General Fees (Lot Split)	(4201)	\$615.00	\$6,970.00
Fees A (Site Review)	(4202)	\$800.00	\$2,800.00
Insp. Fees (Lot Line Transfer)	(4203)		\$1,700.00
Membership Fees	(4204)		\$280,876.25
Planning Surcharge (Twp. Plan. Assist.)	(4205)	\$3,416.20	\$9,306.19
Assoc. Membership	(4206)		
General Sales	(4220)		
Charges for Serv. A (Prel. Appl.)	(4230)	\$2,300.00	\$55,631.06
Charges for Serv. B (Final. Appl.)	(4231)	\$5,230.00	\$39,631.71
Charges for Serv. C (Ext. Fee)	(4232)	\$300.00	\$2,100.00
Charges for Serv. D (Table Fee)	(4233)		
Charges for Serv. E (Appeal/Var.)	(4234)	\$500.00	\$3,011.06
Charges for Serv. F (Planned District Zoning)	(4235)	\$500.00	\$1,500.00
Charges for Serv. G. (Easement/Plat Vacation)			\$500.00

OTHER DEPT. RECEIPTS			
Health Dept. Fees	(4242)	\$625.00	\$1,625.00
Soil & Water Fees	(4243)	\$800.00	\$3,200.00
Commissioner's fees	(4244)	\$129.00	\$1,011.00
MISCELLANEOUS REVENUE			
Other Reimbursements	(4720)		
Other Reimbursements A	(4721)		
Other Misc. Revenue (GIS maps)	(4730)		
Misc. Non-Revenue Receipts	(4733)		
TOTAL RECEIPTS		\$15,215.20	\$409,862.27

Balance after receipts	\$1,190,928.12
Expenditures	<u>\$ 39,918.09</u>
End of June balance (carry forward)	\$1,151,010.03

Overall statistics:

- **End of June** (50% through the year)
- **Membership fees:** \$280,876 – 100%
- **Development Revenue:** \$128,986 actual of \$270,620 budget, or 48%
- **Expenditures:** \$253,365 actual of \$592,332 budget, or 46%

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

2. RPC Preliminary Agenda July

- a) Sketch Plans

	<u>Township</u>	<u>Lots/Acres</u>
• Hollybrook	Concord	140 lots / 94.2 acres
• 1621 Lawrence Rd CAD	Radnor	2 lots / 9.06 acres

- b) Zoning Map / Text Amendments
 - Bondada Technologies Corp. – Orange Twp. – 9.156 acres – FR-1 to PC
 - Megan Kleinenkiser – Harlem Twp. – 5.373 acres – AR-1 to FR-1
 - Christopher & Misty Leigh Murfield – Harlem Twp. – 5.38 acres – AR-1 to FR-1
 - Raymond Kiser – Harlem Twp. – 6.306 acres – AR-1 to FR-1
 - Kass Corp. – Berkshire Twp. – 1.378 acres – PCD to PMUD Art. 16
 - Kimberly and David Conrad – Berlin Twp. – 1.0 acres – FR-1 to PCD

- c) Variance
 - ASMRE Holdings LLC – The Nest at Hoover CAD – Genoa Twp. – Sec. 306.02

- d) Subdivision Projects

	<u>Township</u>	<u>Lots/Acres</u>
Preliminary		
• The Nest at Hoover CAD (revised)	Genoa	5 lots / 22.02 acres

Preliminary / Final

- Mercedes Benz Berkshire Berkshire 1 lot / 13.579 acres

Final

- Northstar Ivy Wood, Section 2 Berkshire 102 lots / 32.993 acres
- Del Webb Northstar, Section 1, Phase A Kingston 60 lots / 39.617 acres
- Del Webb Northstar, Section 1, Phase B Kingston 94 lots / 29.954 acres

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 team met on July 9th.**

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. **No activity in the last few months.**

Active Transportation Committee

Hosted by MORPC, these are hybrid meetings that occur quarterly. Active transportation projects are shared – most activity is urban in nature, occurring in Columbus and suburbs. The Active Transportation Committee provides leadership and guidance in the realm of active transportation. The committee provides a forum to share information about best practices and collaborate on shared interests. The group consists of diverse representatives throughout Central Ohio including local governments, public agencies, non-profit organizations, and private interests. **Staff will be attending the July 30th meeting.**

DCRPC-Managed Projects

Harlem Township Zoning Resolution

Staff is working with the Zoning Commission on various updates in existing sections of the Zoning Resolution. **Scott met with the Township on July 14th – one final district to go (Industrial).**

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.

Concord Township Comprehensive Plan

Staff is working with the steering committee on an update to the Comprehensive Plan. **Scott met with the Steering Committee on July 2 – starting to discuss the overall map and recommendations.**

Radnor Township Comprehensive Plan

Collecting background information, generating various maps and datasets.

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 has presented at two of the four scheduled Community Conversation Workshops. The next workshop is on July 23rd from 6-7:30pm, located at Buckeye Valley**

West Elementary School in the Village of Ashley.

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>

D. Old Business

1. Subdivision Regulation amendments - Legal ad placed in the Delaware Gazette July 16th. Hearing to be held August 28th.
2. Mr. Merrell mentioned that the software/hardware has been ordered for the conference room reservation system.

E. Other Business

1. Mr. Merrell noted that the ODOT groundbreaking ceremony for the I-71 interchange will take place Thursday, July 24th at 10 a.m.

F. Adjourn

Having no further business, Mr. Merrell made a motion to adjourn the meeting at 9:22 a.m. Mr. Duffee seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

The next regular Executive Committee meeting will be Wednesday, August 20, 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)

16-23.2 Northstar Ivy Wood, Section 2 – Berkshire Twp. – 98 lots / 32.993 acres

Conditions

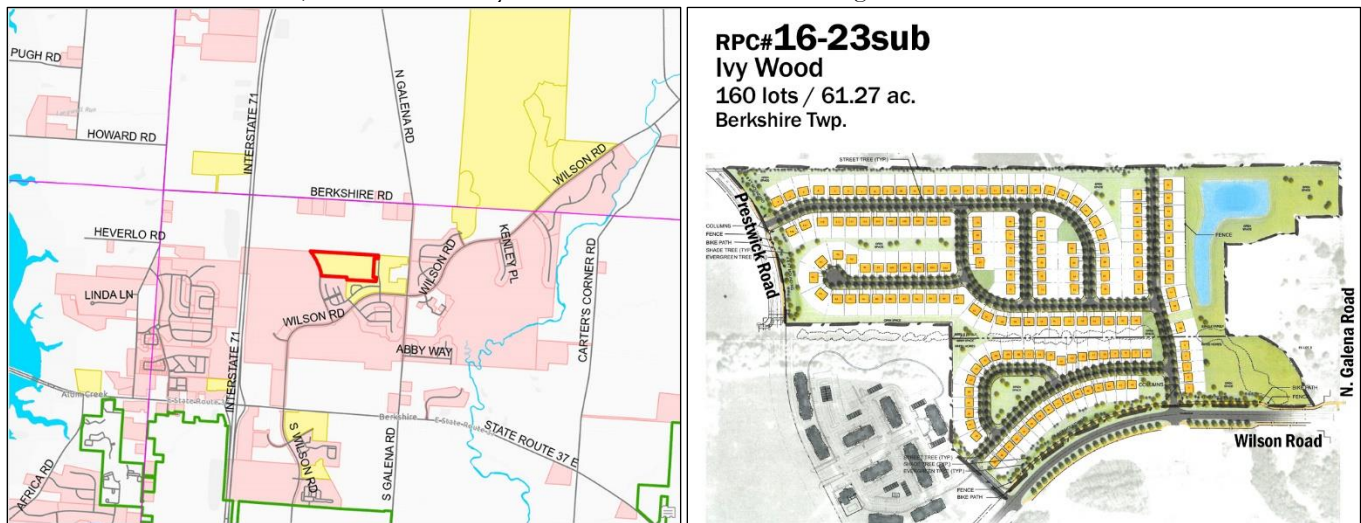
Applicant: Northstar Residential Development, LLC. / **Engineer:** Terrain Evolution

Subdivision Type: Planned Residential Development

Location: North of Wilson Rd., west of Ivy Wood Dr.

Zoned: 36/37 PMUD Art. 17 / **Preliminary Approval:** 10/26/23

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



Staff Comments

Northstar Ivy Wood, Section 2 includes 98 buildable lots and 5.948 acres of open space within four dedicated reserves. This development will connect to Greenhill Way in Section 1 and dedicate additional ROW to extend Prestwick Road to the northern portion of this development. This is the final section of the Northstar Ivy Wood development. 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 Ivy Wood, Section 2** to the DCRPC.

Commission / Public Comments

Mr. Weade asked for this case to be removed from the Consent Agenda for further discussion.

Mr. Mike Williamson, Terrain Evolution, was present to answer questions from the Commission.

Mr. Weade stated that he had already signed the final plat mylar but had some concerns. He explained that Section 1 has been approved and platted and that they are beginning to build homes. To his knowledge the road is not turned over to the township yet. He questioned if there is an issue (with Section 1), who are they

(the township) supposed to deal with. Mr. Sanders asked what issues he was referring to. Mr. Weade explained the lack of erosion controls, pulling out the no parking signs because they are in their way but then never getting them replaced. He asked when the ownership gets transferred, and who do they deal with. Ms. Jenkins, along with Mr. Green from the County Engineer's office, stated that they would find out the answer and reach out to Mr. Weade. She was not sure of the status of this project but explained that they usually have a one year period before a road gets turned over to the township. Mr. Weade said he has been in a runaround between the home builders and North Star (the applicant). Mr. Sanders added that is one of the reasons the County holds a bond for a period and that it is not that unusual that there might be some areas that need to be fixed later.

Mr. Williamson, Terrain Evolution, explained that the one year starts from the approval date, then the County (Engineer) would give them a punch list of items that need to be fixed before the improvements are turned over to the public.

Chairman Shafer explained that they have similar issues with no parking signs being removed during construction and he typically informs the Fire Department to enforce.

Ms. Raehl stated that one of the items they (Berlin Twp.) have tried to implement within the actual zoning application is what happens at the 85% of full occupancy permitted development, like do they have to turn certain improvements over to the residents or do they have to have the roads released? This might be something to consider incorporating into their actual zoning application moving forward. Mr. Shafer agreed that maybe a percentage is what could determine when improvements get turned over to the HOA.

Mr. Price made a motion for Final Approval of Northstar Ivy Wood, Section 2. Ms. Holt seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Berkshire Twp.). Motion carried.

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13-24.1.A Del Webb Northstar, Section 1, Phase A- Kingston Twp. – 60 lots / 39.617 acres

Conditions

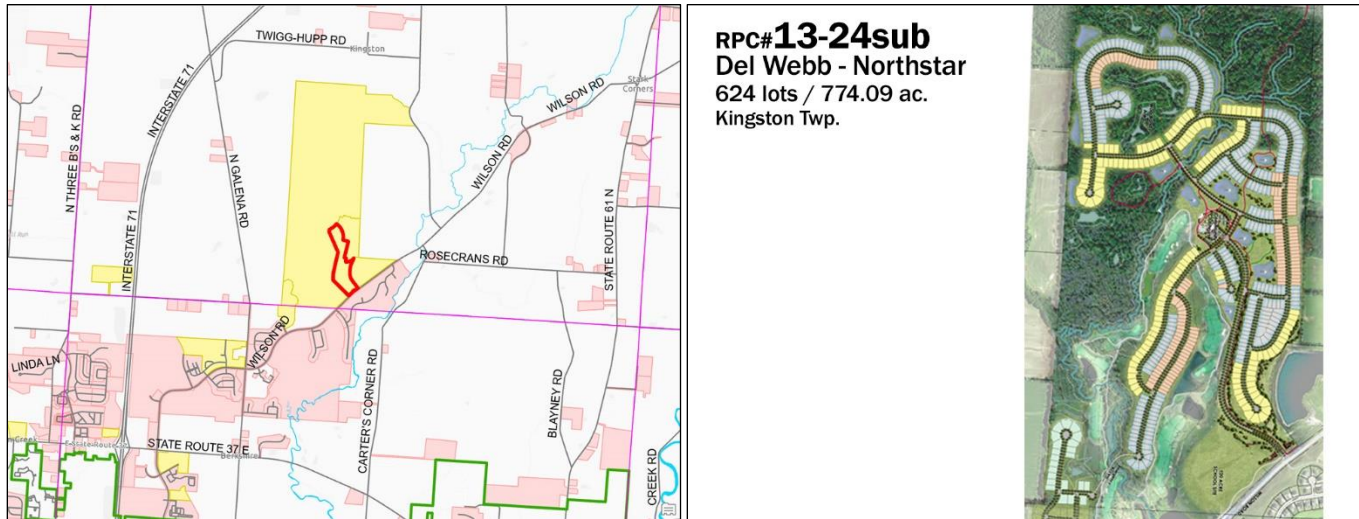
Applicant: Pulte Homes of Ohio, LLC. / **Engineer:** Kimley-Horn

Subdivision Type: Single-Family Planned development

Location: North side of Wilson Rd., east of Del Webb Blvd.

Zoned: PRD / **Preliminary Approval:** 10/24/24

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



Staff Comments

Del Webb Northstar, Section 1, Phase A includes 60 buildable lots and 18.648 acres of open space in three dedicated reserves. This entire development will gain access off of Wilson Road with a boulevard style entrance. Preliminary approval was granted on October 24, 2024, and the applicant is now requesting Final Plat approval for this Phase.

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 Del Webb Northstar, Section 1, Phase A to the DCRPC.

Commission / Public Comments

Mr. Merrell made a motion for Final Approval of Del Webb Northstar, Section 1, Phase A. Mr. Matlack seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

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**13-24.1.B Del Webb Northstar, Section 1, Phase B – Kingston Twp. – 94 lots / 29.954 acres**

**Conditions**

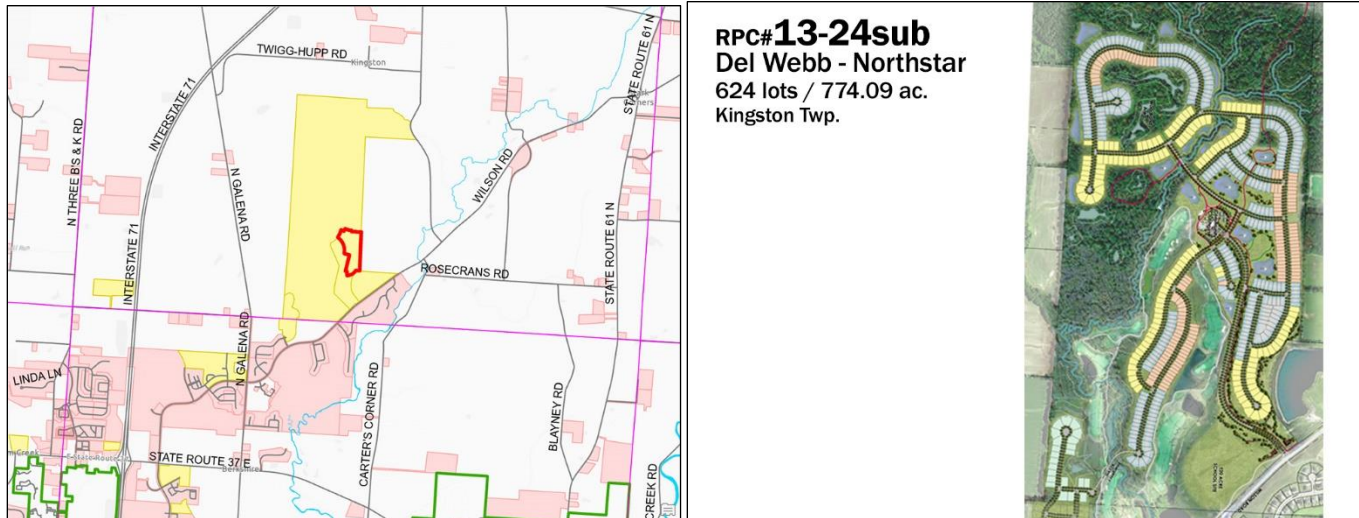
**Applicant:** Pulte Homes of Ohio, LLC. / **Engineer:** Kimley-Horn

**Subdivision Type:** Single-Family Planned development

**Location:** North of Wilson Rd., east of Big Bluestem Way

**Zoned:** PRD / **Preliminary Approval:** 10/24/24

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



**Staff Comments**

Del Webb Northstar, Section 1, Phase B includes 94 buildable lots and 9.535 acres of open space in two dedicated reserves. Phase B is north of Phase A, extends off of Del Webb Boulevard and is served by an internal road network. Preliminary approval was granted on October 24, 2024 and the applicant is now requesting Final Plat approval for this Phase.

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 Del Webb Northstar, Section 1, Phase B to the DCRPC.

**Commission / Public Comments**

*Mr. Merrell made a motion for Final Approval of Del Webb Northstar, Section 1, Phase B. Mr. Matlack seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

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## ZONING MAP/TEXT AMENDMENTS

**20-25 ZON**      **Bondada Technologies Corp. – Orange Twp. – 9.156 acres – FR-1 to PC**

### Request

The applicant, Kai Raab on behalf of MKC Architects, is requesting a 9.156-acre rezoning from FR-1 to PC for the development of phased, multi-building, mixed-use development, to be known as Bondada Parktown.

### Conditions

**Location:** east side of North Rd., north of Lewis Center Rd.

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

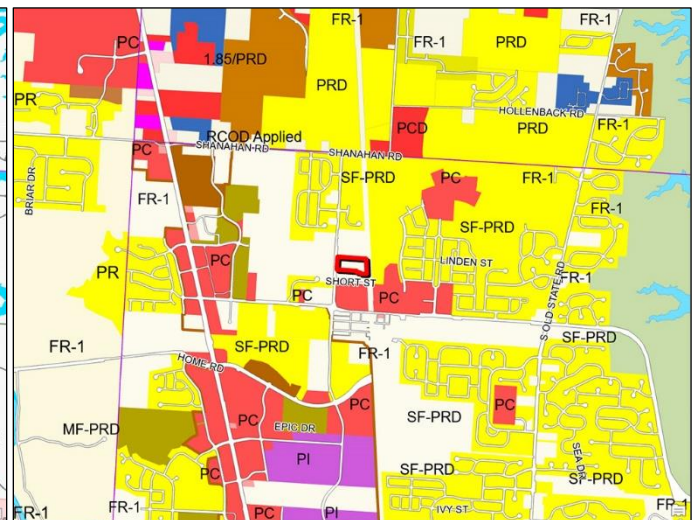
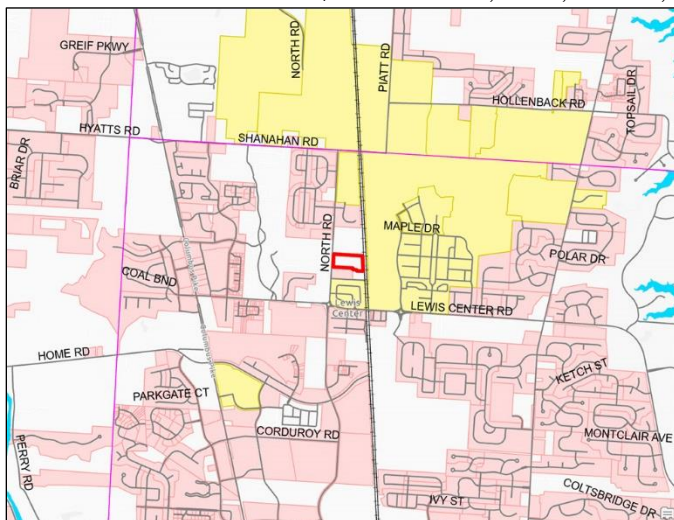
**Present Use(s):** vacant / **Proposed Use(s):** walkable mixed-use development

**Existing Density:** 1 du / 1.98 acres **Proposed Density:** 7.65 du / acre

**Number of units requested:** 70

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

**Critical Resources:** none / **Soils:** GwB, BoA, GwC2, LsA



**RPC#20-25zon**  
**Bondada Technologies Corp.**  
**9.156 acres / FR-1 to PC**  
**Orange Twp.**





There are six total proposed buildings as follows:

- ## Comprehensive Plan

The commercial use does not conflict with the Plan, if the proposal is interpreted as “infill.” A shared use path should either be constructed along the frontage of this property, connected to the interior sidewalks; or at minimum pedestrian connections with crossings must be provided to North Road. There is an existing multi-use path along the west side of North Road.



The residential component is not supported as the maximum density recommended is 2 dwelling units per acre, or 18 units on this property without the added commercial component. The proposed residential density is 7.6 du/acre, or closer to 10 du/acre if you do not include the commercial acreage.

To reduce the intensity and excessive parking coverage, staff recommends reducing the three-story apartment building to two stories and designing it to complement the townhomes. Both buildings could be reconfigured so that they don't face the large, featureless parking lot and so that the eastern townhome building does not place the back of every unit against the railroad tracks. Such a redesign should configure parking for the townhomes that relates better to the townhome buildings, rather than expecting those residents to park in the central lot. On-street or curb parking should also be considered.



Staff also recommends additional architectural detail be provided for the office building. While the proposed building design may be well suited for a medical or office park, the Comprehensive Plan recommends a design that fits with the character of the area. The “Architectural Requirements” section of the Township’s RCOD overlay provides good examples of the architectural details that can be included, such as porticos, dormers, canopies, trellises, gables, etc.

Staff is curious about the parcel to the north, owned by Columbus Southern Power Company since 2004. No activity has taken place on the lot, and the applicant should be encouraged to communicate with that entity, as a better design might be achieved if some of that land could be incorporated into this project.

### Issues

#### **Traffic and access:**

Two boulevard-style driveways will gain access from North Road, and all internal drives will be private. Parking is distributed throughout the site and is located behind the established front building line. There is a total of 314 surface parking spaces provided, which includes dedicated spaces for each use.

***Staff comment:** No letter from the County Engineer’s office is included indicating preliminary review of the site plan. North Road was improved in 2020, providing a north-bound left turn lane into the Township’s North Park across from this site. A south-bound turn lane will likely be warranted. North Road will continue to be a significant arterial with increasing traffic, most notably when the final connection is made from Shanahan to Peachblow with future development.*

#### **Drainage:**

A detailed drainage plan was not submitted. The site plan shows two stormwater ponds; one along the road frontage and one at the southeast corner of the site. The site is generally flat and naturally drains to the southeast where a culvert under the railroad brings drainage from the Jennings Sports Park and future sections of Evans Farm. These are the headwaters of Big Run, carrying water to the Olentangy. Typically, a general feasibility letter is included from the County Engineer’s office.

#### **Signage:**

A sign detail was submitted. It illustrates a single monument-style design at 17' 6" wide by 7' 4" tall and simply advertises “Bondada Parktown.” On the site plan, two locations are shown – a perpendicular sign at the right-in/right-out and a parallel sign at the full access, both of which are out of the ROW.

**Staff comment:** Two signs at this scale are not necessary.

### **Lighting:**

An exterior lighting plan was submitted, but it only shows the parking lot lighting. Light poles will have LED lighting with a maximum height of 20 feet.

### **Sanitary Treatment:**

The development text does not explain how sanitary treatment will be handled and no support letter is included which would detail not only accessibility but also any capacity concerns. County public sanitary sewer lines are located within close proximity.

### **Landscaping:**

A landscaping plan was submitted. A vegetative buffer is shown along the east and south boundary to screen the development with no buffering to the north. Minimal landscaping with trees are located along the edge of the largest parking area.

**Staff comment:** Additional landscape islands should be provided throughout the largest parking area, as well as at midpoints in the smaller parking lots. Based on the location of the pickleball courts, additional landscaping or a noise buffer may be helpful to reduce noise impacts to the residential units on site.

### **Divergences**

Four divergences have been requested:

1. **Section 14.05 f)** - Residential use of any kind is prohibited in the proposed zoning district.
2. **Section 21.01 e)** - Requesting relief from off-street parking standards.  
Required spaces: Three (3) per dwelling unit for condo units, one for each four hundred (400) square feet of floor area plus one (1) for each employee for offices and one (1) for each two (2) seats plus one (1) for each employee on the largest shift for office uses. Five (5) plus one (1) for every four hundred (400) square feet of floor space for retail uses. Not less than (25) parking spaces shall be provided for restaurant uses.
  - a. Over 325 parking spaces are required (210 for residential, 38 for office, plus one for each employee (number of employees not provided by applicant), 52 for retail, and not less than 25 for restaurant).
  - b. 314 are proposed (70 for residential, 68 for office/retail and 90 for restaurant).
3. **Section 21.09** - Requesting relief from minimum setback standards from North Road, a Class C roadway, which requires a minimum front setback of 50 feet from the ROW line (or as approved in Development Plan). The applicant intends to utilize the draft zoning resolution setback standards, which allows for a maximum setback of 50 feet and a minimum of 30 feet.

**Staff comment:** This divergence may not be applicable as the two buildings facing North Road are approximately 100 feet from the ROW line. The rest of the development is served by private drives that do not require this roadway setback.

4. Utilizing the draft zoning code's façade design standards for a mixed-use development.

**Staff comment:** *This does not appear to warrant a divergence.*

#### **Staff Comments:**

Staff is generally supportive of this type of mixed-use development as it introduces unique opportunities for increased economic development, housing that typically has a positive net tax impact, as well as walkability and recreation. However, more detail needs to be provided to justify this site as the location of this type of development. The specific mix of uses, which includes multi-family residential, is not permitted in the current Planned Commercial, and the proposed density is much higher than is recommended in the Comprehensive Plan.

It appears the maximum permitted lot coverage is not exceeded; however, the pervious vs impervious surface details should be provided in the development text and on the development plan. With respect to the residential use divergence, provided the draft zoning resolution is adopted, the proposed uses are consistent with the proposed Mixed-Use District. The parking divergence is also in-line with the proposed Zoning Resolution but exceeds the required number of spaces. If the Township is in support of this project, Staff recommends updating the Comprehensive Plan to reflect the supported residential density.

#### **Staff Recommendations**

Staff recommends **Denial** of the rezoning request by Bondada Technologies Corp. from FR-1 to PC to the DCRPC, Orange Twp. Zoning Commission and Orange Twp. Trustees *based primarily on the intensity of the proposed residential density and the location of non-residential uses, both of which are in conflict with the Comprehensive Plan. Other recommendations are located throughout this report.*

#### **Commission / Public Comments**

Mr. Duffee explained that they have had one Zoning Commission meeting with the applicant that was continued to a later date pending RPC recommendation. The Zoning Commission had similar comments as staff has outlined. They are supportive of some of the concepts here but maybe things need to be scaled back a little to better match the surrounding area. The Comprehensive Plan outlines this area and calls for buildings that have similar massing to buildings around it. There are no three-story buildings or buildings of that scale in that general vicinity. So, if that is scaled back, what's going on inside the buildings, whether it's multi-family or commercial may be a little more palpable.

***Ms. Raehl made a motion to recommend Denial of the rezoning request by Bondada Technologies from FR-1 to PC, based primarily on the intensity of the proposed residential density and the location of non-residential uses, both of which are in conflict with the Comprehensive Plan. Ms. Holt seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Orange Twp.). Motion carried.***

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21-25 ZON Megan Kleinenkiser – Harlem Twp. – 5.373 acres – AR-1 to FR-1

### Request

The applicant, Megan Kleinenkiser is requesting a 5.373-acre rezoning from AR-1 to FR-1 to allow the lot to be split.

### Conditions

**Location:** north side of Gorsuch Rd., west of Harlem Rd.

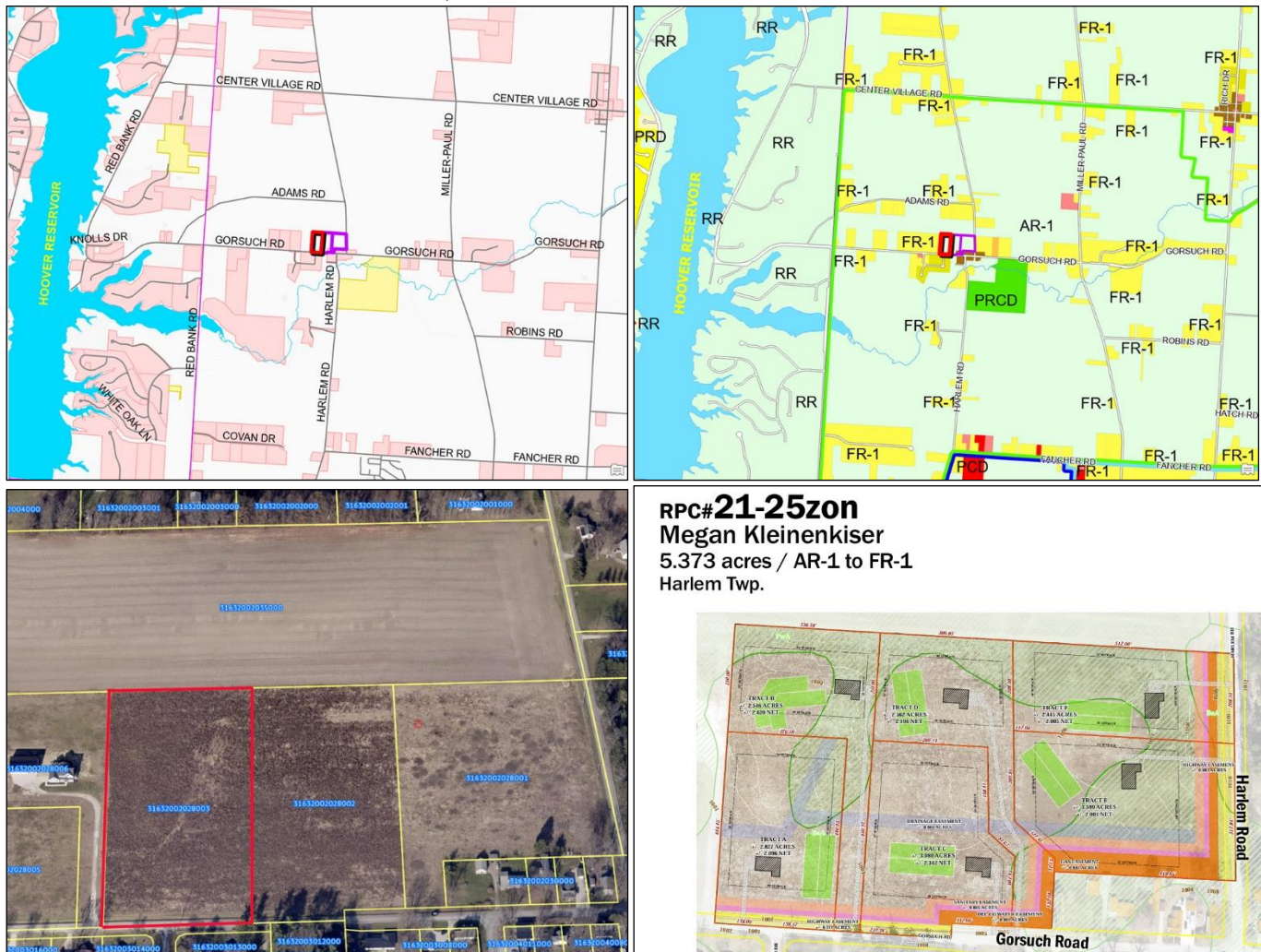
**Present Zoning:** Agricultural (AR-1) / **Proposed Zoning:** Farm Residential (FR-1)

**Present Use(s):** vacant / **Proposed Use(s):** Residential

**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, PwA



### Introduction

This property is located on the north side of Gorsuch Rd., west of Harlem Rd. Adjacent properties to the north and east are zoned AR-1 and properties to the west and south are zoned FR-1. The applicant seeks to rezone 5.373 acres to the FR-1 District to allow the site to be subdivided. The FR-1 District allows for one single-family dwelling on a lot not less than two acres in size and requires a minimum road frontage of 175 feet for a lot 2 to



3 acres in size. The applicant provided a site plan that indicates the site will be subdivided into 2.827 and 2.546-acre sized lots. The property is currently vacant with frontage that totals 336.57 feet.

### **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 no point of access to Harlem Road, the site is generally flat and there is roadside drainage.

### **Sanitary Treatment**

The site would be served by an on-site wastewater treatment system as will any future lots if split. The Delaware Public Health District must approve a primary and secondary system for any future split and/or development of the site.

### **Staff Recommendation**

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

### **Commission / Public Comments**

Ms. Lexus Thornton, Plan 4 Land, was present to represent the applicant.

*Mr. Price made a motion to recommend Approval of the rezoning request by Megan Kleinenkiser from AR-1 to FR-1. Mr. Irvine seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Harlem Twp.). Motion carried.*

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**22-25 ZON**      **Christopher & Misty Leigh Murfield – Harlem Twp. – 5.38 acres – AR-1/HCVR-1 to FR-1**

### Request

The applicants, Christopher and Misty Leigh Murfield are requesting a 5.38 acre rezoning from AR-1 & HCVR-1 to FR-1 to allow the lot to be split.

### Conditions

**Location:** north side of Gorsuch Rd., west of Harlem Rd.

**Present Zoning:** Agricultural (AR-1) and Harlem and Center Village Residential (HCVR-1)

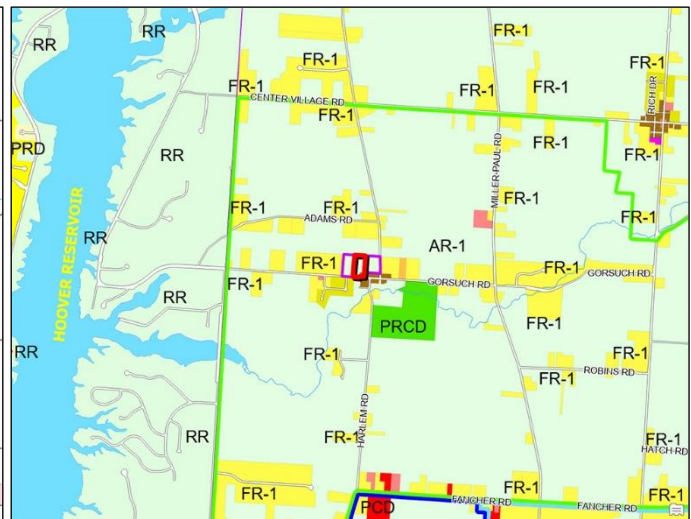
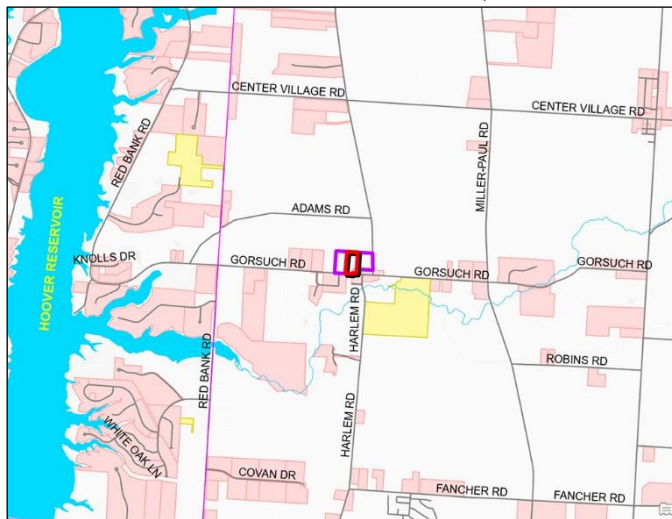
**Proposed Zoning:** Farm Residential (FR-1)

**Present Use(s):** vacant / **Proposed Use(s):** Residential

**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, PwA



**RPC#22-25zon**  
**Christopher & Misty Leigh Murfield**  
**5.38 acres / AR-1 to FR-1**  
**Harlem Twp.**



### Introduction

This property is located on the north side of Gorsuch Rd., west of Harlem Rd. Adjacent properties to the east, north and west are zoned AR-1. The southeast corner (~0.4-acres) of the area to be rezoned is platted in the Town of Harlem subdivision, dating back to 1849, and zoned HCVR-1. If boundaries of this land area are to be

reconfigured, this platted area must be vacated. The applicant seeks to rezone 5.38 acres 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 and requires a minimum road frontage of 175 feet for a lot 2 to 3 acres in size and 210 feet for a lot 3 to 4 acres in size. The applicant provided a site plan that indicates the site will be subdivided into 3.08- and 2.562-acre sized lots. The property is currently vacant with frontage that totals 348.98 feet. Based on the existing lot size, any split of this lot will require one of those lots to be a flag lot.

### **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 no point of access to Harlem Road, the site is generally flat and there is roadside drainage.

### **Sanitary Treatment**

The site would be served by an on-site wastewater treatment system as will any future lots if split. The Delaware Public Health District must approve a primary and secondary system for any future split and/or development of the site.

### **Staff Recommendation**

Staff recommends **Conditional Approval** of the rezoning request by **Christopher and Misty Leigh Murfield** from AR-1 and HCVR-1 to FR-1 to the DCRPC, Harlem Twp. Zoning Commission and Harlem Twp. Trustees, subject to:

1. *The applicant must vacate the platted area of this lot if the boundaries of the platted area is to be reconfigured.*

### **Commission / Public Comments**

Ms. Lexus Thornton, Plan 4 Land, was present to represent the applicant. She stated that they would apply for the plat vacation prior to NPA application.

***Ms. Holt made a motion to recommend Conditional Approval of the rezoning request by Christopher and Misty Leigh Murfield from AR-1 to FR-1, subject to:***

1. *The applicant must vacate the platted area of this lot if the boundaries of the platted area is to be reconfigured.*

***Mr. Price seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Harlem Twp.). Motion carried.***

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23-25 ZON **Raymond Kiser – Harlem Twp. – 6.306 acres – AR-1 & HCVR-1 to FR-1**

Request

The applicant, Raymond Kiser, is requesting a 6.306-acre rezoning from AR-1 & HCVR-1 to FR-1 to allow the lot to be split.

Conditions

Location: north side of Gorsuch Rd., west of Harlem Rd.

Present Zoning: Agricultural (AR-1) and Harlem and Center Village Residential (HCVR-1)

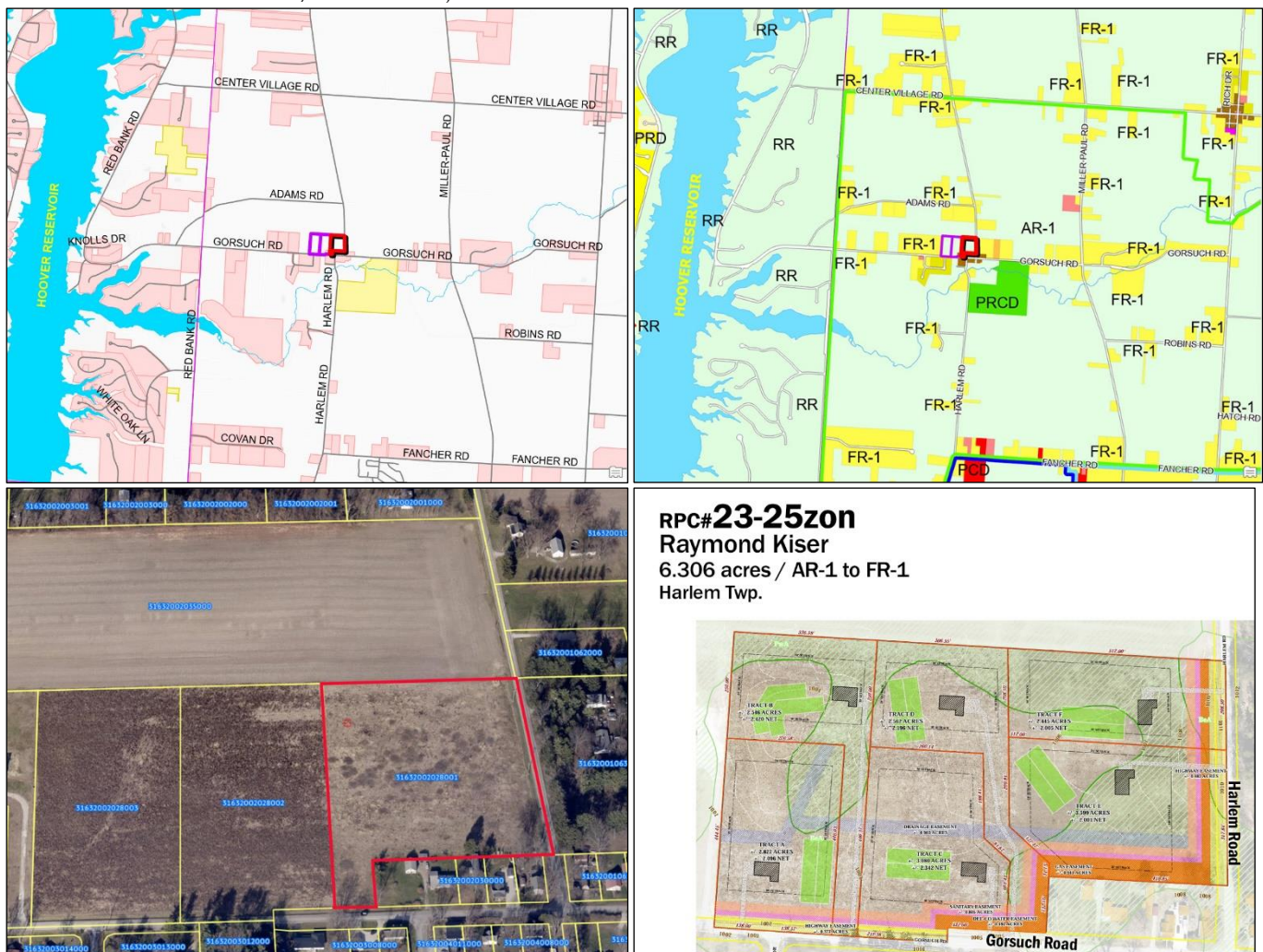
Proposed Zoning: Farm Residential (FR-1)

Present Use(s): vacant / **Proposed Use(s):** Residential

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, PwA



Introduction

This property is located on the north side of Gorsuch Rd., west of Harlem Rd. Adjacent properties to the north and west are zoned AR-1. The southeast corner (~0.28-acres) of the area to be rezoned is platted in the Town of Harlem subdivision, dating back to 1849, and zoned HCVR-1. If boundaries of this land area are to be

reconfigured, this platted area must be vacated. The applicant seeks to rezone 6.306 acres 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. Minimum required road frontage for a lot from 2 to 3 acres is 175 feet; a lot from 3 to 4 acres is 210 feet. Any future subdivision of this lot once zoned FR-1 will likely be a flag lot or CAD, otherwise the minimum required road frontage could not be met.

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 no point of access to Harlem Road, the site is generally flat and there is roadside drainage.

Sanitary Treatment

The site would be served by an on-site wastewater treatment system as will any future lots if split. The Delaware Public Health District must approve a primary and secondary system for any future split and/or development of the site.

Staff Recommendation

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

1. *The applicant must vacate the platted area of this lot if the boundaries of the platted area is to be reconfigured.*

Commission / Public Comments

Ms. Lexus Thornton, Plan 4 Land, was present to represent the applicant. She stated that they would apply for the plat vacation prior to NPA application.

Ms. Holt made a motion to recommend Conditional Approval of the rezoning request by Raymond Kiser from AR-1 to FR-1, subject to:

1. *The applicant must vacate the platted area of this lot if the boundaries of the platted area is to be reconfigured.*

Mr. Matlack seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Harlem Twp.). Motion carried.

~~~~~

24-25 ZON      Kass Corp. – Berkshire Twp. – 1.378 acres – PCD to PMUD Art. 16

### Request

The applicant, Kass Corporation, is requesting adoption of the PMUD Article 16 Overlay for the 1.378-acre site known as Berkshire Retail Plaza.

### Conditions

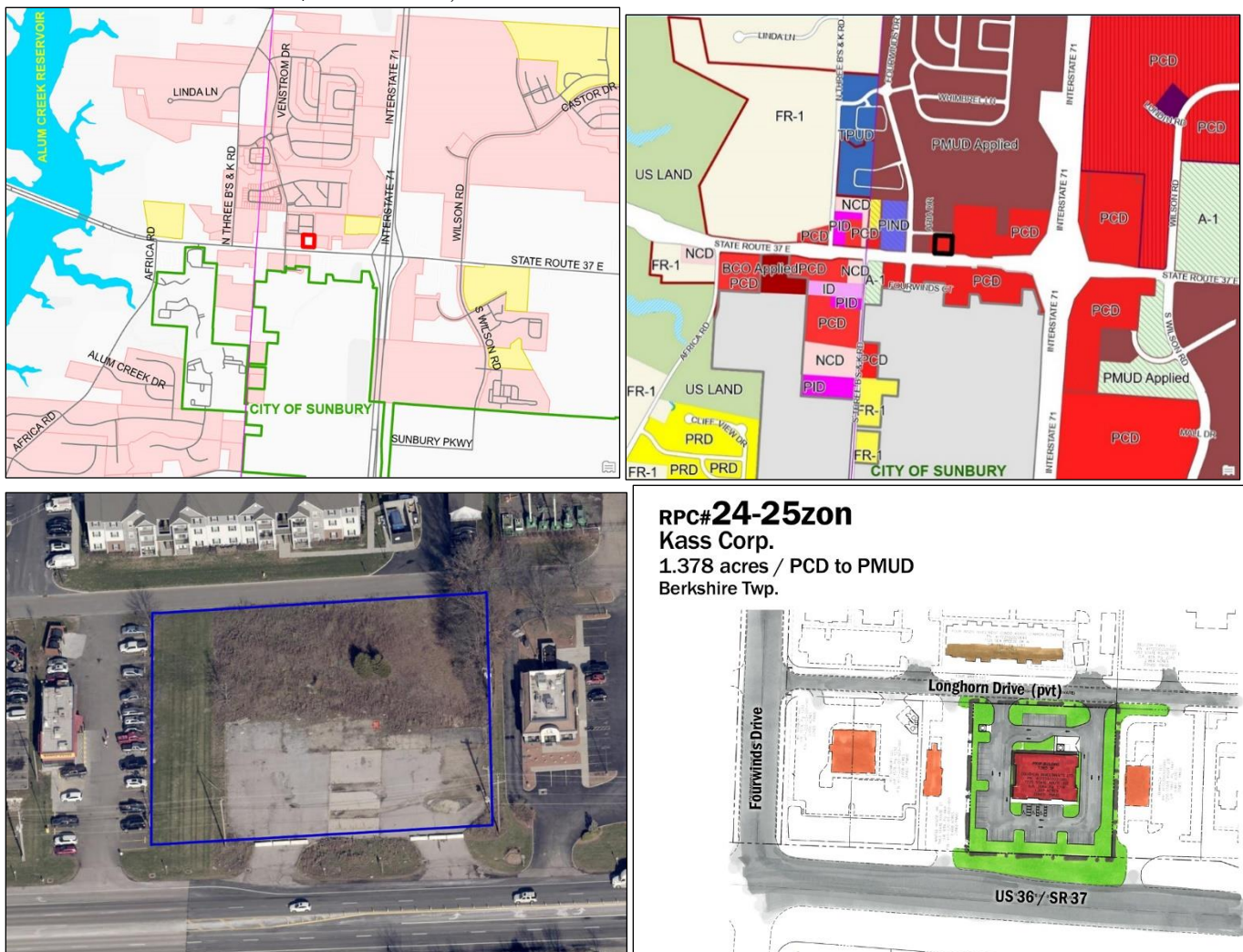
**Location:** north side of U.S. 36/S.R. 37, south of Longhorn Rd.

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

**Present Use(s):** vacant / **Proposed Use(s):** retail plaza

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

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







### Staff Comments

The request is for adoption of the PMUD Art. 16 Overlay for the 1.378-acre site. To formally apply the overlay, the Berkshire Township Zoning Commission must approve the application and development plan, which will remove the underlying zoning district. Proposed uses are listed in the submission materials, which are all listed as permitted uses in the PMUD Art. 16; examples include bakeries, automotive parts, furniture stores, building/garden suppliers, healthcare, dance studios, and restaurants. The site is located on the north side of U.S. 36/S.R. 37, just west of Interstate 71, and is included in the Northwest Quadrant of the area within the PMUD overlay.

### Project Overview

The Development Plan calls for a single 7,565 s.f. commercial building that will include up to five retail-tenant spaces that face U.S. 36/S.R. 37. The unit on the west side of the building will include a drive-thru component. ODOT requires the two existing access points along U.S. 36/S.R. 37 to be removed and the site will gain access from Longhorn Drive, which is shown on the plan. The required open space is 30 percent (0.41 acres), and 35.7 percent (0.49 acres) is provided. Landscape, lighting, signage, and architectural plans were submitted, all of which appear to comply with the overlay. 36 parking spaces are distributed throughout the west and south sides of the site, with room for eight future parking spaces on the north side. No divergences were requested.

### Platting:

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

### Staff Recommendations

Staff recommends Approval of the rezoning request by Kass Corporation for PMUD Article 16 to the DCRPC, Berkshire Twp. Zoning Commission and Berkshire Twp. Trustees.

No vote is required for this application.

### Commission / Public Comments

Mr. Jeff Guggenbiller, Advanced Civil Design, was present to answer any questions.

Ms. Raehl stated she heard this site might be problematic due to it being a prior gas station and asked if they



have encountered that issue in the design. Mr. Guggenbiller stated that it was his understanding that it has been cleaned up.

25-25 ZON      Kimberly & David Conrad – Berlin Twp. – 1.0 acres – FR-1 to PCD

### Request

The land owners, Kimberly and David Conrad, and developer Kyle Reininger are requesting a 1.0-acre rezoning from FR-1 to PC for the development of Precision Auto & Marine – Boat Repair.

### Conditions

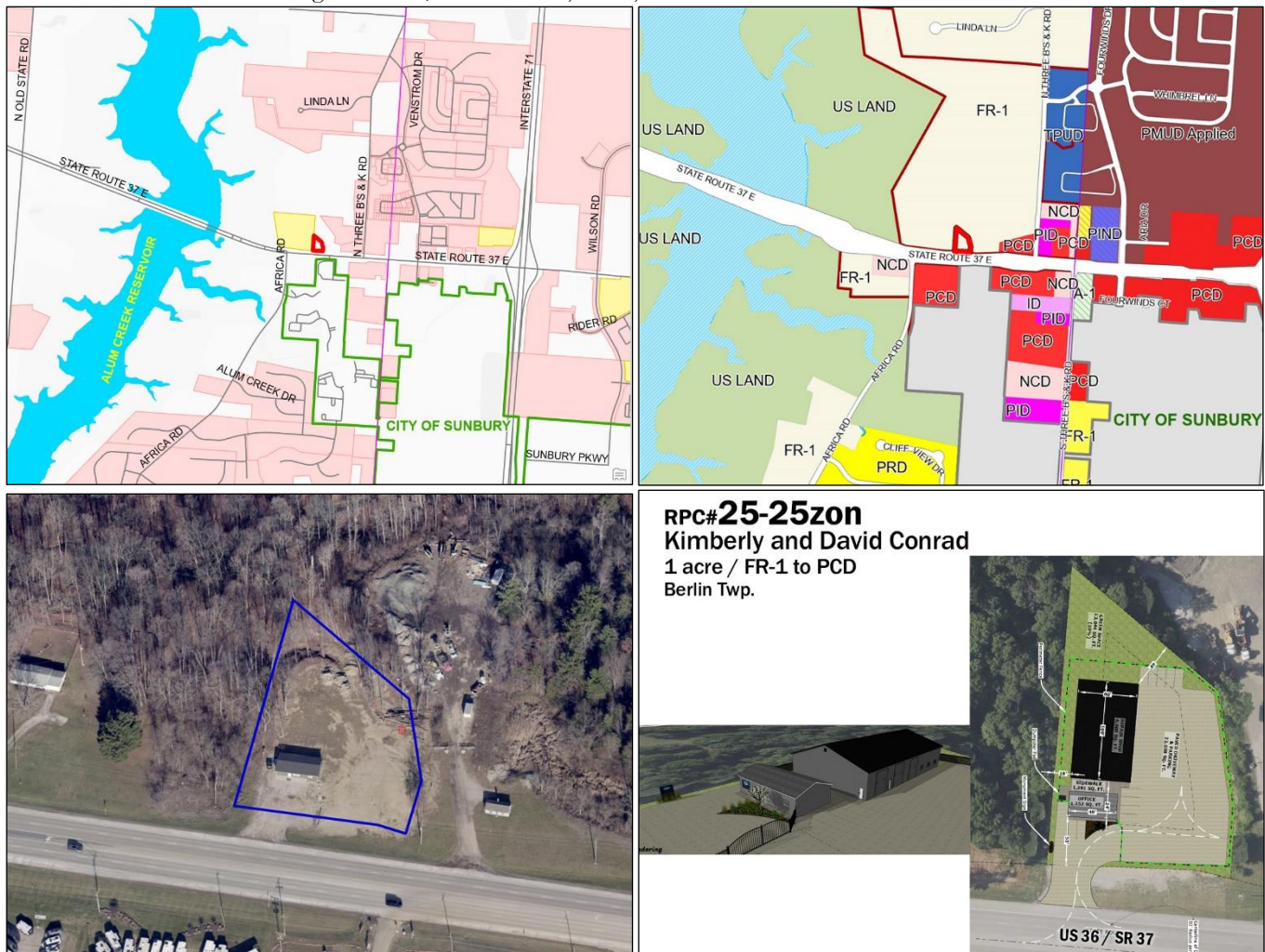
**Location:** 6715 State Route 37 E

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

**Present Use(s):** One single-family house / **Proposed Use(s):** Office building and repair shop

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

**Critical Resources:** drainage course / **Soils:** LbF, CaB, BeB



### **Introduction**

The applicant seeks to rezone the 1.0-acre site from FR-1 to PCD to allow for a boat and automotive repair shop. The site is located on the north side of U.S. 36/S.R. 37, between N. Three B's and K and Alum Creek and was developed with a single-family home in 1985. The adjacent properties are also zoned FR-1; however, a Sketch Plan for the adjacent property to the west was reviewed for a proposed 70-unit, multi-family development in 2024. Directly across the street to the south is an established RV retailer and an apartment complex that is currently under construction. Proposed development for the area to be rezoned includes a 6,000 sq. ft repair shop, 1,152 sq. ft. office, 22,038 sq. ft. of paved drive and parking, 30 percent of dedicated open space and a perimeter fence.

A boat repair shop is classified as NAICS code 811490, which does not include retail sales of new boats. However, the NAICS codes identified in the Development Text include 441210, 441222 and 441330, all of which are for recreational vehicle dealers and parts and accessories retailers, not boat repair. Additionally, boat repair is not a permitted use in the PC district. NAICS code 811490 is explicitly permitted in the NCD, OCPUD, BIO, and PID.

### **Comprehensive Plan**

Berlin Township's 2023 Comprehensive Plan recommends the BCO be applied to this site, which allows for commercial uses such as wholesalers, retailers, finance and other office-type uses. The Plan also recommends the conservation of natural resources (steep slopes) and to provide extensive landscaping in parking lots.

The request is not supported by the plan as the proposed use is not permitted in the BCO, steep slopes are impacted by development and landscaping is not provided within the 22,038 sq. ft. parking area.

### **Issues**

#### **Traffic and access:**

The existing point of ingress/egress will remain, with 11 dedicated parking spaces. The driveway and parking areas are intended to be paved. Access is currently existing and would be controlled by ODOT.

#### **Drainage:**

There is a drainage path that extends from the northwest corner of the site down to the northeast corner of the existing home. There are also steep slopes (greater than 20%) that will be impacted by the paved parking area and repair shop.

#### **Signage:**

A double-sided monument sign is proposed near the entrance that is outside of the ROW that is 18 sq. ft. per side and a 40 sq. ft. wall-mounted sign to the left of the office entrance.

#### **Lighting:**

Lighting details were submitted, and proposed lighting is limited to soffit lighting and down-cast floodlights.

#### **Sanitary Treatment:**

The site will be served by county sanitary sewer.

### **Divergences**

Five divergences are requested:

1. **Sec. 17.06(A)(2)** – The minimum required tract size is 10 acres, but the site is only 1-acre.
2. **Sec. 17.06(A)(4)** – A 15-foot wide green belt shall be provided between the edge of any parking area and the adjacent public street ROW, but the proposed green belt is only 6 feet wide. The applicant stated, “The reduced setback would allow for improved circulation at the entrance.”
3. **Sec. 17.06(A)(6)** – In no case shall the side yard setback be less than 100 feet from any Residential Zoning District, or as approved per plan. The office (existing home) and repair shop are only set back 18 feet from the western property line. The applicant stated, “All land in this area is planned for commercial use, despite current zoning classification.”
4. **Sec. 17.06(A)(8)** – No parking shall be constructed within 25 feet of the lot line of an existing or proposed single-family home, or a residentially zoned district, and the proposed minimum setback is ~ 7 feet.
5. **Sec. 17.06(A)(10)** – Where sidewalks or bike paths are required, they shall be separated from the paved street or parking lot surface by at least five feet (5') of landscaped area with trees placed behind the sidewalk. The applicant stated that sidewalks connect the office to the shop, but are not provided along U.S. 36/S.R. 37.

### **Staff Comments**

Generally, Staff is not concerned with the reduced tract size based on the proposed use and limited amount of development, as well as not providing a sidewalk along the roadway and reducing the 100-foot side yard setback. However, based on the amount of paved parking/maneuvering area, the minimum 15-foot wide green belt (with landscaping) should be provided; similarly, if the side yard setback is not met, there should be dense landscaping provided to offset that deficiency.

As noted earlier in this report, the “proposed boat and automotive repair” use is not permitted in the PCD. The applicant may want to consider requesting rezoning to a zoning district that allows this use (NCD, BIO, or PID). If the Township is in support of this project, Staff recommends updating the Comprehensive Plan to reflect the supported boat and automobile repair use.

### **Staff Recommendations**

Staff recommends **Denial** of the rezoning request by Kimberly and David Conrad from FR-1 to PCD to the DCRPC, Berlin Twp. Zoning Commission and Berlin Twp. Trustees *based on the findings in this report*.

### **Commission / Public Comments**

Ms. Lexus Thornton and Mr. Joe Clase with Plan 4 Land along with Mr. Kyle Reininger, developer and proposed owner, were present. Ms. Thornton explained that they had an informal review on June 10<sup>th</sup> and was directed to the PCD classification. The developer is proposing some retail space in the office section of the current building (house) and boat repair would take place in the building to be constructed in the rear of the lot.

Mr. Clase stated that there is a realignment of the road (36/37) that is projected that will eliminate the left turn

in. They did get feedback from ODOT. Ms. Thornton stated that ODOT did not request a traffic study or any improvements as they will be making some changes in the next few years.

Mr. Duffee stated that given there was a proposal to the west, asked if there were any thoughts to some form of buffer or barrier on the west side. Mr. Clase stated that they tried to not put any overhead doors there to preserve some of the existing landscaping. Part of the reason there is not a greenbelt around the rest is that it is all gravel today.

Ms. Drayer questioned if the retail space would be ADA accessible. Mr. Clase stated that only the retail space would be accessible to the public and would comply with ADA regulations. The proposed repair pole barn would be fenced and not publicly accessible. Mr. Clase said that there is planned commercial across the road, the model homes are commercial, and the Zoning Commission did not want to spot zone this parcel to Industrial which might fit this type of business better. He explained that they might be able to classify this as a Conditional Use within the PC district. If that takes amending the Comprehensive Plan, they would work with the Township to resolve that.

Chairman Shafer asked the nature of the retail. Mr. Reininger stated small marine repair parts, life jackets, etc.

Mr. Snodgrass asked if there was any thought to moving the driveway further to the east to accommodate the trucks and boats. Mr. Clase stated that ODOT specifically requested they keep it as far to the west lot line because of the realignment of 36/37 which will veer south. Mr. Clase stated that he understands it will be a tight access for about three years until the realignment and this parcel would take access off a parallel access. It won't have direct access to 36/37.

Ms. Holt feels the application might be premature since it doesn't meet the Comp. Plan recommendations or the existing zoning and has several divergence requests.

Mr. Reininger explained that the types of boats that would utilize this repair shop are 18'-22' boats that go out on Alum Creek and are pulled by an SUV or truck, not a semi of boats coming in. There would be no boat storage on the property. There is a 50' turn radius provided and that is more than enough for the proposed use.

Ms. Raehll asked if the potential owner was aware of the current zoning plan at the time that they engaged in the potential investment of this property and how it exists today? Ms. Thornton stated that they were looking at applying for NCD, but was directed to the PCD by the Township Zoning Officer.

Ms. Raehll asked if the potential owner was aware of the Comprehensive Land Use plan and or Zoning Resolutions related to this property and how the codes proposed are not currently permitted. Ms. Thornton said yes.

Ms. Raehll asked if the potential owner is aware that the Zoning Resolution and divergences proposed are not permitted in the Zoning Resolution and or Overlays. Ms. Thornton said yes.

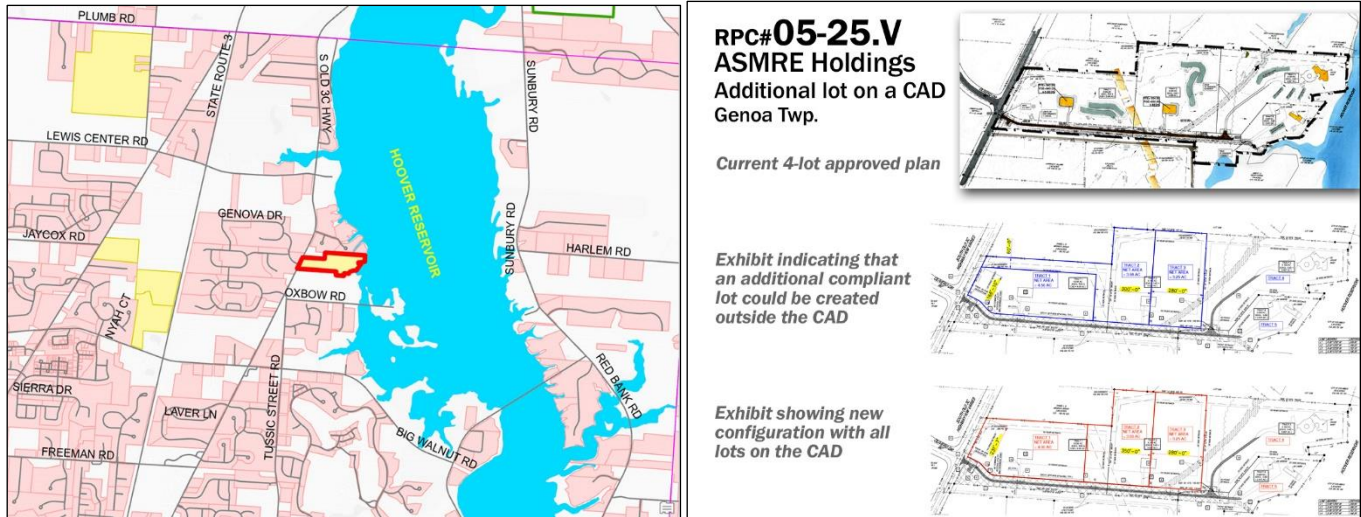
***Ms. Drayer made a motion to recommend Denial of the zoning request by Kimberly and David Conrad from FR-1 to PCD. Mr. Matlack seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Berlin Twp.). Motion carried.***

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## VARIANCE

05-25.V ASMRE Holdings, LLC. – The Nest at Hoover CAD – Genoa Twp. – Sec. 306.02

Applicants: ASMRE Holdings LLC / Consultant: Plan 4 Land



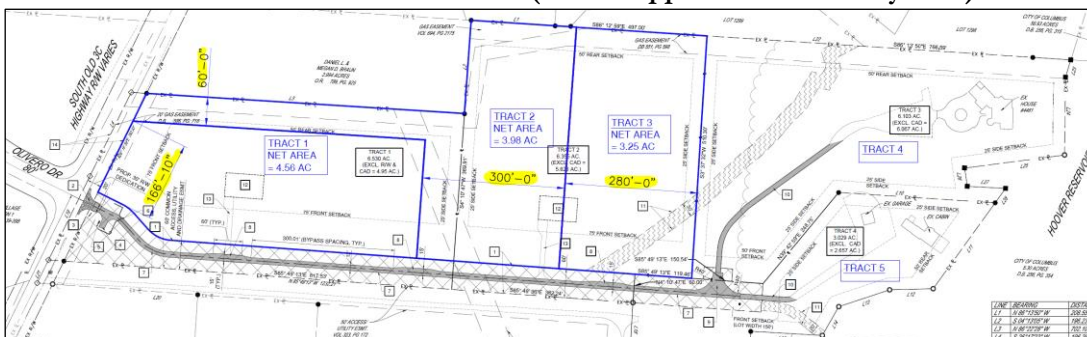
## Request

The applicants, ASMRE Holdings LLC, are requesting a variance from Section 306.02 of the Delaware County Subdivision Regulations for The Nest at Hoover CAD Subdivision to permit five lots in a Common Access Driveway subdivision.

The proposed subdivision is located on 22.02 acres on the east side of S. Old 3C Highway, across from Olivero Dr. The applicant submitted a Sketch Plan November 2024, which included a total of 4 lots on a CAD that conformed to the CAD regulations. The applicant seeks to add a fifth lot which exceeds the standards.

*"The applicant obtained preliminary subdivision approval for a compliant layout in March 2025, but now seeks to amend their preliminary plan to provide for a more desirable layout based on a practical hardship presented by this site. During plan review it was requested to reconfigure the CAD easement on Tract 1 to have the proposed CAD align with Olivero Drive opposite of the entrance which limited the building area of Tract 1. Tract 2 maintained a 60 foot wide strip of land to the north of Tract 1 that creates a long-term maintenance commitment for the adjoining owner and otherwise creates a strip of land that poses a hardship to this project."*

## APPROVED COMPLIANT PLAN (not the approved Preliminary Plan)





## REQUESTED PLAN WITH VARIANCE



### Facts

1. The applicant seeks to create a five-lot subdivision, utilizing a Common Access Driveway;
2. The site is 22.02 acres and consists of parcels 31713001002004 and 31713001002005;
3. The land is zoned RR, with a minimum 2-acre lot size; and
4. Relevant section of the Subdivision Regulations:

**“306.02 Number of Lots.** The CAD may serve and provide access for up to three (3) lots as shown on the CAD subdivision plat. Two (2) additional lots contiguous to the CAD at the point of access to the public or private road by the CAD and which would meet the current applicable zoning requirements as free-standing lots may, at the discretion of the Commission, be accessed by the CAD.”

### Criteria for a Variance

The burden is on the applicant to demonstrate in writing, each of the following:

- 1) The granting of this variance request shall not be detrimental to the public health, safety and welfare and not injurious to other property.

**Applicant's Response:** “The proposed layout will provide for more practical septic layout, better configuration of lots for access, and more logical property lines to ease property maintenance expectations and lessen any potential impacts on public health, safety, welfare or potential injuries to neighboring property owners.”

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

**Applicant's Response:** “Because of the nature of the existing structures, unique configuration of this property and desired access location for the common access driveway on S. Old 3C Hwy., the conditions of this request are unique and do not create a precedent for other variances of this standard.”

- 3) Due to the physical surroundings, shape, or characteristics of the property, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of the Delaware County Subdivision Regulations were carried out.

**Applicant's Response:** “Limited road frontage and topographic qualities of this site and the adjoining Hoover Reservoir provide for limited access to this property that justifies the use of the CAD and justification for this variance

to allow for a reconfiguration of property lines to make for more suitable building sites, unnecessary burdens on future property owners and neighbors. Long term impacts of creating the potential flag lot narrow building area on the front lot that will create an unnecessary hardship in septic design, access limitations and property maintenance that are more than a mere inconvenience.”

- 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:*** “The request maintains compliance with the Genoa Township Comprehensive Plan, Genoa Township Zoning Regulations and is otherwise compliant with the Delaware County Subdivision Regulations. Granting this variance will not generate additional building sites than what is otherwise permitted with the previously approved plan and is consistent with the spirit and intent of applicable regulations.”

#### **Staff Comments**

Staff has reviewed multiple options for the creation of a CAD subdivision on this site and agrees that this five-lot design makes sense. Five lots could be created without a variance, with tract two being designed as a flag lot. However, the current proposal will make the best use of the land area, with all lots gaining access off of the CAD and the drive location has been realigned with Olivero Drive as previously requested.

#### **Staff Recommendation**

DCRPC staff recommends that based on the Findings of Fact under Criteria for a Variance above, the variance request from Sec. 306.02 to allow five lots on a common access driveway subdivision for ASMRE Holdings LLC for The Nest at Hoover CAD be ***Approved***.

#### **Commission / Public Comments**

Mr. Joe Clase, Plan 4 Land, representative for the applicant was sworn in.

Chairman Shafer stated that he supports this concept as it creates a cleaner plat.

***Mr. Price made a motion to Approve the Variance request by ASMRE for a 5 lot CAD based on the Findings of Fact. Mr. Shock seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Genoa Twp.). Motion carried.***

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## SUBDIVISION PROJECTS

### Preliminary

05-25      The Nest at Hoover CAD (Revised) - Genoa Twp. - 5 lots / 22.02 acres

### Conditions

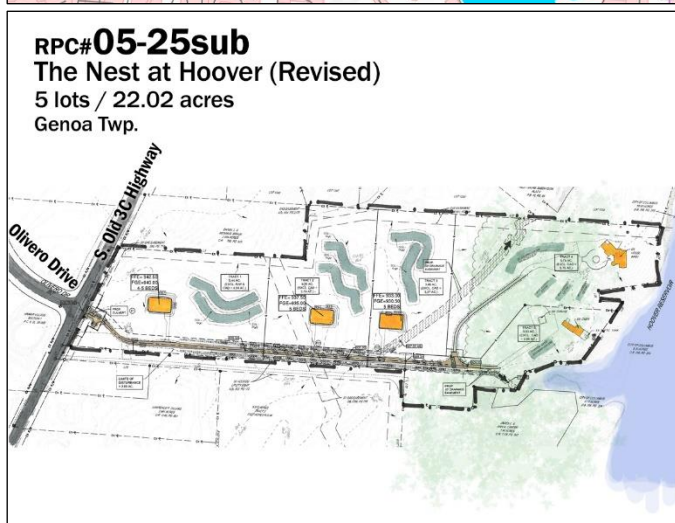
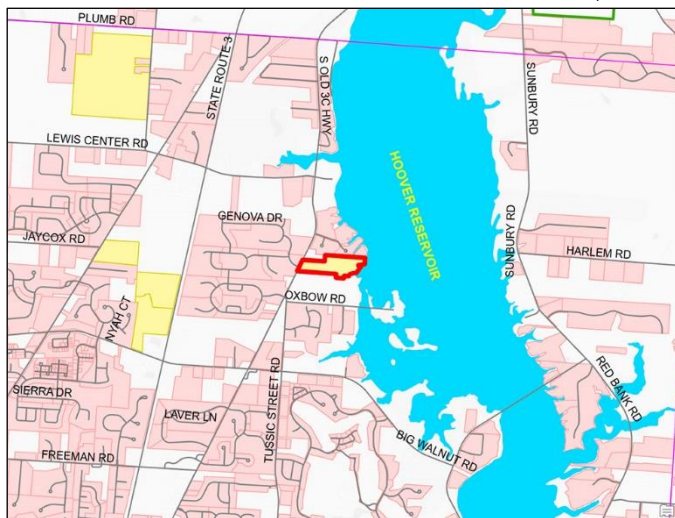
**Applicant:** ASMRE Holdings LLC. / **Engineer:** Brack Engineering

**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 five-lot CAD subdivision that will gain access from South Old 3C Highway. Tract one includes three barns that will remain, tracts two and three are vacant, and tracts four and five are already developed with single-family homes. 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; however, there is no opportunity to make any vehicle or pedestrian connections.

*A technical review was held on July 22, 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 Approval of the Variance Request.

#### Commission / Public Comments

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

*Ms. Holt made a motion for Preliminary Approval of The Nest at Hoover CAD. Mr. Setzer seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Genoa Twp.). Motion carried.*

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#### Preliminary / Final

01-25                      Mercedes Benz Berkshire – Berkshire Twp. – 1 lot / 13.579 acres

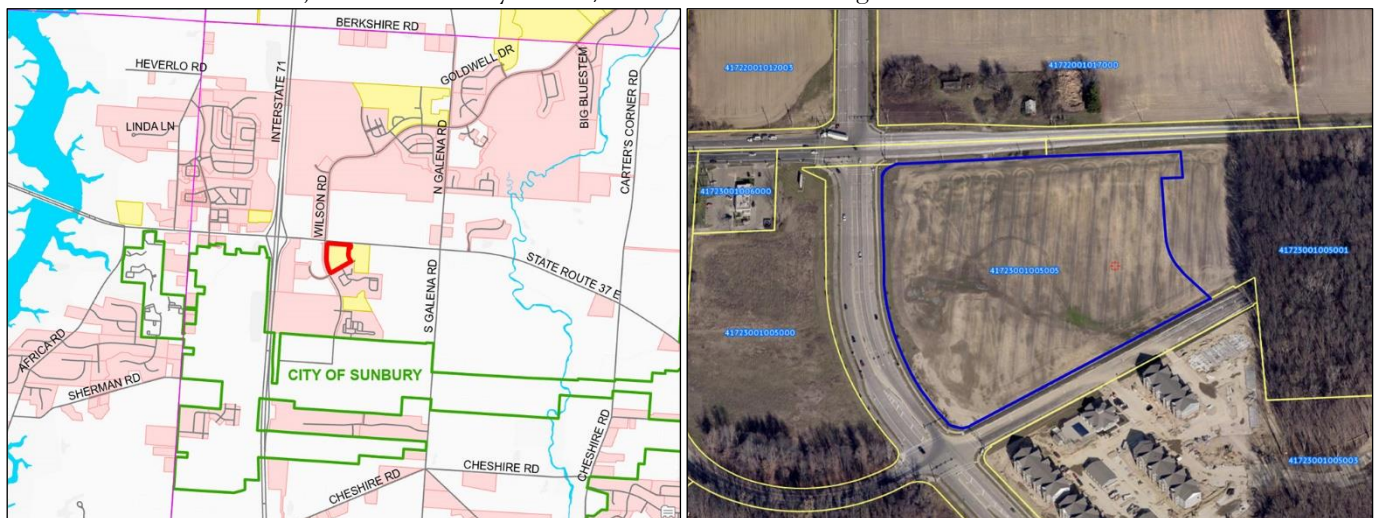
#### Conditions

**Applicant:** Bernie Moreno / **Engineer:** Kimley-Horn

**Subdivision Type:** Commercial

**Location:** south of State Route 37, east side of S Wilson Rd. / **Zoned:** PMUD Art. 16

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



#### Staff Comments

The site is located at the southeast corner of U.S. 36/S.R. 37 and S. Wilson Road, and gains access off of Rider Road. Final Engineering was approved on January 15, 2025 and construction is underway. The PMUD Article 16 was successfully applied to the property on August 1<sup>st</sup>, 2024 and the plat matches what was approved by the

township. As an existing lot, the site improvements are well underway.

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 **Mercedes Benz Berkshire** to the DCRPC.

#### Commission / Public Comments

Mr. Mike Reeves, Kimley-Horn, was present to represent the applicant.

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

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#### POLICY / EDUCATION DISCUSSION

- Subdivision Regulation amendments hearing – August 28, 2025

The legal notice was posted on July 16<sup>th</sup> for the Subdivision Regulation amendments. The hearing is scheduled for August 28, 2025. Proposed amendments have been posted on our website at: [https://regionalplanning.co.delaware.oh.us/current\\_events/contract\\_status/](https://regionalplanning.co.delaware.oh.us/current_events/contract_status/)  
(other reference material)

*Having no further business, Mr. Shock made a motion to adjourn the meeting at 7:05 p.m. Mr. Duffee seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

*The next meeting of the Delaware County Regional Planning Commission will be Thursday, August 28, 2025, 6:00 PM at the Byxbe Campus Conference Room, 1610 State Route 521, Delaware, Ohio 43015.*

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Joe Shafer, Chairman

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Stephanie Matlack, Executive Administrative Assistant