



Delaware County Regional Planning Commission

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Scott B. Sanders, AICP
Executive Director

MINUTES

Thursday, January 26, 2017 at 6:30 PM
Frank B. Willis Building, 2079 US 23 North, Conference Room,
Delaware, Ohio 43015

I. ADMINISTRATIVE BUSINESS

- Call to order
- Roll Call
- Approval of December 15, 2016 RPC Minutes
- Executive Committee Minutes of January 18, 2017
- Statement of Policy

II. ZONING MAP/TEXT AMENDMENTS

- 01-17 ZON Jeffrey Monebrake - Berkshire Twp. - 10.2 acres from A-1 to FR-1
 02-17 ZON River's Edge LLC - Liberty Twp. - 18.88 acres from FR-1 to PR
 03-17 ZON Metro Development - Concord Twp. - 63.72 acres from FR-1 to PRD
 04-17 ZON Metro Development - Concord Twp. - 50 acres from FR-1 to PRD

III. SUBDIVISION PROJECTS

Preliminary

		Township	Lots/Acres
01-17	The Reserve at Hidden Creek	Berkshire	40 lots / 31.69 acres
02-17	North Star, Section 1, Phase B	Berkshire	52 lots / 20.98 acres
03-17	T Woodhaven Estates, Lot 514, Div. #1	Genoa	02 lots / 04.62 acres

Preliminary/Final (none)

Final (none)

T=TABLED, W=WITHDRAWN

IV. VARIANCES / EXTENSIONS

- 06-04.V Summerwood Lakes - Berk. Twp. - 30 lots / 100 acres - variance and 1 year extension
 10-13 Glenmead, Sections 1 & 2 - Berlin Twp. - 65 lots / 67.763 acres - 1 year extension
 02-15 Harbor View - Berlin Twp. - 23 lots / 29.91 acres - 1 year extension

V. OTHER BUSINESS

- Consideration for Approval: Liability Insurance \$7,361.00

VI. POLICY / EDUCATION DISCUSSION

VII. RPC STAFF AND MEMBER NEWS

I. ADMINISTRATIVE BUSINESS

▪ **Call to Order**

Chairman Stites called the meeting to order at 6:30 p.m.

▪ **Roll Call**

Representatives: Jeff George, Chet Heid, Susan Kuba, Ric Irvine, Fred Fowler, Bill Piper, Tom Hopper, Joe Shafer, Dave Stites, Tracey Mullenhour, Ed Reely, Bill Thurston, Ed Snodgrass, Josh Vidor, Tim Gose, Bonnie Newland, and Mike Dattilo. Alternates: Helen Caraway, Adam Howard, John Piccin, and Michelle Boni. Arrived after roll call: Dan Boysel (R). Staff: Scott Sanders, Da-Wei Liou, Phil Bennetch, and Stephanie Matlack.

▪ **Approval of the December 15, 2016 RPC Minutes**

Mrs. Kuba made a motion to Approve the minutes from the December 15, 2016 meeting as presented. Mr. Irvine seconded the motion. *VOTE: Unanimously For, 0 Opposed. Motion carried.*

▪ **January 18, 2017 Executive Committee Minutes**

1. **Call to order**

Chairman Stites called the meeting to order at 8:45 a.m. Present: Dave Stites, Gary Merrell, Mike Frommer, Susan Kuba and Jeff George. Staff: Scott Sanders and Stephanie Matlack.

2. **Approval of Executive Committee Minutes from December 7, 2016**

Mr. George made a motion to Approve the minutes from last month as presented. Mr. Merrell seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

3. **New Business**

- Financial / Activity Reports for December 2016

REGIONAL PLANNING RECEIPTS		DECEMBER	YTD TOTAL
General Fees (Lot Split)	(4201)	\$205.00	\$11,335.00
Fees A (Site Review)	(4202)		\$6,000.00
Insp. Fees (Lot Line Transfer)	(4203)	\$200.00	\$4,400.00
Membership Fees	(4204)		\$221,608.00
Planning Surcharge (Twp. Plan. Assist.)	(4205)		\$6,403.30
Assoc. Membership	(4206)		
General Sales	(4220)		\$4.00
Charges for Serv. A (Prel. Appl.)	(4230)		\$94,623.40
Charges for Serv. B (Final. Appl.)	(4231)		\$56,077.10
Charges for Serv. C (Ext. Fee)	(4232)		\$1,050.00
Charges for Serv. D (Table Fee)	(4233)		\$1,600.00
Charges for Serv. E (Appeal/Var.)	(4234)		\$2,400.00
Charges for Serv. F (Planned District Zoning)	(4235)	\$900.00	\$5,100.00
OTHER DEPT. RECEIPTS			

Health Dept. Fees	(4242)		\$10,820.00
Soil & Water Fees	(4243)		\$6,350.00
MISCELLANEOUS REVENUE			
Other Reimbursements	(4720)		
Other Reimbursements A			
Other Misc. Revenue (GIS maps)	(4730)		\$460.20
Misc. Non-Revenue Receipts	(4733)		
Sale of Fixed Assets	(4804)		
TOTAL RECEIPTS		\$1,305.00	\$428,231.00

Balance after receipts		\$850,151.98
Expenditures	-	\$ 44,063.12
End of December balance (carry forward)		\$806,088.86

Mr. Merrell made a motion to Approve the financial reports as presented for audit. Mrs. Kuba seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

- Site Review
 - The Reserve at Hidden Creek – Berkshire Twp. – 40 lots / 31.69 acres
 - Howard Farms – Berlin Twp. – 175 lots / 141.38 acres
 - Riverby Estates, Phase 5 – Delaware Twp. – 3 lots / 9.37 acres

- January RPC Preliminary Agenda
 - 1.) Rezoning:
 - Jeffrey Monebrake – Berkshire Twp. – 10.2 acres from A-1 to FR-1
 - Rivers Edge LLC – Liberty Twp. – 18.88 acres from FR-1 to PR
 - Metro Development – Concord Twp. – 63.72 acres from FR-1 to PRD
 - Metro Development – Concord Twp. – 50 acres from FR-1 to PRD
 - 2.) Preliminary:
 - Woodhaven Estates, Lot 514, Div. #1 – Genoa Twp. – 2 lots / 4.62 acres
 - The Reserve at Hidden Creek – Berkshire Twp. – 40 lots / 31.69 acres
 - North Star, Section 1, Phase B – Berkshire Twp. – 52 lots / 20.98 acres
 - 3.) Preliminary/Final: (none)
 - 4.) Final: (none)
 - 5.) Variance / Extension:
 - Summerwood Lakes – Berkshire Twp. - variance and 1 year extension request
 - Glenmead, Sections 1 & 2 – Berlin Twp. - 1 year extension request
 - Harbor View – Berlin Twp. - 1 year extension request

- Director’s Report
 - 1.) Delaware County Trail Committee meeting 12/7 and 1/11, and stakeholder e-mail sent to all communities asking for input for online maps/major corridors, first draft map close to completion;
 - 2.) Liberty Township Comp Plan meetings on 12/13 and 1/11;

- 3.) Presentation to a Development Committee for the Health District, full board presentation later this month;
- 4.) Continued internal meetings (RPC, Sanitary Engineer's office, County Engineer's office) regarding subdivision tracking and changes to our GIS process, next meeting on the 24th;
- 5.) Also meeting with Bob Lamb regarding a secondary process improvement regarding zoning/permitting, larger meeting to discuss both these projects on 1/24.

GIS/Website

- 1.) Updating sidewalk and bikeway data in GIS, as well as stream data;
- 2.) Added general data to the Annual Report page;
- 3.) Updated website to reflect changeover from 2016 to 2017.

4. Old Business (none)

5. Other Business

- Consideration for Recommendation of Approval: Liability Insurance \$7,361.00

Mrs. Kuba made a motion to recommend Approval of the Liability expenditure of \$7,361.00, seconded by Mr. Frommer. VOTE: Unanimously For, 0 Opposed. Motion carried.

6. Personnel

- Director Evaluation

At 9:50 a.m., Mr. Stites made a motion to go into Executive Session per ORC 121.22 (G) (1) for the consideration of employment of a public employee. Mr. George seconded the motion.

Roll call vote: Mr. Merrell, Aye, Mr. Frommer, Aye, Mr. George, Aye, Mrs. Kuba, Aye, Mr. Stites, Aye. Motion carried.

At 10:10 a.m. Mr. Merrell made a motion to return to regular session, seconded by Mr. George.

Roll call vote: Mr. Merrell, Aye, Mr. Frommer, Aye, Mr. George, Aye, Mrs. Kuba, Aye, Mr. Stites, Aye. Motion carried.

7. Adjourn

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

The next regular Executive Committee meeting will be Wednesday, February 15, 2017 at 8:45 a.m. at 109 North Sandusky Street, 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 speak, at which time the chair will allow questions from the members of 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.

II. ZONING MAP/TEXT AMENDMENTS

01-17 ZON Jeffrey Monebrake – Berkshire Twp. – 10.2 acres from A-1 to FR-1

I. Request

The applicant, Jeffrey Monebrake, is requesting a 10.2-acre rezoning from A-1 to FR-1 to allow a 4 lot Common Access Driveway Subdivision.

II. Conditions

Location: 956 SR 61 N

Present Zoning: Agricultural (A-1)

Proposed Zoning: Farm Residential (FR-1)

Present Use(s): One single-family house, accessory buildings

Proposed Use(s): Four single-family house lots

Existing Density: 1 du / 5 acres

Proposed Density: 1 du / 1.95 acres

School District: Big Walnut Local School District

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

Critical Resources: slope \geq 20%

Soils: BeA Bennington Silt Loam 0-2% slope

BeB Bennington Silt Loam 2-4% slope

CaB Cardington Silt Loam 2-6% slope

CaC2 Cardington Silt Loam 6-12% slope

III. Introduction

This is not a Planned District, so no Development Plan is required. The applicant seeks a rezoning to allow subdivision into lots that are at least 1.95 acres in size where the current zoning requires 5 acres. Based on limited frontage, the application may subdivide the existing 10.2-acre lot into four residential lots sharing a CAD. In April, 2016, county agencies reviewed a Sketch Plan for a Common Access Driveway subdivision on this site. That layout has been submitted as part of this rezoning application.

The tract has approximately 340 feet of frontage on State Route 61. Three of the potential lots to be created show frontage on the CAD greater than 150 feet and the terminus lot shows 60 feet as per Berkshire Township's frontage requirements. All lots meet the minimum 1.95-acre size for the zoning district. Although CADs are not appropriate for any location, the Sketch Plan review comments suggested that this is an appropriate use of a CAD.

Staff has generally supported rezoning requests from 5 acres to 2 as land is utilized in a more efficient manner. Staff also recommends that the applicant consult with the Delaware General Health District to determine the feasibility of on-site waste treatment, which will occur as part of the Subdivision procedure.

IV. Comprehensive Plan

Berkshire Township's 2008 Comprehensive Plan indicates this area would be single-family residential at 0.5 units per acre without centralized sewer as is proposed.

V. Staff Recommendations

Staff recommends **Approval** of the rezoning request by Jeffrey Monebrake 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.

Mrs. Kuba made a motion to recommend Approval of the rezoning request by Jeffrey Monebrake. Mr. Irvine seconded the motion. **VOTE: Majority For, 0 Opposed, 1 Abstained (Berkshire Twp.). Motion carried.**

02-17 ZON River's Edge LLC – Liberty Twp. – 18.88 acres from FR-1 to PR

I. Request

The applicant, River's Edge LLC, is requesting a, 18.88 -acre rezoning from FR-1 to PR to allow a 24 single family lot subdivision.

II. Conditions

Location: west of SR 315, between Woodland Hall and Trail's End Subdivision

Present Zoning: Farm Residential (FR-1)

Proposed Zoning: Planned Residential (PR)

Present Use(s): Vacant

Proposed Use(s): 24 single-family house lots

Existing Density: 1 du / acre

Proposed Density: 1.27 du / gross acre, 2.03 du / net acre

School District: Olentangy Local School District

Utilities Available: Del-Co Water and central sanitary sewer

Critical Resources: slope \geq 20%, stream/drainage course, Heritage Sites buffer ½ mile by ODNR

Soils: GwC2 Glynwood Silt Loam 6-12% slope

LyD2 Lybrand Silt Loam 12-18% slope

SdC2 Scioto Silty Clay Loam 6-12% slope

MoB Milton Silt Loam 2-6% slope

III. Introduction

The applicant seeks a rezoning for the 18-acre parcel which was previously part of the Knowlton property. The design shows a single access at the inside of a small bend in State Route 315. The access is roughly 928 feet

north of Woodland Hall Drive. The internal road is proposed as private, circulating through the slightly sloping site, providing access for 18 of the building lots. A small cul-de-sac extending to the west provides access to the remaining six lot. Lots are generally 5,900 s.f., or .13-acre in size.

Just under 12 acres of open space is proposed for dedication. Of the overall open space proposed, four acres will be maintained as a no disturb zone on the east side of S.R. 315 including a portion of the Olentangy River. Another 1.6 acres is indicated as a stormwater detention area in the center of the site, surrounded by houses. Detailed landscaping and entry features are shown along 315. A buffer including mounding and landscaping is shown on the south and southwest corner of the site, which will add to the existing wooded areas adjacent to existing homes.

IV. Comprehensive Plan

The 2006 Liberty Township Comprehensive Plan is currently under review for amendment, but recommends this sub-area to be developed with residential uses at a maximum density of 1.25 units per net developable acre with sewer above the 900' elevation and 1 unit per net developable acre below 900' elevation. This site is fully below the 900' elevation mark.

V. Issues

Traffic and access: The single access is located at the inside bend in S.R. 315. This is typically not the favored location, as it causes drivers exiting the site to look back over their left shoulder. The application requests a divergence from setbacks and notes distance from the sidewalk, but the plan does not show a sidewalk or any potential pedestrian connection to adjacent properties. The County Engineer's staff note that a Site Distance exhibit was provided but was incomplete and didn't include a profile.

Additionally, the proposal seeks to create fee-simple lots on a private street. Such a street would need to be built to public standards as typically required. County Engineer staff notes that the geometry of these roads does not appear to meet the County Engineer's standards.

Drainage: The plan indicates preliminary drainage information and places a large pond in the center of the site. This will require a considerable amount of site work since the highpoint of the parcel is in the southwest corner and the land generally slopes to the east. This pond outlets to open space in the northeast corner of the site, which is the logical location as it is the low-point of the site. However, the plans do not indicate how this water is conveyed to the nearest culvert under S.R. 315, which appears to be located along the Gioffre property to the north.

Signage: Signage details are provided, but a divergence is requested. This topic is covered under the Divergences section.

Sanitary Treatment: Letter is included from the Sanitary Engineer's office. An existing line along the project's frontage can provide connection to the county's sanitary system.

VI. Divergences

Four divergences are requested:

1. **Density** – the zoning code allows 2 units per acre and the Comprehensive Plan recommends 1 dwelling unit per net developable acre. The applicant requests 1.27 du/gross acre and 2.02

du/net acre. The text notes that the divergence is justified because the plan will provide a housing option for individuals who wish to downsize (less square footage, lower maintenance with high end finishes) but remain in the Olentangy River corridor.

***Staff Comment:** Prior applications have noted the need for a variety of housing stock, particularly for downsizing. Staff has acknowledged that there are locations in the county where different housing is appropriate. However, placing such a product at this location where it is out of character with the land around it and where the Comprehensive Plan recommends larger lots and significant open space, is not appropriate.*

2. **Setbacks** – the Zoning Code requires a front yard setback equal to the width of the right of way as measured from the right of way. If the development utilizes a private road with a 50-foot (private) right of way, the setback would be 50-feet. The applicant requests a setback from the edge of pavement of 25 feet, noting that this will allow parking in front of garages without blocking the sidewalk. Additionally, the code requires side yard setbacks of 25 feet where the development plan requests reduction to 6 feet.

***Staff Comment:** The smaller housing and lot type is generating the need for reduced setbacks. Such divergences might be reasonable, if this product were in the right location. If considered for approval, the Zoning Commission should confirm that there is sufficient space between the garage and the sidewalk. As noted previously in this report, no sidewalks are shown on the plans.*

3. **Structure Separation** – the sideyard setback request above generates the need for a divergence from the structure separation regulations, which requires 25 feet unless designed with full masonry, which would allow a 15-foot separation. The text does not provide the exact request, but notes that “if any principal structure is located closer than 15' to another principal structure, one of such structures shall have as its exterior facing walls a firewall free of any opening and capable of stopping and spreading any fire.”

***Staff Comment:** As noted elsewhere in this report, this housing type is out of character for the site. The setback and separation divergences requested are a result of the dense housing type. The code allows for separation of 15 feet with firewalls and the commitment to provide firewalls on only one unit if two are closer than 15 feet isn't acceptable.*

4. **Signage** – the applicant requests a divergence from the requirement that “no part of any free-standing sign may be located closer than 15 feet of the right-of-way” and notes that a decorative stone wall and columns with inset limestone signs shall be placed at the entrance.

***Staff Comment:** The nearest development to the north constructed landscaping features at the edge of the right of way, which was expanded to 60 feet from centerline due to a southbound turnlane. As noted in this report, the access into the site is placed on the inside of a curve, creating a challenging site distance issue. The landscaping plan provided does not indicate the height of all structures or the distance from the edge of pavement or proposed right-of-way. Staff recommends subtle signage in accordance with the recommendations of the Olentangy Heritage Corridor Design Guidelines. As a guide, the existing fencing is 25 feet from the edge of pavement and it is difficult to see why this divergence is necessary. If considered for approval, the Zoning Commission should request exact scaling of the proposed right-of-way, as well as a sight distance exhibit that includes the height of structures.*

VII. Staff Recommendations

Staff recommends **Denial** of the rezoning request by Rivers Edge LLC from FR-1 to PR to the DCRPC, Liberty Twp. Zoning Commission and Liberty Twp. Trustees, *based upon the higher density, the smaller lot sizes, setback divergences, and the product being out of character with the development pattern of the immediate area.*

Commission / Public Comments

Mr. Sean Robare, Newbury Homes was present to represent the applicant. He confirmed the request was for twenty four 4,000 square feet homes. He stated the development to the northwest was similar in size.

Mr. Vidor questioned the strain on the culvert with so much hardscape. Mr. Robare stated the overflow would be diverted to the pond.

Mr. Stites suggested more discussion with the Township on the design.

Mrs. Kuba made a motion to recommend Denial of the request by Rivers Edge LLC based on staff recommendations. Mr. Shafer seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Liberty Twp.). Motion carried.

03-17 ZON Metro Development – Concord Twp. – 63.72 acres from FR-1 to PRD

I. Request

The applicant, Metro Development, is requesting a 63.72-acre rezoning from FR-1 to PRD to allow a 126-lot single family development to be known as Riverside Highlands.

II. Conditions

Location: west side of Dublin Rd., north of Moore Rd.

Present Zoning: Farm Residential (FR-1)

Proposed Zoning: Planned Residence District (PRD)

Present Use(s): vacant, agriculture

Proposed Use(s): 126 single-family house lots

Existing Density: 1 du / 1.5 acres

Proposed Density: 1.98 du / gross acre or 1.99 du / net

School District: Buckeye Valley Local School District

Utilities Available: Del-Co Water and central sanitary sewer

Critical Resources: streams/drainage course

Soils: BoA Blount Silt Loam 0-2% slope

BoB Blount Silt Loam 2-4% slope

PwA Pewamo Silty Clay Loam 0-1% slope

GwB Glynwood Silt Loam 2-6% slope

III. Introduction

This project is located along Dublin Road (State Route 745), with an entrance approximately 1700 feet north of Moore Road. It is currently in agricultural use and gently sloping from 952 elevation along the western edge of

the site to 920 along Dublin Road. A couple of subtle swales cross the site from southwest to northeast. The aerial and topography suggest a potential sinkhole between lots 44 and 45, which isn't unusual in this area.

The design shows a main access to Dublin Road curving within the site and providing circulation and access to the lots. Approximately 1.8 acres of open space is located on the south side of the entry and 1.4 acres is located to the north. There are several other areas of open space dispersed throughout the development. Road connections are provided to the north and south via a no-load collector street. An additional road stub is provided to the west. In total, 22.57 acres of open space is proposed, representing 35.42% of the site. This includes areas that appear to be planned for active recreation, as well as areas that will be passive and several that will house stormwater basins.

Each lot has frontage of between 60 and 75 feet, with some pie-shaped lots at just over 55 feet. Sixty of the lots are sized at 11,250 s.f. (.26 acres) and located east of the collector road, while 56 of the lots are 8,100 s.f. (.19 acres) in size and located to the west. Roads include sidewalks (approximately 2.4 miles) and 6,817 lineal feet of wider pathway through the open spaces and along Dublin Road.

IV. Comprehensive Plan

The 2014 Comprehensive Plan recommends residential use at a density of 2 units per acre throughout much of the township. This project indicates 1.98 units per gross acre and 1.99 units per net acre. As noted with previous reviews, the Zoning Resolution allows 1 ½ units per gross acre. The addition of “quality items” allows additional density up to a maximum of 3 units per gross acre. The two applicable quality items appear to be “usable parks or public open or recreational space” and “pedestrian or bike trails provided as part of the development,” each conceivably allowing an additional one-half unit per acre in density.

The Comprehensive Plan includes a section on future roads, which is reviewed below.

V. Issues

Traffic and access: The 2014 Concord Township Comprehensive Plan seeks to provide guidance for future road construction. The area bounded by Concord Road, U.S. 42, Dublin Road, and Moore Road represents about 614 acres of potential development. Requiring subdivisions to merely provide stub roads into adjacent land, does not sufficiently address the future traffic impacts such connections can generate. The Comprehensive Plan sought to break up this large area of land by anticipating several collector roads through this “superblock” of land, two of which directly impact this site.

The road corridors were extremely conceptual at the time the plan was discussed, but this proposal (and the following case also in Concord Township) help identify locations for these future roads. For this project, a north/south collector road is recommended through the site as a no-load (no driveway) or limited access road. Discussions earlier this month suggested the location that has been proposed on the development plan. However, further discussion between the RPC and County Engineer recommends moving this road to the western edge of the property. This would allow continuation to the south that could align with county-owned property or other developable land south of Moore Road. Based on this amended location, the development plan should provide another local stub street to the south as well as a connection to the north.

The access point appears reasonable based on the Auditor's topography data, but this will be verified during the Subdivision process, and any improvements along Dublin Road will be determined at that time. The RPC's

Subdivision process and County Engineers' standards will require a Traffic Study, which is not currently referenced in the application. Access and the regional network will continue to be an issue that is discussed as the study progresses and the Subdivision process occurs. Any Development Plan adopted at this early stage of the area's development may require amendments as traffic patterns are studied more closely.

Drainage: As noted, drainage appears feasible as the plan includes three ponds toward the north and east end of the site, which are the lower elevations.

Signage: Signage appears to be reasonable and will conform to the regulations within the Zoning Resolution.

Open Space: There is ample open space provided. At 22.57 acres, the open space represents 35.42% of the overall acreage, and is generally dispersed throughout the site. Passive open space is defined at the entrance and at several locations around the outside of the development area. Three more formal areas are provided which appear to be appropriately sized for more active play. A tot-lot play area is shown with a playground structure in the center of the site. All open spaces are connected with wider walking paths, which should be designed to meet the 10-foot standard.

Sanitary Treatment: Letter from the Sanitary Engineer's office is included which notes that capacity is conditionally available, once the Lower Scioto Wastewater Treatment plant is operational. This site is proposing a pump station near Dublin Road and will require offsite access to be constructed approximately 1,700 feet to the plant.

VI. Divergences

A divergence to allow driveways for single-family lots to be constructed closer to intersections than 100 feet is requested for several specific lots. These include one lot at a 0' setback, one lot at a 30' setback, two lots at a 45' setback, 6 lots at a 60' setback, and three lots at a 90' setback.

Staff Comment: As regularly noted, this is appropriate as it is not an engineering standard. However, roads that carry higher levels of traffic, such as collector streets, may need to limit the number of locations where access occurs at an intersection. This issue should be reviewed along with the traffic study.

VII. Staff Recommendations

Staff recommends **Conditional Approval** of the rezoning request by Metro Development for 63.72 acres from FR-1 to PRD to the DCRPC, Concord Twp. Zoning Commission and Concord Twp. Trustees, subject to:

- 1.) Continued discussions with the County Engineer's office and RPC regarding the location and design of collector streets, including shifting the north/south no-load street to the west;
- 2.) Ensure pedestrian paths along major roads are designed at 10 feet and sidewalks are 5 feet.

Commission / Public Comments

Mr. Todd Faris, Faris Planning and Design, was present to represent the applicant. He stated that they would work with the County Engineer with relocating the roads as directed by RPC staff.

Mr. Shafer made a motion to recommend Conditional Approval of the rezoning request by Metro Development for 63.72 acres, subject to staff recommendations #1 and #2. Mr. Heid seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Concord Twp.). Motion carried.

04-17 ZON Metro Development – Concord Twp. – 50 acres from FR-1 to PRD

I. Request

The applicant, Metro Development, is requesting a 50-acre rezoning from FR-1 to PRD to allow a 98-lot single family development to be known as Concord Highlands.

II. Conditions

Location: east side of Concord Rd., south of Moore Rd.

Present Zoning: Farm Residential (FR-1)

Proposed Zoning: Planned Residence District (PRD)

Present Use(s): Vacant

Proposed Use(s): 98 single-family house lots

Existing Density: 1 du / 1.5 acres

Proposed Density: 1.96 du / gross acre or 1.99 du / net

School District: Buckeye Valley Local School District

Utilities Available: Del-Co Water and central sanitary sewer

Critical Resources: streams/drainage course

Soils: BoA Blount Silt Loam 0-2% slope

PwA Pewamo Silty Clay Loam 0-1% slope

GwB Glynwood Silt Loam 2-6% slope

III. Introduction

This project is located along Concord Road just southwest of the Lower Scioto Wastewater Treatment plant which is on property owned by Delaware County. It is currently in agricultural use and is generally flat, gently sloping from 956 elevation in the northeast corner to 940 along Concord Road. A grassy swale crosses the western end of the site from north to south.

The design shows a main access to Concord Road with a non-loaded entry street crossing the lower portion of the site, which is retained as an open space and drainage area. Approximately 10 acres of open space are on the north side of the road and 5.25 acres is located to the south. Lots are arranged in a block pattern, assuming similar adjacent development to the north, east, and south. Road connections are provided to the north and south, with two connections provided to the east. A more formal recreation area of 3.75 acres is located in the center of the site. This open space area appears to have been sized to allow a play field.

Each lot has a frontage of between 60 and 85 feet, with some pie-shaped lots at 55 feet. A quarter of the lots are 11,250 s.f. (.26 acres) and three-quarters are 8,100 (.19 acres) in size. Roads include sidewalks (approximately 2.07 miles) and 3,973 lineal feet of wider pathway through the open spaces and along Concord Road.

IV. Comprehensive Plan

The 2014 Comprehensive Plan recommends residential use at a density of 2 units per acre throughout much of the township. This project indicates 1.96 units per gross acre and 1.99 units per net acre. As noted with previous reviews, the Zoning Resolution allows 1 ½ units per gross acre. The addition of “quality items” allows additional density up to a maximum of 3 units per gross acre. The two applicable quality items appear to be

“usable parks or public open or recreational space” and “pedestrian or bike trails provided as part of the development,” each conceivably allowing an additional one-half unit per acre in density.

The Comprehensive Plan includes a section on future roads, which is reviewed in the following section.

V. Issues

Traffic and access: The 2014 Concord Township Comprehensive Plan seeks to provide guidance for future road construction. The area bounded by Concord Road, Moore Road, Dublin Road, and Duffy Road represents about 354 acres of potential development. Requiring subdivisions to merely provide stub roads into adjacent land, does not sufficiently address the future traffic impacts such connections can generate. The Comprehensive Plan sought to break up this large area of land by anticipating both an east/west collector road and another road starting at the sewer plant’s Moore Road access and traveling southeast through the site to a highpoint at Dublin Road.

The road corridors were extremely conceptual at the time the plan was discussed, but these two proposals help identify locations for these future roads. For this project, the east/west collector road is recommended through the site as a no-load (no driveway) or limited access road. This does not need to be a straight road without intersections through the site, and should assume adjacent development at similar densities. This site does not need to allow for the north/south road as that could be located on county property no longer needed for plant construction.

The RPC’s Subdivision process will require a Traffic Study, which is not currently referenced in the application. This will continue to be an issue that is discussed as the Traffic Study progresses and the Subdivision process occurs. Any Development Plan adopted at this early stage of the area’s development may require amendments as traffic patterns are studied more closely.

Drainage: As noted, drainage appears feasible as the plan includes two large ponds at the western end of the site, which is the lower elevation.

Signage: Signage appears to be reasonable and will conform to the regulations within the Zoning Resolution.

Sanitary Treatment: Letter from the Sanitary Engineer’s office is included which notes that capacity is conditionally available, once the Lower Scioto Wastewater Treatment plant is operational. This site is proposing a pump station near Concord Road and will require offsite access to be constructed approximately 2,300 across county property to the plant.

Open Space: There is ample open space provided. At 18.87 acres, the open space represents 37.74% of the overall acreage. However, this is all concentrated at the western end of the site and in the more formal center open space area. Open space is typically located around the periphery of a site. In this case, it is assumed that the adjacent areas will be a similar character and no open space has been provided along the south, east, and north boundaries. Additional buffering and landscaping should be considered around the site, and a no-build area should be platted where existing treelines exist.

VI. Divergences

A divergence to allow driveways for single-family lots to be constructed closer to intersections than 100 feet is

requested for several specific lots. These include five lots at 0' setback, one lot at 30' setback, three lots at 45' setback, 11 lots at 60' setback, and four lots at 90' setback.

Staff Comment: As regularly noted, this is appropriate as it is not an engineering standard. However, road that carry higher levels of traffic, such as collector streets, may need to limit the number of locations where access occurs at an intersection. This issue should be reviewed along with the traffic study.

VII. Staff Recommendations

Staff recommends **Conditional Approval** of the rezoning request by Metro Development for 50 acres from FR-1 to PRD to the DCRPC, Concord Twp. Zoning Commission and Concord Twp. Trustees, *subject to:*

- 1.) Continued discussions with the County Engineer's office and RPC regarding the location and design of collector streets;
- 2.) Ensure pedestrian paths along major roads are designed at 10 feet and sidewalks are 5 feet;
- 3.) Consideration of an open space buffer along the rear of parcels that back up to undeveloped land and/or tree preservation areas where appropriate.

Commission / Public Comments

Mr. Todd Faris, Faris Planning and Design was present to represent the applicant.

Mr. Shafer made a motion to recommend Conditional Approval of the rezoning request by Metro Development for 50 acres, subject to staff recommendations #1-3. Mr. Vidor seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Concord Twp.). Motion carried.

III. SUBDIVISION PROJECTS

Preliminary

01-17 The Reserve at Hidden Creek – Berkshire Twp. - 40 lots / 31.69 acres

I. Conditions

Applicant: Westport Homes
Subdivision Type: Planned Residential
Location: east of 3 B's & K Rd, west of I-71
Current Land Use: Agricultural
Zoned: Planned Residential Development
Zoning Approval: November 28, 2016
Utilities: Del-Co water and central sanitary sewer
School District: Olentangy
Engineer: Watcon Engineering

II. Staff Comments

The Reserve at Hidden Creek is a 40-lot residential subdivision taking its main access from Killdeer Meadows subdivision, and having no frontage on any other road. A single road enters the site going north from

Killdeer Meadows, intersecting the main road, which starts in a cul-de-sac to the west and goes to the eastern end with potential future access northeast of the site. The average lot size is 0.38 acres and most lots have 92 feet of frontage.

Two reserves are being created for open space and tree preservation. One is a 6.65-acre parcel along the northern edge of the site, containing one pond, a stream, and 6'-wide pedestrian paths. The second is a 2.75-acre parcel to the southeast end of the site, containing a 6'-wide asphalt pedestrian path. RPC and County Engineer staff note that since the applicant/developer will take ownership of this southern part of a larger 73.78-acre parcel currently under the ownership of Wilson Investment Management LLC. Since the developer was not required to cross the stream in the northeast corner of the site, the owner of the residual land will be required to sign the plat acknowledging that the road must be extended when that land is developed.

A technical review was held on January 17, 2017, after which the applicant has addressed all of the required changes.

III. Staff Recommendation

Staff recommends *Preliminary Approval* of **The Reserve at Hidden Creek** to the DCRPC.

Commission / Public Comments

Mr. Shawn Lanning with Watcon Eng. was present to represent the applicant.

Mr. Thurston made a motion for Preliminary Approval of The Reserve at Hidden Creek. Mr. Irvine seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Porter Twp.). Motion carried.

02-17 North Star, Section 1, Phase B – Berkshire Twp. - 52 lots / 20.98 acres

I. Conditions

Applicant: Northstar Residential Development LLC
Subdivision Type: Planned Residential
Location: east side of N. Galena Rd., north of Bent Tree Rd.
Current Land Use: Vacant
Zoned: Planned Residential Residential District
Zoning Approval: December 10, 2001
Utilities: Del-Co water and central sanitary sewer
School District: Big Walnut
Engineer: EMH & T

II. Staff Comments

Northstar, Section 1, Phase B is a 52-lot residential subdivision as part of the Northstar's larger golf resort development with frontage on North Galena Road. The main road enters the site from the west and ends at the eastern edge. One cul-de-sac near the entrance to the west comes off the main road and goes north. Another road on the eastern end of the site comes off the main road going north, then loops east and south

back onto the main road continuing to provide eventual access to the south. A second cul-de-sac extends north from the loop.

One reserve is being created for open space. It is a 0.5-acre parcel located on the south side of the main road near the center, and will contain existing wetlands.

A technical review was held on January 17, 2017, after which the applicant has addressed all of the required changes.

III. Staff Recommendation

Staff recommends *Preliminary Approval* of **North Star, Section 1, Phase B** to the DCRPC.

Commission / Public Comments

Mr. Justin Zampardi with EMH & T was present to represent the applicant.

Mr. Irvine made a motion for Preliminary Approval of North Star, Section 1, Phase B. Mrs. Kuba seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

03-17 T Woodhaven Estates, Lot 514, Div. #1 – Genoa Twp. - 02 lots / 04.62 acres

I. Conditions

Applicant: Timothy Buren

Engineer: Bird + Bull

II. Staff Comments

The applicant has requested a 90-day tabling of Woodhaven Estates, Lot 514, Div. #1 in order to address Health Department comments from the Technical Review Committee meeting.

III. Staff Recommendation

Staff recommends *Approval* of a 90-day tabling of **Woodhaven Estates, Lot 514, Div. #1** to the DCRPC.

Commission / Public Comments

Mrs. Kuba made a motion to Approve the 90-day tabling of Woodhaven Estates, Lot 514, Division #1. Mr. Irvine seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Genoa Twp.). Motion carried.

Preliminary/Final (none)

Final (none)

IV. VARIANCES / EXTENSIONS

06-04.V Summerwood Lakes – Berkshire Twp. – 30 lots / 100 acres – variance and 1 year extension

Applicant: Homewood Corp.

Engineer: CT Consultants

Preliminary approval: 03/25/04

Extensions granted: 03/31/05, 09/29/05, 12/22/11 (via variance), 1/31/13 (via variance), 1/30/14 (via variance), 1/29/15 (via variance), 1/28/16 (via variance)

I. Request

Homewood Corp. is requesting a variance to sections 102.03 and 204.04 of the DCRPC Subdivision Regulations regarding the expiration and extension of the Preliminary Plan. The applicant is requesting a 1-year extension beyond the time limit allowed in the Subdivision Regulations to complete the platting of a subdivision (five years after the first plat is recorded) in the Summerwood Lakes subdivision in Berkshire Township.

The proposed subdivision is located on the east side of 3 B's and K Road, north of Dustin Road. The subdivision proposes 100 lots on 81 acres.

II. Facts

1. The Subdivision Regulations require that a Subdivision be completely platted within five years of the first Section being recorded;
2. Summerwood Lakes received Preliminary approval on March 25, 2004;
3. Section 1 was recorded December 2006, giving the remaining sections until December 2011 to be recorded.
4. The project was given a 1-year extension via variance until December 2012;
5. Quorum was not met at the December, 2012, meeting and the project was extended to January, 2013 where the applicant received a second one-year extension via variance until January, 2014;
6. The applicant received a third one-year extension via variance until January, 2015;
7. The applicant received a fourth one-year extension via variance until January, 2016;
8. The applicant received a fifth one-year extension via variance until January 2017.

III. 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: "Homewood Corporation is asking for a variance to sections 204.04 and 102.03 regarding the expiration and extension of the Preliminary Plan. The Preliminary Plan was approved and the Section 1 Final Plat was recorded on 12/15/2006. According to Section 204.04 of the DCRPC code, the Preliminary Plan expires five years after the date of recording Section 1.

To date, Section 1 and Section 3 have been developed and Final Plat recorded. Section 2 was passed over while we worked on some engineering issues. The entire development of 100 lots only has 37 lots and open space remaining in Section 2 which we anticipate developing in the summer of 2017. All three sections have been engineered and there is no reason to believe that the development will not ultimately be built according to plan.

Due to the declining housing market and general economic conditions, Homewood respectfully requests a variance to section 102.03 to allow for an extension of one year. A significant improvement in sales over the past two years has led to us anticipating development of Section 2 this summer.

The granting of this variance would not be detrimental to the public health, safety and welfare to other parties. The conditions of which this variance is sought are unique to this property due to the scope and size of the overall project. A considerable hardship would occur to not only the owner of the property, but to existing homeowners who have purchased within the subdivision should the Preliminary Plan expire. The Preliminary Plan will continue to be followed and no other variances are being sought to vary any other provision of the original approval."

Staff comments: The Section 3 plat was recorded in March, 2016. The County Engineer's office has been circulating final comments for the Engineering plan for Section 2 within the last few weeks. Staff recommends that the extension be limited to one year.

IV. Staff recommendations

DCRPC staff recommends that based on the Findings of Fact under Criteria for a Variance above, as well as current market conditions, the variance request from Sec. 102.03 & 204.04 and a one-year extension for Summerwood Lakes be Approved.

Commission / Public Comments

Mr. Tom Tolbert of Homewood was present.

Mrs. Kuba made a motion to Approve the Variance request for Summerwood Lakes, based on the Findings of Fact and a 1 year extension. Ms. Boni seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

10-13 Glenmead, Sections 1 & 2 – Berlin Twp. – 65 lots / 67.763 acres – 1 year extension

Applicant: Romanelli & Hughes
Engineer: CT Consultants
Preliminary approval: 1/29/15

I. Staff Comments

The applicant is requesting a 1-year extension for Glenmead, Sections 1 and 2. Phase 1, Section 1 is currently constructed and the plat is under review. RPC staff has reviewed a draft version of a plat for Section 1.

II. Staff Recommendation

Staff recommends *Approval* of a 12-month Extension for **Glenmead, Sections 1 and 2** to the RPC.

Commission / Public Comments

Mr. Shafer made a motion for a 1 year extension for Glenmead, Sections 1 and 2. Mr. Fowler seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Berlin Twp.). Motion carried.

02-15 Harbor View – Berlin Twp. – 23 lots / 29.91 acres – 1 year extension

Applicant: Pulte Homes
Engineer: Stantec
Preliminary approval: 01/29/15

I. Staff Comments

The applicant is requesting a 1-year extension for Harbor View. The project has been delayed due to working out the utility improvements required for the project.

II. Staff Recommendation

Staff recommends *Approval* of a 12-month Extension for the Harbor View to the RPC.

Commission / Public Comments

Mr. Kevin Kershner with Stantec was present to represent the applicant.

Mrs. Kuba made a motion to approve the 1 year extension for Harbor View. Mr. Shafer seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Berlin Twp.). Motion carried.

V. OTHER BUSINESS

- Consideration for Approval: Liability Insurance \$7,361.00

Mr. Thurston made a motion to Approve the Liability Insurance expense of \$7,361.00. Mr. Heid seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

VI. POLICY / EDUCATION DISCUSSION

- Meetings of the DCRPC – Mr. Sanders had handouts available on the duties of the DCRPC members. He mentioned that he would add this document along with the By-Laws to the website.

VII. RPC STAFF AND MEMBER NEWS (none)

Having no further business, Mr. Boyssel made a motion to adjourn the meeting at 7:15 p.m. Mr. Irvine seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

The next meeting of the Delaware County Regional Planning Commission will be Thursday, February 23, 2017, 6:30 PM at the Frank B. Willis Building, 2079 US 23 North, Conference Room, Delaware, Ohio 43015.

Dave Stites, Chairman

Stephanie Matlack, Executive Administrative Assistant