



Delaware County Regional Planning Commission

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Scott B. Sanders, AICP
Executive Director

MINUTES

Thursday, June 30, 2016 at 7:00 PM
Frank B. Willis Building, 2079 US 23 North, Conference Room,
Delaware, Ohio 43015

I. ADMINISTRATIVE BUSINESS

- Call to order
- Roll Call
- Approval of May 26, 2016 RPC Minutes
- Executive Committee Minutes of June 22, 2016
- Statement of Policy

II. VARIANCES

01-05 Cheshire Woods, Sec.'s 2-4-Berkshire Twp.–requesting additional extension of Preliminary Approval

III. ZONING MAP/TEXT AMENDMENTS

08-16 ZON Berkshire Township Zoning Commission – 118.61 acres to PMUD
 09-16 ZON DNJS Investments LLC – Harlem Twp. – 19.448 acres from AR-1 to FR-1
 10-16 ZON Continental Olentangy Crossing LLC – Orange Twp. – 18.643 acres – dvlpmnt. plan amendment
 11-16 ZON Sparrow Ventures – Liberty Twp. – 13.25 acres from FR-1 to PC
 12-16 ZON Evans Farm Land Development Co., LLC. – Berlin Twp. – 607.12 acres from FR-1 to PRD/PCD
 13-16 ZON Paykoff Properties, c/o Evans Farm Land Development Co., LLC. – Berlin Twp. – 314.21 acres from FR-1 to PRD/PCD

IV. SUBDIVISION PROJECTS

Preliminary

		Township	Lots/Acres
02-16	T Allington Estates	Liberty	25 lots / 102.86 acres
13-16	North Orange, Sec. 1, Ph. 2, Pt. A, Lot 6257, Div. #1	Orange	01 lot / 1.93 acres

Preliminary/Final (none)

Final

08-12.4	Sanctuary at the Lakes, Section 4	Genoa / Orange	27 lots / 15.49 acres
10-16	Olentangy Crossings, Section 2, Lot 7523, Div. #3	Orange	01 lot / 1.50 acres

T=TABLED, W=WITHDRAWN

V. EXTENSIONS

01-05	Cheshire Woods, Sections 2-4	Berkshire	271 lots / 228.683 acres
11-14	Sheffield Park, Section 1, Phase B, Lot 6903, Div. #1	Genoa	03 lots / 1.823 acres

VI. OTHER BUSINESS

- Consideration for Approval: conference expense for Da-Wei Liou, ESRI – up to \$1,600.00
- Discussion of meeting time change

VII. POLICY / EDUCATION DISCUSSION

- Reminder of Subdivision Regulations Amendment hearing 07/28/16

VIII. RPC STAFF AND MEMBER NEWS

- Philip Bennetch hired 06/20/16 – Planner I / GIS Operator

I. ADMINISTRATIVE BUSINESS

▪ **Call to Order**

Chairman Stites called the meeting to order at 7:00 p.m.

▪ **Roll Call**

Representatives: Jeff George, Chet Heid, Susan Kuba, Ric Irvine, Fred Fowler, Steve Burke, Mike Frommer, Tom Hopper, Joe Shafer, Dave Stites, Tracey Mullenhour, Joe Proemm, Ed Snodgrass, Dan Boysel, James Gauldin, Mike Dattilo and Doug Price. Alternates: Cheryl Friend, Doug Riedel, Claudia Husak, Hal Clase, Michelle Boni, and James Hatten. Arrived after roll call: Barb Lewis (R) and Farzan Ahmed (A). Staff: Scott Sanders, Phil Bennetch and Stephanie Matlack.

▪ **Approval of the May 26, 2016 RPC Minutes**

Mr. George made a motion to Approve the minutes from the May RPC meeting. Mr. Irvine seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

▪ **June 22, 2016 Executive Committee Minutes**

1. Call to order

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

2. Approval of Executive Committee Minutes from May 18, 2016

Mr. George made a motion to Approve the minutes from the May Executive Committee meeting, seconded by Mr. Stites. VOTE: Unanimously For, 0 Opposed. Motion carried.

3. New Business

- Financial / Activity Reports for May 2016

REGIONAL PLANNING RECEIPTS		MAY	YTD TOTAL
General Fees (Lot Split)	(4201)	\$615.00	\$3,755.00
Fees A (Site Review)	(4202)	\$300.00	\$2,700.00
Insp. Fees (Lot Line Transfer)	(4203)	\$100.00	\$2,100.00
Membership Fees	(4204)	\$742.00	\$218,629.00
Planning Surcharge (Twp. Plan. Assist.)	(4205)	\$392.48	\$392.48
Assoc. Membership	(4206)		
General Sales	(4220)		
Charges for Serv. A (Prel. Appl.)	(4230)	\$7,843.40	\$31,493.40
Charges for Serv. B (Final. Appl.)	(4231)	\$1,000.00	\$26,392.10
Charges for Serv. C (Ext. Fee)	(4232)		\$150.00
Charges for Serv. D (Table Fee)	(4233)	\$200.00	\$600.00
Charges for Serv. E (Appeal/Var.)	(4234)	\$300.00	\$1,200.00
Charges for Serv. F (Planned District Zoning)	(4235)		\$600.00
OTHER DEPT. RECEIPTS			
Health Dept. Fees	(4242)		\$2,190.00
Soil & Water Fees	(4243)	\$200.00	\$3,125.00

MISCELLANEOUS REVENUE			
Other Reimbursements	(4720)		
Other Reimbursements A			
Other Misc. Revenue (GIS maps)	(4730)	\$91.00	\$390.20
Misc. Non-Revenue Receipts	(4733)		
Sale of Fixed Assets	(4804)		
TOTAL RECEIPTS		\$11,783.88	\$293,717.18

Balance after receipts	\$922,469.47
Expenditures	- \$ 23,992.35
End of May balance (carry forward)	\$898,477.12

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

- Site Review
 - 1.) Evans Farm, Section 1 – Orange Twp. 142 lots / 105.78 acres

- June RPC Preliminary Agenda
 - 1.) Variance – Cheshire Woods, Sections 2-4 – requesting additional preliminary extension
 - 2.) Rezoning:
 - Berkshire Township Zoning Commission – 118.61 acres to PMUD
 - DNJS Investments LLC – Harlem Twp. – 19.448 acres from AR-1 to FR-1
 - Continental Olentangy Crossing LLC – Orange Twp. – 18.643 acres – dvlpmnt. plan amendment
 - Sparrow Ventures – Liberty Twp. - 13.25 acres from FR-1 to PC
 - 3.) Preliminary:
 - Allington Estates – Liberty Twp. - 25 lots / 102.86 acres (tabled)
 - North Orange, Sec. 1, Ph. 2, Pt. A, Lot 6257, Div. #1 – Orange Twp. - 01 lot / 1.93 acres
 - 4.) Preliminary/Final: none
 - 5.) Final:
 - Sanctuary at the Lakes, Section 4 - Genoa / Orange Twp.’s - 27 lots / 15.49 acres
 - Olentangy Crossings, Section 2, Lot 7523, Div. #3 – Orange Twp. - 01 lot / 1.50 acres

- Director’s Report
 - 1.) Attended Planning and Zoning Workshop in Columbus;
 - 2.) Sunbury Comprehensive Plan – Planning and Zoning Commission initiated the plan and scheduled an open house, then vote on Monday, June 27th;
 - 3.) Scheduled an “east county” trail planning meeting on June 1 in Galena. Discussed current projects and ways to work together on future projects. Plan to convene a west county group and then update the county-wide trails plan by the end of the year;
 - 4.) Reorganized and redesigned the website – tried to keep popular documents in similar locations;
 - 5.) Completed the Active Transportation Checklist for a sample project in Liberty Township. Health District is submitting the application.
 - 6.) Director meeting attended on June 2;
 - 7.) Advertised the Subdivision Regulations amendments as required and posted markup and clean versions to the website. No discussion planned at the June meeting, but will note in the staff report;

- 8.) Met with DATABus regarding their Development Plan and Funding Strategy. May do some GIS work for their brochure purposes as well as their online mapping sites (still exploring this as it may require additional GIS add-ons;
- 9.) Met with Liberty Township Zoning Commission regarding an update to their Comp Plan (2006) and will begin meetings in July.
- 10.) Hired Planner I and began orientation and training/office setup, etc.

- Consideration for Recommendation for Approval

- 1.) ESRI Conference expenses – Da-Wei Liou has requested to attend the ESRI Conference in San Diego. This registration for the conference is free due to having the yearly maintenance contract for the ArcView software. The estimated expense is \$1,568.00 including airfare, hotels, food and transportation. This total is under the amount budgeted for 2016.

Mr. George made a motion to recommend Approval of up to \$1,600.00 for the ESRI conference expenses for Da-Wei Liou. Mr. Merrell seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

4. Old Business *(none)*
5. Other Business *(none)*
6. Personnel

Mr. Sanders stated that Phil Bennetch, the new Planner I/ GIS Operator started Monday (06/20). He is an OSU graduate. He attended the Technical Review Committee meeting and will be at next week's RPC meeting. He could not be at the Exec. Comm. Meeting due to orientation.

7. Adjourn

Having no further business, Mr. Merrell made a motion to adjourn the meeting at 10:05 a.m. Mrs. Kuba seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

The next regular Executive Committee meeting will be Wednesday, July 20, 2016 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. VARIANCES

01-05 Cheshire Woods, Sec.'s 2-4–Berkshire Twp.–requesting additional extension of Prel. Approval

I. Request

Homewood Corp. and Sotseks II are requesting a variance to allow an additional 2-year extension of the Preliminary Plan for the Cheshire Woods subdivision in Berkshire Township.

The proposed subdivision is located on the south side of Cheshire Road, about 2000 feet east of I-71.

II. Facts

1. The Subdivision Regulations state that “the approval of a Final plat for the first phase of the subdivision shall serve to extend the Preliminary Plan approval period to five (5) years from the date the Final Plat for the first phase is recorded.”
2. Cheshire Woods, Section 1-4 received Preliminary approval on January 27, 2005, and received a six-month extension on January 26, 2006 to expire July 27, 2006;
3. Cheshire Woods, Section 1 was recorded June 20, 2006, which would hold the Preliminary approval until June 2011;
4. The applicant received a Variance and two-year extension of the remaining lots in June, 2011 to June 2013.
5. A second extension by variance was approved June 2013 to expire June 26, 2014.
6. A third extension by variance was approved June 2014 to expire June 26, 2015, with a request that a phasing plan be submitted and a recommendation that an additional connection to Rome Corners Road be achieved.
7. A fourth extension by variance was approved June 25, 2015 to expire June 25, 2016.
8. Development of the site has continued, including the engineering review of Section 2 and the filing of Section 3, Phase A Final Plat on the June, 2015 RPC agenda.
9. The applicant is requesting a fifth extension by variance for an additional two years.

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: “To date, Section 1 and 3A have been developed and the Final Plats recorded. Section 2 is under development and the plat recorded in May of 2016. In addition, Section 3, Phase B has also had the engineering updated and is ready for submittal for development in 2017. These future sections account for 154 lots and considerable open space. All four 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 of the past, Homewood respectfully requests a variance to section 102.03 to allow for an extension of two years.”

“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: This project was delayed by the economic conditions of 2006-2011. Section 3, Phase A was recorded on July 9, 2015 and Section 2 was recorded on May 12, 2016. Roads in Section 2 are actively under construction.

Staff is concerned with continued development to the south without a planned additional access to Rome Corners Road. The Commission had significant discussion on this topic in 2015 and the Commission and staff is satisfied with continued development. Staff typically recommends a 1-year extension, so that the situation can be re-evaluated annually.

IV. Staff Recommendation

DCRPC staff recommends that based on the Findings of Fact under Criteria for a Variance above, as well as current market and economic conditions, the variance request from Sec. 102.03 & 204.04 and a one-year extension for **Cheshire Woods, Sections 2 -4** be *Approved*.

Commission / Public Comments

Mr. Jim Lipnos of Homewood Corp. was sworn in by Chairman Stites. Mr. Lipnos stated that 32 lots in Section 3, Phase A has been platted, along with Section 2 with 43 lots. There are 111 remaining lots. At the current rate they are going, he anticipates needing 2 years to complete the project. He requested the Board to consider a 2 year extension.

Ms. Husak asked if it was in the authority of the Commission to extend the request to two years. Chairman Stites said it was under the Commission’s authority but based on consistency the Executive Director has recommended 1 year.

Mr. Irvine made a motion to Approve the Variance request for Cheshire Woods, Sections 2-4 based on the Findings of Fact. Mr. Burke seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Berkshire Twp.). Motion carried.

III. ZONING MAP/TEXT AMENDMENTS

08-16 ZON Berkshire Township Zoning Commission – 118.61 acres to PMUD

I. Request

The Berkshire Township Zoning Commission initiated a process to add 118.61 acres to the existing Planned Mixed Use District (PMUD) near the US 36/SR 37 corridor.

II. Process

The proposal adds to the district established in accordance with ORC 519.021(C), which allows a Planned Unit Development to be “floated” over a specific area. A future applicant must submit to the Zoning Commission a Development Plan that meets the standards as outlined in the code. The standards of the PMUD would then apply to that defined area of land. The addition of any land to this zoning designation is a Legislative act and the future approval of any Development Plan is an Administrative act by the Zoning Commission. This is the process known as “floating a cloud” and has been used in some Delaware County township zoning resolutions for the Conservation Subdivision applications as well as the POD23 district in Liberty Township.

III. Description

Berkshire Township has identified the 36/37 corridor, especially at the I-71 interchange, as a critical location for development. This process will allow the initial rezoning to take place now, allowing for development plan reviews in the future. There is a rigorous process with safeguards and standards within the text to ensure appropriate development review.

Based on the existing language in the Planned Mixed Use District, the additional land would only allow residential uses. While Multi-Family uses are allowed in the PMUD, they are limited to an area within 300 feet of the Highway, which is outside of this additional acreage. Existing language limits “single-family at a maximum density of four dwelling units per net developable acreage and six dwelling units per net developable acreage for attached units such as common wall attached, townhomes, patio homes, or four-unit structures. Plans currently circulating for early comments through the county indicate single-family development in this area at densities much lower than this. Materials, façade treatments, design elements, exterior lighting, signage, landscaping, and other details as typically required in the Planned Districts are required here.

Open space at a minimum of 30% is required. This is allowed to be set aside all at once for the overall site, or as smaller areas within developed areas. Twenty percent must be located within an individual development site, with 10% allowed to be dedicated on-site, elsewhere within the overlay area, or mitigated with a contribution to a fund as defined in the code. The code references Net Developable Acreage, which will be determined with each development plan based on the site being developed.

The acreage is currently undeveloped with a mix of agricultural use, woods, and a large pond created when the interchange was built.

IV. Issues

1. **Tract Coverage** – Language was added in the original PMUD article, going beyond the current Berkshire definition, ensuring that coverage is defined and calculated properly.
2. **Roads and Utilities** – the text references input by the county with regard to roads, circulation, and emergency access. It also references platting being a requirement, which will allow another opportunity for the county agencies to review the proposed development for appropriate access.

Staff Comment: *It is important that the Zoning Commission seek input at that point at the time of Development Plan review. Sanitary service is available in this area, but capacity will need to be carefully reviewed and planned for prior to specific development plan approval.*

V. Staff Recommendations

Staff recommends **Approval** of the amendments to the Berkshire Twp. Zoning Resolution and Map to include 118.61 acres within the Planned Mixed Use District to the DCRPC, Berkshire Twp. Zoning Commission and Berkshire Twp. Trustees.

Commission / Public Comments

Mr. Jeff George stated that he could answer questions from the Commission.

Mrs. Kuba made a motion to recommend Approval of the amendments to the Berkshire Twp. Zoning Resolution and Map to include 118.61 acres within the Planned Mixed Use District. Mr. Boysel seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Berkshire Twp.). Motion carried.

09-16 ZON DNJS Investments LLC – Harlem Twp. – 19.448 acres from AR-1 to FR-1

I. Request

The applicant, DNJS Investments LLC, is requesting a 19.448-acre rezoning from AR-1 to FR-1 to potentially create new residential building sites.

II. Conditions

Location: 6311 Miller Paul Road, Westerville

Present Zoning: Agricultural (AR-1)

Proposed Zoning: Farm Residential (FR-1)

Present Use(s): Vacant/agricultural

Proposed Use(s): Single-family house lots

Existing Density: 1 du / 5 acres

Proposed Density: 1 du / 2 acres

School District: Big Walnut Local School District

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

Critical Resources: none

Soils: BeA Bennington Silt Loam 0-2% slope

BeB Bennington Silt Loam 2-4% slope

PwA Pewamo Silty Clay Loam 0-1% slope

CeB Centerburg Silt Loam 2-6% slope

III. Issues

This is a straight rezoning and does not require a development plan. The assumption is that the areas are being rezoned for future subdivision into new FR-1 lots.

The overall parcel, most recently surveyed in April of this year, includes 95.827 acres located on both the east and west sides of Miller-Paul Road and on the north side of Fancher Road. Harlem Township's zoning resolution requires 2 acres exclusive of all easements and rights-of-way, and frontage of 175 feet for 2-3 acres, with increasing frontage as acreage increases. Flag lots, or lots with 60 feet of frontage, are allowed on county roads if separated by a lot with full frontage. Depending on size, further subdivision will be accomplished through the No

Plat lot split process, allowing township and county agencies the opportunity to review and approve the proposed lot and remainder.

On the east side of Miller-Paul, an area of 6.046 acres with frontage of 460 feet is being rezoned. Three lots could potentially be created in this acreage, assuming all geometry requirements can be met. On the west side of Miller-Paul, 13.402 acres is being rezoned. This land includes 575 feet of frontage on Fancher and 970 feet of frontage on Miller Paul. A variety of lots could be created. However, in accordance with ORC 711.131 and the Subdivision Regulations, only four lots can be created in any given calendar year, with a fifth allowed if the original tract is then fully subdivided.

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 treatment on the site. Staff recommends that the eventual subdivider utilize Shared Access Points (SAP) and design techniques to avoid multiple adjacent driveways.

IV. Staff Recommendations

Staff recommends **Conditional Approval** of the rezoning request by DNJS Investments for 19.448 acres from AR-1 to FR-1 to the DCRPC, Harlem Twp. Zoning Commission and Harlem Twp. Trustees, subject to:

1. *Ensuring feasibility of on-lot treatment through the Health District.*

Commission / Public Comments

No one was present to represent the applicant.

Mr. George made a motion to recommend Conditional Approval of the rezoning request by DNJS Investments for 19.448 acres from AR-1 to FR-1, subject to staff recommendations. Mr. Fowler seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

10-16 ZON Continental Olentangy Crossing LLC – Orange Twp. – 18.643 acres – development plan amendment

I. Request

The applicants are seeking to modify the development plan for six existing commercial lots on 18.643 acres.

II. Conditions

- Location:** west side of US 23 (4 lots) and east side of US 23 (2 lots)
- Present Zoning:** Planned Commercial (PC)
- Proposed Zoning:** Planned Commercial (PC)
- Present Use(s):** Vacant
- Proposed Use(s):** Commercial
- School District:** Olentangy Local School District
- Utilities Available:** Del-Co Water and central sanitary sewer
- Critical Resources:** archeological site (OHPO), stream/drainage course, pond
- Soils:** GwB Glynwood Silt Loam 2-6% slope
GwC2 Glynwood Silt Loam 6-12% slope

III. Issues

In November of 2003, Olentangy Crossings, a mix of residential and commercial uses, was zoned by Orange

Township. In December of 2006 (and some other subsequent “re-subdivisions”), the subject area was platted as outlots along U.S. 23, served with backage roads on both the east and west sides of the highway. Through the years, various development has occurred on several sites, leaving 5 undeveloped areas.

In October of 2004, Olentangy Crossings South was zoned by Orange Township. This development also included both residential and non-residential uses. In 2006, the area was platted, being further divided into the current two-lot configuration with a subdivision plat in July, 2014. Although neither of the two potential commercial areas have been developed, only a portion of the site is being requested for a change to the existing development plan.

The current market and efforts to develop the remaining land have led the current owners to seek some slight changes in the approved Development Plan. These changes should make the sites more marketable and are limited to a few substantive changes:

1. Reduce the minimum lot size to 1.2 acres where the current approved lot size is 1.5.

Staff comment: *After the Final Plat on tonight’s agenda is recorded, this will apply to five locations: the northern lot on the east side and all undeveloped lots on the west side. This could potentially allow two more lots on the east and up to ten new lots on the west side. This may be reasonable, unless the township wishes to establish a maximum number of lots for each subarea. Access should continue to be controlled with shared access points and cross-easements to allow travel between sites. The geometry of the northernmost lot (on the west side) may prevent further subdivision.*

2. Reduce the front building setback. The recorded plats reference a 48-foot setback from U.S. 23 and a 150-foot building setback. Along the backage roads, the plats show a 6-foot parking setback and 50-foot building setback. The only request for change is for the reduction of the U.S. 23 building setback to 100 feet.

Staff comment: *Although most other outlots along 23 south of this site have been limited to this 150-foot standard, this is a reasonable request. This may allow buildings to be moved away from the existing single-family homes to the west. Judging from the aerial, the unpaved area within the right-of-way is wider on the west side of 23 than on the east, which will reduce this amendment’s effect on that side. The 48-foot pavement setback should allow for proper drainage and stormwater management, which will be reviewed as each lot is proposed for further subdivision.*

3. Modify the uses to allow quick service oil change and brake service businesses.

Staff comment: *This is reasonable if proper screening can be maintained.*

4. Provide for one divergence to signage elevation height. The proposal requests wall signs to be located “more than fifteen feet above finished grade or the height of the ceiling of the first floor of the building to be twenty-six feet above finished grade.”

Staff comment: *The existing Union Bank building appears to have a sign that conforms to this request. The language suggests extending beyond the current standard but does not seem to set a height limit. This should be clarified.*

5. A divergence is requested from Section 22.06(j) to permit more than the allowable total square footage of signs.

Staff comment: *This portion of the application is incomplete and should be clarified.*

Staff also notes this is a proposed amendment that would impact two separate zoning cases – Olentangy Crossings and Olentangy Crossings South, as noted in the introduction. These may need to be considered as two individual zoning amendments since they are currently two development plans.

Also, staff recommends the phrase “Future Lot Split” not be used. Platted lots may only be divided by utilizing the subdivision platting process. This has led to some confusion as applicants begin to prepare an application for a

711.131 lot split instead of a plat. Any added clarification as to the future subdivision process would help future buyers better understand the process.

IV. Staff Recommendations

Staff recommends **Conditional Approval** of the development plan amendment request by Continental Olentangy Crossing LLC. for 18.643 to the DCRPC, Orange Twp. Zoning Commission and Orange Twp. Trustees, subject to:

- 1. Approval of the lot size reduction, if access is controlled with shared access points and cross-easements. The township may wish to establish a maximum number of lots for each subarea and consider that the minimum lot size change may not apply to the northernmost lot.*
- 2. Approval of the reduction of the front building setback, particularly on the west side.*
- 3. Approval of the change of uses to allow quick service oil change and brake service businesses, although this may need to be limited to the east side of U.S. 23.*
- 4. Approval of the divergence to signage elevation height, if language is clarified, with additional clarification for the divergence from maximum area of square footage of signs.*
- 5. Consideration of splitting this application into two separate applications since it involved two separate zonings.*
- 6. Removal of the phrase "Future Lot Split" from the Development Plan to provide clarity for future applicants.*

Commission / Public Comments

Ms. Deanna Cook, attorney with Vorys, Sater, Seymour and Pease was present along with Mr. Jason Hockstok, engineer with Continental Real Estate Companies. Ms. Cook stated that the market has shown that 2 acre lots are hard to sell therefore they have asked for the reduced lot size to 1.2 acres. The reduced setback to 100' is to provide exposure to the commercial lots and buffer residential to the west.

Ms. Husak asked if the applicant had any issues with the staff comments. Mr. Jason Hockstok stated that they would prefer some flexibility in the area (to include the west side of US 23) for auto focused type uses.

Mr. George made a motion to recommend Conditional Approval of the development plan amendment request by Continental Olentangy Crossing LLC, subject to staff comments as listed:

- 1. Approval of the lot size reduction, if access is controlled with shared access points and cross-easements. The township may wish to establish a maximum number of lots for each subarea and consider that the minimum lot size change may not apply to the northernmost lot.*
- 2. Approval of the reduction of the front building setback, particularly on the west side.*
- 3. Approval of the change of uses to allow quick service oil change and brake service businesses, although this may need to be limited to the east side of U.S. 23.*
- 4. Approval of the divergence to signage elevation height, if language is clarified, with additional clarification for the divergence from maximum area of square footage of signs.*
- 5. Consideration of splitting this application into two separate applications since it involved*

two separate zonings.

6. Removal of the phrase “Future Lot Split” from the Development Plan to provide clarity for future applicants.

Mr. Gauldin seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

11-16 ZON Sparrow Ventures – Liberty Twp. – 13.25 acres from FR-1 to PC

I. Request

The applicant, Sparrow Ventures, is requesting a 13.25-acre rezoning from FR-1 to PC to allow a banquet facility; Swan Lake.

II. Conditions

Location: east side of Liberty Road, north of Hyatts Road

Present Zoning: Farm Residential (FR-1)

Proposed Zoning: Planned Commercial (PC)

Present Use(s): Vacant

Proposed Use(s): Banquet facility

Existing Density: 1 du / 5 acres

Proposed Density: N/A

School District: Olentangy Local School District

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

Critical Resources: Ponds, wetlands, slopes

Soils: BoA Blount Silt Loam 0-2% slope

BoB Blount Silt Loam 2-4% slope

GwB Glynwood Silt Loam 2-6% slope

III. Introduction

The Development Plan indicates that the site will be developed with a number of structures, taking advantage of the existing pond. The site will be accessed via a single location on Liberty Road, approximately 750 feet north of its intersection with Hyatts Road.

Buildings include a gatehouse entry feature, a main hall with a covered veranda and patio, two bride and groom auxiliary buildings, a storage barn, and a 20' x 30' stable building. Parking will be located under existing powerlines which cross the site east/west. Mounding and plantings are provided as a buffer to the existing lots to the south. Approximately 2 acres of woods are preserved north of the parking area. Walking paths will be built around the pond. The site indicates on-site treatment with proposed treatment areas toward Liberty Road and south of the gatehouse.

IV. Issues

Traffic and access: A Traffic Impact Study has been accepted by the County Engineer’s office. The study shows that per the TIS Standards, a north-bound left turn lane is warranted with a length of 225' including the taper. The Engineer’s office has agreed to waive the left turn requirement if the culvert near the southern property line is extended west so that the guardrail can be removed, improving site distance for exiting vehicles. A Fire Department letter is included in the application with typical comments and standards. Staff recommends the Fire Dept. also review the architecture of the gatehouse to ensure proper access. The letter indicates that the fire access

road northwest of the site needs to be 20 feet in width.

Drainage: This has also been reviewed through the County Engineer and Soil and Water office. An existing easement along Liberty Road from the north is currently on county maintenance, but the drainage from the pond toward the road will need to be added. A geotechnical engineer will need to analyze the embankment of the existing pond to determine its stability.

Lighting: A lighting plan is included. Staff recommends lights only be used as warranted when the facility is in use.

Sanitary Treatment: As noted elsewhere, the plan notes on-site treatment and discussion with the Health District. Based on total treatment amounts, some non-residential uses require review and approval by the Ohio EPA. Staff recommends continued discussions regarding sanitary treatment.

V. Divergences

Two divergences are requested:

1. Divergence request from the bikeway requirement.
Staff Comment: This is a non-residential site with no existing link to a bikepath or trail. A “regional” path will be located along Sawmill Parkway west of the railroad. A trail along Liberty Road is desired, but the existing ditch on the west side of Liberty makes placement there difficult. Staff recommends that the development prevent any mounding from being placed to the west along the railroad in case a future trail is proposed there.
2. Divergence request to allow a full-time resident at the site.
Staff Comment: This is reasonable and should not add significantly to the traffic.

VI. Comprehensive Plan

Liberty Township’s 2006 Comprehensive Plan indicates this area would be residential at 1.25 units per acre with sewer, or 1 unit per acre without sewer. This site is impacted with the existing pond, as well as the railroad to the west and the overhead utility lines. Although the proposal is not a residential use, it is not a typical commercial use. For these reasons, a departure from the specific recommendations of the plan is reasonable, if the access and drainage conditions are complied with.

VII. Staff Recommendations

Staff recommends **Conditional Approval** of the rezoning request by Sparrow Ventures to the DCRPC, Liberty Twp. Zoning Commission and Liberty Twp. Trustees, *subject to:*

1. *Extension of the culvert (west) and removal of the guardrail as required by the County Engineer;*
2. *Adding the channel from the pond to the Drainage Maintenance program;*
3. *Limiting lighting to only the hours of operation.*
4. *Recommended approval of both divergences (see specific comments on the bikeway).*
5. *Continued discussion with the Health District regarding treatment.*

Commission / Public Comments

Mr. Jay Barry with CT Consultants and Mr. Dan Dillon with P & D Builders were present. Mr. Barry stated that the stable would be used for events only and not house horses full time. He also stated that they are working with the County Engineer on the extension of the culvert.

Mr. Burke asked if there has been any discussions with the Health District on the sewage treatment. Mr. Dillon stated that soil tests were done and a design has been engineered but not approved yet.

Mr. Gauldin made a motion to recommend Conditional Approval of the request by Sparrow Ventures,

subject to:

1. *Extension of the culvert (west) and removal of the guardrail as required by the County Engineer;*
2. *Adding the channel from the pond to the Drainage Maintenance program;*
3. *Limiting lighting to only the hours of operation.*
4. *Recommended approval of both divergences (see specific comments on the bikeway).*
5. *Continued discussion with the Health District regarding treatment.*

Mr. George seconded the motion. VOTE: Majority For, 0 Opposed, 2 Abstained (Porter Twp. and County Engineer). Motion carried.

**12-16 ZON Evans Farm Land Development Co., LLC. – Berlin Twp. – 607.12 acres -
FR-1 to PRD and PCD**

I. Request

Evans Farm Land Development Co. LLC, is requesting a 607.12-acre rezoning from FR-1 to PRD/PCD for a mixed use new urbanism community.

II. Conditions

- Location:** north of Lewis Center Road, west of South Old State Road.
- Present Zoning:** Farm Residential (FR-1)
- Proposed Zoning:** Planned Residential District (PRD) and Planned Commercial and Office (PCD)
- Present Use(s):** Vacant
- Proposed Use(s):** mixed use planned development
- Existing Density:** 1 du / acre
- Proposed Density:** 2.2 du / acre for single-family development
- School District:** Olentangy Local School District
- Utilities Available:** Del-Co Water and central sanitary sewer
- Critical Resources:** wetlands, streams/drainage course
- Soils:** PwA Pewamo Silty Clay Loam 0-1% slope
GwB Glynwood Silt Loam 2-6% slope
GwC2 Glynwood Silt Loam 6-12% slope
BoA Blount Silt Loam 0-2% slope
LyD2 Lybrand Silt Loam 12-18% slope

III. Description

Evans Farm Land Development Co., LLC, is submitting an application for rezoning 564.2 acres from FR-1 to PRD and 47.5 acres from FR-1 to Planned Commercial and Office.

Process: While this is an integrated town center with both residential and non-residential components, conformance to the Berlin Township Zoning Resolution requires rezoning into two separate districts, with divergences requested where needed. This will allow the community to be a cohesive development while utilizing the existing code.

A significant amount of information included within both the PRD and the PCD documentation. Given the scope of the project, the amount of additional details, and the limited time for review, this report will only touch on the broad issues of the development and the divergences.

General Development Character: Evans Farm is intended to be a town-center development. The vision is to create a village-style development that promotes walkability, creates a diverse and mixed-use community, supports a variety of housing styles and types, insists on quality architecture and design, seeks to create a true neighborhood, and focuses on quality of life.

To achieve this, the overall plan includes the following specific details:

- * 1,234 single-family lots on 564.2 acres. These include eleven different lot sizes as follows:

- 176 lots at 40' wide, 172 lots at 45' wide, 75 lots at 50' wide, 188 lots at 55' wide, 100 lots at 60' wide, 192 lots at 65' wide, 181 lots at 70' wide, 51 lots at 80' wide, 51 lots at 90' wide, 44 lots at 100' wide, and 4 estate lots. Smaller lots are concentrated to the west, with larger lots adjacent to similar existing lot sizes to the east with the balance and most of the land area taken up by “medium” sized lots;

- * Total open space of 199.2 acres, or 35%, is provided where 20% is required. This includes 56.7 acres along the railroad to the west and 19.2 acres along the railroad to the east. Various other open space areas and parks are located throughout;

- * Commercial and office area east of the train tracks of 43.3 acres with a neighborhood-scale commercial area of 4.2 acres at Hollenback and South Old State;

- * 10-foot asphalt trail through various major routes within the site, otherwise curb-and-gutter with sidewalks on all streets;

The layout shows several roads entering the site, with the main southern “entrance” from Lewis Center Road in Orange Township. Piatt Road extends from the north, traveling through the site and down to the Orange Township section. Piatt Road will eventually terminate at a new roundabout when Home Road is extended with development to the southwest (Slate Ridge). This road is indicated on the 2001 Delaware County Thoroughfare Plan as a major north/south route. Development incorporates Hollenback Road, as well as a new access to South Old State Road. Shanahan is proposed to cross the railroad tracks with an above grade crossing, and realign with Hollenback. A new street connects Peachblow to Shanahan.

The layout is generally a grid street pattern, which increases the internal connectivity within the site and disperses traffic. Stubs are provided to the north and to other existing street stubs.

IV. Process

The Berlin Township Zoning Resolution allows either a one-step rezoning process or the option of filing a Preliminary Development plan only, then following-up with a Final Development Plan within a certain time period. This application requests a single-step approval. In such a complex proposal, there will likely be many adjustments made to the initial approved plan. Changes may be required in road configuration and design as the traffic study continues to be reviewed. This has been the experience in the Orange Township portion of the project. Ideally, the zoning process would allow certain commitments as to number of units, lot sizes, uses, etc., with final detail submitted prior to the development of each section. This may require a significant divergence from the usual process and standards. It is projected that development of the first phase could begin in 2022.

V. Conformance with the Comprehensive Plan

The 2011 Berlin Township Comprehensive Plan identified the township’s desire for a mixed-use area, potentially as a town center development, at the current intersection of Piatt and Shanahan Roads. The proposed mixed-use area, at 43 acres, is larger than the commercial area noted on the Comp Plan. However, the plan also shows a 100-acre site on the west side of the railroad as recommended for commercial or industrial use. This 100 acre parcel is proposed to be residential in the plan, so on balance this acreage is essentially transferred to the other side of the railroad.

This is part of a larger development with acreage in Orange Township as well. That portion of the plan includes 418 acres of residential use and 135 acres of Planned Commercial use which includes multi-family residential uses as well. This site represents an overall opportunity to create a neighborhood center. Future upgrades to Lewis Center Road and new access to Home Road in Orange Township, as well as improvements to Shanahan Road and Piatt Road, will allow improved access for a walkable center. Market trends suggest that the two waves of population, retiring baby-boomers and millennials, are looking for mixed use areas with a variety of housing types, recreational opportunities, and other amenities. Such development also has the potential to create a financial benefit to the township and county, with unique retail and office uses and limited impact to school population in the multi-family portions of the site. As densities rise and uses mix, the architectural details and transitions between uses are critical.

Proposed densities create a substantial departure from the typical pattern that has developed throughout the two townships. This plan asks both for single-family residential areas, as well as the introduction of residential within the Planned Commercial and Office area. The current Comprehensive Plan recommends densities of 1.85 units per net developable acre where the plan requests 2.2 dwelling units per gross acre. As discussed throughout this report, higher densities are needed to provide a successful walkable, mixed-use district. The economic impact of the retail and commercial areas will be enhanced by creating a local audience of customers, while attracting other customers from outside the development.

However, the township will have to consider whether the density divergence should be limited to apply to only the PC areas. This could be accomplished by enlarging the pocket of smaller lots immediately east of the railroad and other changes recommended within the report. This would limit the divergences needed.

VI. PRD Divergences

Due to the nature of this development, there are certain aspects of the proposed development that cannot fit into the districts of the existing resolution. This is a summary of the requests:

- A. Applications for Temporary Uses for serial events, such as but not limited to weekly farmer's markets; **Staff Comment:** *seems more appropriate for the PCD area, should stipulate annual permits;*
- B. Telecommunication Towers – applicant requests three towers as part of the development plan. Based on design, this seems reasonable if located as part of the development plan to reduce impact on existing homes;
- C. Lighting – two LED upright fixtures to illuminate community identification signs with ball field lighting in the PRD section. **Staff Comment:** *Probably reasonable, based on the specific type of lighting. Ball field lights should be limited to specific areas and noted on the plan. Such use is probably limited to the open space labeled "DD?";*
- D. Lot width – the application asks for a variety of lot widths as noted above. **Staff Comment:** *reasonable, but it would be helpful if the requirement was listed in the divergence section;*
- E. Side, rear, and front yard setbacks – the application lists the requested setbacks graphically within the exhibits. **Staff Comment:** *all these dimensional setback variances may be appropriate, but the application should show the typical layout of each minimum size lot so the Commission can judge the result. Staff typically recommends that rather than allowing blanket divergences for such details, that the development plan indicate specific occurrences where these divergences are needed;*
- F. Landscaping – trees will be planted according to the standards but trees will be planted across the

developed community... (goes on to mention the PCD standards). **Staff comment:** *This should be clarified;*

G. Plan expiration divergence. Application notes that “total development within all lands in Evans Farms may span 15 to 20 years.” **Staff Comment:** *this is understandable, but may suggest that zoning is premature, especially for Final Development Plan approval. A reasonable date should be set so that future review is scheduled.*

VII. PCD Divergences

Due to the nature of this as a town center, there are certain aspects of the proposed development that cannot fit into the districts of the existing resolution. This is a summary of the requests:

A. (Also in PRD) Applications for Temporary Uses for serial events, such as but not limited to weekly farmer’s markets; Staff Comment: seems more appropriate for the PCD area, should stipulate annual permits;

B. (Also in PRD) Telecommunication Towers – applicant requests three towers as part of the development plan. Based on design, this seems reasonable if located as part of the development plan to reduce impact on existing homes.

C. Permitted and Conditional Uses - A list of additional uses is included, most of which will probably not result in much discussion. Multi-family is also noted and must be approved as a divergence, since multi-family is specifically defined for application in the Transitional Planned Unit Development (TPUD) district. The proposal notes that densities shall be 8.0 du/acre within the 43-acre PCD area and prohibited from the 4-acre parcel to the northeast. This results in 346 potential dwelling units; **Staff Comment:** *staff supports multi-family as an integrated part of a mixed-use development. As mixed use is a new approach for the area, it would be beneficial to see additional detail and minimum standards for such uses. The application notes that the density “shall be” 8 du/ac. Is this a requirement of the applicant’s design or is this the maximum requested? Several housing types are proposed (Flat, Multiple-Family, Townhouse) but none may exceed 8 units per building. With the correct controls, high-quality materials, and appropriate transitions between uses, this could be a successful development. It would be helpful for the township if the language on pages 13 and 14 could specifically reference the Architectural Exhibits in Tab 3, particularly noting what an 8-unit building looks like. Additional detail as to the possible “plan” or overhead views should be included as well;*

D. Building setbacks. **Staff Comment:** *this is a request that is difficult to judge without seeing more detail in the commercial and multi-family areas. Building separation of 0' is not a significant issue, since it is very similar to inline stores in appearance. Secondly, where there is separation between buildings as shown on the development plan, these gaps will probably include an access road for entry into the internal parking areas, or at minimum a pedestrian access. In those cases, the required 25-foot separate may actually be met.*

E. Building Height requested to be increased to 50 feet. **Staff comment:** *This is acceptable if approved by the Fire Department.*

F. Landscaping (Also in PRD) – trees will be planted according to the standards but trees will be planted across the developed community... **Staff comment:** *This should be clarified;*

G. Shared parking areas shall be developed; **Staff Comment:** *This may be acceptable and is encouraged, depending on the uses.*

H. Signage – the signage pallet is created to reflect an old town vision and that is necessary for the walkable, pedestrian-friendly community. **Staff Comment:** *This is acceptable for the PCD, given the architectural details included and the fact that the signage will be internal to the site. Additional “project identification” and marketing signs may need to be provided to the Zoning Commission.*

I. Lighting (Also in PRD) – two LED upright fixtures to illuminate community identification signs with ball field lighting in the PRD section. **Staff Comment:** *Probably reasonable, based on the specific type of lighting. Ball field lights should be limited to specific areas and noted on the plan.*

J. Plan expiration divergence (Also in PRD)- Application notes that “total development within all lands in Evans Farms may span 15 to 20 years.” **Staff Comment:** *this is understandable, but may suggest that zoning is premature, especially for Final Development Plan approval. A reasonable date should be set so that future review is scheduled.*

VIII. Staff Recommendations

Staff recommends **Conditional Approval** of the 607.12 acre rezoning request by Evans Farm Land Development Co. LLC. to the DCRPC, Berlin Twp. Zoning Commission and Berlin Twp. Trustees, *subject to:*

1. *The Traffic Study has not been approved by the County Engineer for any portion of the Evans Farm development. This has caused some conflict with the approved Development Plan through Orange Township. Staff strongly recommends the Traffic Study be approved by the County Engineer with specific engineering standards Variances approved by that office before the Berlin Township section of the Development Plan is approved;*
2. *Consider approval of a Preliminary Development Plan only, setting certain details such as density, land use and general divergences with the rezoning application, allowing more detail to be provided as sections are proposed for development;*
3. *Consider reconfiguring and enlarging the pocket of 40' lots east of the railroad as a way to create a transition to the larger lots to the north and as a way to lower the overall density;*
4. *Calculate the Net Developable Acreage as defined in the zoning resolution and indicate graphically within the Development Plan document;*
5. *Utilize alleys as indicated, particularly along Piatt Road to limit driveway access and reduce potential conflict points;*
6. *The Pattern Guidelines should be labeled and referenced within the text;*
7. *Show landscaping detail and transitional buffers between single-family residential and commercial uses;*
8. *Clarify sanitary sewer service, proposed improvements, and commitments.*

Commission / Public Comments

Mr. Dan Griffin was present to represent the applicant along with his son, Daniel Griffin and Matt Kelly. He said they have been approved by Orange Township zoning and are starting at Lewis Center Road and moving north. They already have 20-25 users in the Orange Twp. Village Center. In the 42 acre school site, the school system has asked the applicant to include a preschool. The first phase in Orange Twp. has 142 lots sold to individuals. There is a list of about 14 builders for the single family homes. Lewis Center Road will be four lanes. The BIA has asked to do the Parade of Homes in this area for 2017. He stated that they met with Chris Bauserman, County Engineer this morning and the traffic study will be reviewed and completed by the end of July and would start work off Lewis Center in the middle of August.

Mr. Griffin pointed out the proposed area for Agricultural centers to be utilized by the schools and Berlin Twp. Village Center. He said the schools have 110 school buses a day that cross at Shanahan Road, the school system (along with Mark Bell, Rob Portman and Pat Tiberi representatives) has asked that they go over [with an overpass] Shanahan Road over the next 5 years. He mentioned the work on the Big Walnut interchange has been moved up on the County plan from 4-5 years from 20.

Mr. Heid asked if the traffic study encompasses the entire project. Mr. Griffin stated that it does. He stated that his partner Tony Eyerman has been working with the family for about 7 years. The sewer and traffic study were both done regionally.

Mr. Ahmed asked about the bridge over the railroad crossing. Mr. Griffin stated they will be doing a quiet zone on all three track crossings (Peachblow, Shanahan and Lewis Center) but more importantly they were asked to consider in the future (about 5 years off) crossing over the railroad. Mr. Ahmed asked if there is a source of funding identified for that bridge. Mr. Griffin stated that there is about \$5 million that would come through Pat Tiberi's office and the remainder would come through the new Community Authority and the developer would absorb some of the cost. There have been discussions but it is still early in the process.

Mr. Heid asked about the phasing plan. Mr. Griffin stated that phasing goes from south to north and estimating 5 to 6 years and is dependent on sewer.

Mr. Snodgrass stated he likes the concept but was concerned with tying all the traffic onto Shanahan Road until the bridge is built and how the connector would dump traffic on a road that is not very wide. Mr. Griffin said nothing would happen on Shanahan for the first 4-5 years because all the traffic would come from Home Road extension, go out Old State or the secondary entrance on Lewis Center. Once the development gets to this part of the development, a traffic circle would be installed and the Piatt Road and Home Road would be connected.

Mr. George made a motion to recommend Conditional Approval of the 607.12 acre rezoning request by Evans Farm Land Development Co. LLC., subject to:

- 1. The Traffic Study has not been approved by the County Engineer for any portion of the Evans Farm development. This has caused some conflict with the approved Development Plan through Orange Township. Staff strongly recommends the Traffic Study be approved by the County Engineer with specific engineering standards Variances approved by that office before the Berlin Township section of the Development Plan is approved;***
- 2. Consider approval of a Preliminary Development Plan only, setting certain details such as density, land use and general divergences with the rezoning application, allowing more detail to be provided as sections are proposed for development;***
- 3. Consider reconfiguring and enlarging the pocket of 40' lots east of the railroad as a way to create a transition to the larger lots to the north and as a way to lower the overall density;***
- 4. Calculate the Net Developable Acreage as defined in the zoning resolution and indicate graphically within the Development Plan document;***
- 5. Utilize alleys as indicated, particularly along Piatt Road to limit driveway access and reduce potential conflict points;***
- 6. The Pattern Guidelines should be labeled and referenced within the text;***
- 7. Show landscaping detail and transitional buffers between single-family residential and commercial uses;***
- 8. Clarify sanitary sewer service, proposed improvements, and commitments.***

Mr. Snodgrass seconded the motion. VOTE: Majority For, 1 Opposed (Troy Twp.), 1 Abstained (Berlin Twp.). Motion carried.

**13-16 ZON Paykoff Properties, c/o Evans Farm Land Development Co., LLC. – Berlin Twp. –
314.21 acres - FR-1 to PRD and PCD**

I. Request

Evans Farm Land Development Co. LLC, on behalf of Paykoff Properties, is requesting a 314.21-acre rezoning from FR-1 to PRD and PCD for a mixed use new urbanism community.

II. Conditions

Location: north of Lewis Center Road, west of South Old State Road.

Present Zoning: Farm Residential (FR-1)

Proposed Zoning: application does not state

Present Use(s): Vacant, agricultural

Proposed Use(s): legal description is included with the PCD packet, application does not specify

School District: Olentangy Local School District

Utilities Available: Del-Co Water and central sanitary sewer

Critical Resources: wetlands, streams/drainage course

Soils: PwA Pewamo Silty Clay Loam 0-1% slope

 GwB Glynwood Silt Loam 2-6% slope

 GwC2 Glynwood Silt Loam 6-12% slope

 BoA Blount Silt Loam 0-2% slope

 LyD2 Lybrand Silt Loam 12-18% slope

III. Process

The application materials state that the 314.21-acre zoning is the “Preliminary Development Plan for a mixed-use, PCD & PRD New Urbanism community. This property is considered the final phases of the Evans Farm community.”

Staff Comment: The applicant has submitted two separate notebooks of development standards and language related to the Evans Farm development. This is part of a larger development with acreage in Orange Township as well. That portion of the plan includes 418 acres of residential use and 135 acres of Planned Commercial use which includes some multi-family residential uses as well.

One notebook includes the PRD Development Plan and Text and the other includes the PCD Development Plan and Text. The application form asks for a Preliminary and Final Development Plan approval for the non-Paykoff properties. A second application form asks for Preliminary Development Plan approval for the Paykoff property. Other than a legal description and list of parcels, the Development Plan notes that the Paykoff property would include 691 lots at a density of 2.2 dwelling units per acre, with 110 acres of open space provided.

IV. Staff Recommendations

Staff recommends **Denial** of the 314.21 acres rezoning request by Evans Farm Land Development Co. LLC. on behalf of Paykoff Properties to the DCRPC, Berlin Twp. Zoning Commission and Berlin Twp. Trustees, *based on the fact that no development plan is included in the application materials.*

Commission / Public Comments

The applicant was not present.

Mr. Dan Griffin explained that Mr. Paykoff has asked that the engineers for the Evans Farm Land Development Co. put a plan together for this property also to keep with the vision of the Evans Farm project.

Mr. George made a motion to recommend Denial of the 314.21 acre rezoning based on no development plan to review. Mr. Irvine seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Berlin Twp.). Motion carried.

IV. SUBDIVISION PROJECTS

Preliminary

02-16 T Allington Estates – Liberty Twp. - 25 lots / 102.86 acres

Applicant: Peter Marks

Engineer: E.P. Ferris & Assoc.

Previous table request: 01/28/16 (90 days), 04/28/16 (60 days)

I. Staff Comments

The applicant is requesting a 30-day tabling for the Allington Estates in order to continue working on issues raised during the January Technical Review meeting.

II. Staff Recommendation

Staff recommends *Approval* of a 30-day tabling for **Allington Estates** to the RPC.

Commission / Public Comments

Mr. Clase made a motion for Approval of the 30-day tabling of Allington Estates. Mr. Fowler seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

13-16 North Orange, Sec. 1, Ph. 2, Pt. A, Lot 6257, Div. #1 – Orange Twp. - 01 lot / 1.93 acres

I. Conditions

Applicant: North Orange Development LLC.

Subdivision Type: Commercial

Location: 10410 Olentangy River Rd.

Current Land Use: Vacant, former agricultural with barn and house

Zoned: Planned Elderly or Retirement Residential Community

Zoning Approval: January 24, 2016

Utilities: Del-Co water and public sanitary sewer

School District: Olentangy

Engineer: Sands Decker CPS

II. Staff Comments

In September of 2000, North Orange was zoned by Orange Township with residential and commercial uses, as well as property that eventually became North Orange Park. The plan included Gooding Boulevard, a road running parallel to U.S. 23 and providing access for lots on either side of it. In February 2004, a subdivision plat created several of the commercial lots in the development, including a 10.275-acre outlot between Corduroy and Halfway Avenue. The current applicant seeks to divide a 1.93-acre site along the southern edge of the parcel for the creation of a 10,500 s.f. office building with parking and drainage. A single access is

proposed at Halfway with another access on Gooding.

A technical review was held on June 21, 2016, after which the applicant has addressed the required changes.

III. Staff Recommendation

Staff recommends *Preliminary Approval* of North Orange, Section 1, Phase 2, Part A, Lot 6257, Div. #1 to the DCRPC.

Commission / Public Comments

Mr. Mark Antonetz with Sands Decker CPS was present. He clarified that the building is a two story building and is 21,000 square feet total.

Mr. George made a motion for Preliminary Approval of North Orange, Section 1, Phase 2, Part A, Lot 6257, Div. #1. Mr. Heid seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Genoa Twp.). Motion carried.

Preliminary/Final (*none*)

CONSENT AGENDA

Final

08-12.4 Sanctuary at the Lakes, Section 4 - Genoa & Orange Twp.'s - 27 lots / 15.49 acres

I. Conditions

- Applicant:** M/I Homes
- Subdivision Type:** Single Family Residential
- Location:** north of Augusta Drive west of Highland Hills Drive
- Current Land Use:** Vacant
- Zoned:** Planned Residential (PRD-Genoa Twp.), Single Family Planned Residential (SFPRD-Orange)
- Zoning Approval:** September 4, 2012
- Preliminary Approval:** November 29, 2012
- Utilities:** Del-Co Water, central sanitary sewer
- School District:** Olentangy Local School District
- Engineer:** Watcon

II. Staff Comments

The main entrance to the development is on Africa Road near the existing LaVeque home, called Sanctuary Drive. Section 4 of Sanctuary at the Lakes includes the extension of Somerset Avenue and the completion of the loop road, Deems Drive. The extension of Somerset Avenue will complete that road's connection to existing Somerset within Highland Lakes North Section 7 in Genoa Township. Deems Drive completes that road as well. Nineteen lots are located in Genoa Township with two in Orange Township and one that generally straddles the township line. A 0.854-acre open space serves as a buffer to existing homes to the south and 0.813 acres creates a buffer to the east and north.

A second part of Section 4 is the completion of Lahinch Court, which stubs into the site. Five new lots are created by extending the road into a cul-de-sac. Three lots are fully within Genoa Township, one lot is in Orange, and one lot straddles the line with most of the .355 acres in Genoa. Along with this cul-de-sac, 4.656 acres of open space will protect existing woods, a stream, and sloping topography.

The applicant has presented to the RPC Office a Final Plat (mylar) signed by the various County agencies, a requirement for Final approval.

III. Staff Recommendation

Staff recommends *Final Approval* of **Sanctuary at the Lakes, Section 4** to the DCRPC.

Commission / Public Comments

Mr. George made a motion for Final Approval of Sanctuary at the Lakes, Section 4. Mr. BoyseI seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Genoa Twp.). Motion carried.

10-16 **Olentangy Crossings, Section 2, Lot 7523, Div. #3 – Orange Twp. - 01 lot / 1.50 acres**

I. Conditions

Applicant: Continental Olentangy Crossings LLC.
Subdivision Type: Commercial
Location: East side of US 23, north of Lewis Center Road
Current Land Use: Vacant
Zoned: Planned Commercial (PC)
Zoning Approval: April 24, 2003
Preliminary Approval: April 28, 2016
Utilities: Del-Co Water and central sanitary sewer
School District: Olentangy
Engineer: GGC Engineers

II. Staff Comments

The portion of Olentangy Crossings located on the east side of U.S. 23 was originally developed in 2006, with the plat recorded in October of that year. That plat created two parcels: one included 5.679 acres north of Gallopers Ridge and the remainder 34.892 acres.

In November, 2008, the 34.892 acres was further subdivided for the purposes of creating the Kroger and strip center to the east and one large outlot fronting U.S. 23, creating lot 7523. In December, 2009, Division #1 created a 1.505-acre parcel which currently houses a Dairy Queen and vacant retail area. In February, 2013, Division #2 created a 1.5-acre parcel directly north of the applicant's acreage which currently houses a car wash.

Division #3 will create a 1.504-acre parcel on which an optometrist office with additional tenant space will be built. This office is relocating from a location in the in-line retail center within Olentangy Crossings. The development plan shows two accesses to Pullman Drive, a private road. Stormwater is detained on site before releasing into the more regional systems that extend along the highway.

The applicant has presented to the RPC Office a Final Plat (mylar) signed by the various County

agencies, a requirement for Final approval.

III. Staff Recommendation

Staff recommends *Final Approval* of **Olentangy Crossings, Section 2, Lot 7523, Division #3** to the DCRPC.

Commission / Public Comments

Mr. George made a motion for Final Approval of Olentangy Crossings, Section 2, Lot 7523, Division #3. Mr. Boysel seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Genoa Twp.). Motion carried.

V. EXTENSIONS

01-05 Cheshire Woods, Sections 2-4 – Berkshire Twp. - 271 lots / 228.683 acres

Applicant: Homewood Corp.

Engineer: Advanced Civil Design

Preliminary Approval: 01/27/05

Previous Extensions: 01/26/06 to 07/27/06, 06/30/11 to 6/27/13 (via variance), 06/27/13 to 06/27/14 (via variance), 06/26/14 to 06/26/15 (via variance), 06/25/15 to 06/25/16 (via variance)

I. Staff Comments

The applicant is requesting a 2-year extension for the Cheshire Woods, Sections 2-4, based on the economic downturn. Extension requests allow additional conditions to be placed on the applicant. Based on changes to the surrounding area, notably within Cheshire Woods Estates to the east, access and traffic circulation may become an issue with the development of the next section. Staff recommends the development of an eventual connection to Rome Corners Road, which is currently part of the development plan.

II. Staff Recommendation

Staff recommends *Conditional Approval* of a 1-year Extension for the **Cheshire Woods, Sections 2-4** to the RPC, *subject to the Variance being granted.*

Commission / Public Comments

Mr. Irvine made a motion to Approve the 1 year extension for Cheshire Woods, Sections 2-4 (along with the variance). Mr. Burke seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Berkshire Twp.). Motion carried.

11-14 **Sheffield Park, Section 1, Phase B, Lot 6903, Div. #1 – Genoa Twp. - 03 lots /1.823 acres**

Applicant: GMV Holdings
Engineer: DES Engineering
Preliminary Approval: 06/26/14

I. Staff Comments

The applicant is requesting a 1-year extension to allow for continued work on the project. This is the first extension request for this application.

II. Staff Recommendation

Staff recommends *Approval* of the 1-year extension of **Sheffield Park, Section 1, Phase B, Lot 6903, Division #1** to the DCRPC.

Commission / Public Comments

Mr. Price made a motion to Approve the 1 year extension for Sheffield Park, Section 1, Phase B, Lot 6903, Division #1. Mr. Clase seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Genoa Twp.). Motion carried.

VI. OTHER BUSINESS

- Consideration for Approval: conference expenses for Da-Wei Liou, ESRI – up to \$1,600.00

Mr. Sanders explained that the Executive Committee has recommended approval of this reimbursement for Mr. Liou up to \$1,600.00 so the paperwork could be processed promptly upon his return from the conference.

Mr. Irvine made a motion to Approve reimbursing Mr. Liou for conference expenses up to \$1,600.00. Mr. Price seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

- Consideration for meeting time change

Chairman Stites asked the Commission if they were opposed to moving the RPC meetings to 6:30 p.m. This would begin at the August 25th meeting.

Mr. Boysel made a motion to change the meeting start time to 6:30 p.m. starting August 25th. Ms. Boni seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

VII. POLICY / EDUCATION DISCUSSION

- Subdivision Regulation amendments – Mr. Sanders reminded the Commission that the hearing for the amendments to the Subdivision Regulations has been advertised as required and will take place at 7:00 p.m. July 28th, prior to the regular RPC meeting.

VIII. RPC STAFF AND MEMBER NEWS

- Phillip Bennetch hired as Planner I/GIS Operator – 06/20/16

Chairman Stites introduced Mr. Bennetch to the Commission

Having no further business, Mr. Irvine made a motion to adjourn the meeting at 8:30 p.m. Mr. BoyseI seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.

The next meeting of the Delaware County Regional Planning Commission will be Thursday, July 28, 2016, 7:00 PM at the Willis Building, 2079 US 23 North, Conference Room, Delaware, Ohio 43015.

Dave Stites, Chairman

Stephanie Matlack, Executive Administrative Assistant