

Violet Township Board of Trustees

June 19, 2019

Public Hearing: Case No.03-ZC-2019 Chesapeake Planned District Modification, 31+ Acres on East Side of Milnor Road.

Mr. Dunlap made a motion to recess the regularly scheduled Trustee meeting in order to go into the Public Hearing scheduled for 8:00 p.m. for Case Number 03-ZC-2019: an application filed by Grand Communities to modify the Chesapeake Planned Residential District consisting of 31+ acres on the east side of Milnor Road. Mrs. Wilde seconded the motion. Roll call vote: Mr. Dunlap, yes; Mrs. Wilde, yes; Mr. Monhollen, yes. Motion carried 3-0.

Case Number 03-ZC-2019: an application filed by Grand Communities LLC, 3940 Olympic Blvd., Suite 100, Erlanger, KY for property consisting of 31.97 acres, located at 12740 Milnor Road. This application requests to modify the Chesapeake Planned District approved Development Plan and Text in order to accommodate 62 single-family lots and 7.8 acres of Open Space which includes a revised lot arrangement and various textual revisions as well as a request for certain divergences.

Ms. Sarko said Chesapeake was rezoned to a Planned District in June 2017. The original Development Plan called for 80 single family lots on a little over 40 acres. The net density for that original plan was 2.26 lots/acre with a gross density of 1.9 lots/acre. The original plan called for 9.12 acres of Open Space.

Ms. Sarko said they are here because when Regional Planning began distributing the final plat for review, what they submitted did not correspond with the approved Development Plan. Ms. Sarko could not review those so she informed them they needed to modify their PD if they wanted to proceed. She said the revised plan differs from the original plan in that the northern portion of the tract is absent due to the presence of wetlands. That portion is not being considered this evening and remains zoned PD.

The original plan showed two ponds at the front, there is now one. The stub street to the east was changed to a cul-de-sac and there is now a stub street to the adjacent property to the north for connectivity.

The revised plan has 63 lots on 31.97 acres. The net density is 2.21 lots/acre and a gross density of 1.93 lots/acre. There are now 7 acres of Open Space.

As previously mentioned, the application requests divergences. Some of the divergences are similar to the divergences approved when the tract was rezoned.

- Divergence for Intensity of Use: To allow the density of the development to exceed 2 units/acre. A divergence was approved for this during the time of rezoning. The code requires a maximum net density of 2 units per acre. Because it has changed a divergence should be approved.
- Divergence for Arrangement of Areas: a 100-foot buffer area is required. The Perimeter Buffer/No Build Zone is reduced to 50 feet. Of note on this plan, Lot 25 on River Road which is the stub street to the north, they are requesting the perimeter buffer be and 15 feet along the side property line which is the northern boundary. The remaining buffers are 50 feet.
- Divergence to allow the construction of a model home prior to the subdivision plat being recorded. This request is similar to that approved for Heron Crossing. The code requires that no use shall be established or changed and no structure shall be constructed or altered until the subdivision plat has been recorded.
- Divergence from Section 3V2-02(C)(2), the requirements that a perennial stream have a 50-foot riparian buffer on each side. Additionally, the Code requires the perennial streams to be located in Open Space.
- The original development plan the stream ran below the stub connector to Hickory Lakes. This stub is now a cul-de-sac on the new plan. There is no open space in this area. The stream and riparian buffer will be located on a building lot and the code requires to be an open space. They are proposing a 25-foot buffer instead of the 50-foot buffer.

Shawn Lanning of Watcon Consulting Engineers showed the “old” approved plan and the new plan. They discovered that the wetlands were a bit much to mitigate and changing the stream was the reason they are here with the zoning application. He said they did meet Township staff for the large overall plan. They discovered there are better areas for stub streets. So, the reason for this is for the wetlands and the streams.

Mr. Dunlap asked about the pond in the middle greenspace and if it was same size of the pond or was it the same. Mr. Lanning said it is engineered and the same size. He noted they added a pond to the far (east) green space.

Mr. Dunlap asked Ms. Sarko if the greenspace required for this is 15% and they have 24% of the Open Space. Ms. Sarko said that was correct.

Ms. Sarko asked when they discussed the divergence and how to maintain the structural integrity of the perennial stream, what are Grand Communities plans to help preserve the integrity of the stream bank because it is located on a couple of different lots.

Mr. Lanning said there are three lots where the stream crosses and the buffer around it and what he had proposed was making a special deed restriction so that when they purchase that lot they know about the riparian/wetland buffer.

Jason Wisniewski with Grand Communities said the Army Corps of Engineers will require a recorded easement which they will follow up or monitor that and that gets recorded off the plat. Ms. Sarko asked if they would be notified of this in their deed. Mr. Lanning said yes Mr. Wisniewski said when they buy the lot they will see the easement recorded on it. He said the HOA is ultimately the responsible party. He gave the example, if Shawn buys the lot and does whatever he wants to that stream, then the HOA will be in a position to enforce upon the owner to fix it.

Mrs. Mattei said any type of delineation or demarcation that we put out on the lot to help the resident would be good. Mr. Wisniewski said in the past, they have put out a marker or a sign. He said this would be a DESC issue. Ms. Sarko asked if they could get this inserted into the Development Text.

Ms. Sarko said the plans show the cluster mailbox locations. Mr. Lanning said he has been working with the local Postmaster. Mr. Dunlap asked if they would be positioned behind the sidewalk. Mr. Lanning said they would, not between the sidewalk and the road.

Ms. Sarko said there is a typographical error on page 2 – it should say two instead of 3. Ms. Huber noted a similar typographical error on another page.

Carol Plympton, 12760 Milnor Road, Pickerington asked about the fence line. She said she has no problem maintaining her side if the new owners can keep the weeds from spreading. She also asked if the trees that are dying will be replaced by the HOA. Mrs. Plympton said the drainage comes down where the pine trees are and a lot of times water sits in there. She asked what will happen to the water runoff. Mr. Lanning said he would have to get back to her once he sees where the water is going.

Peggy Portier, 9849 Refugee Road said the original plan there was an easement and grading along Milnor Road for a potential bike/multi-use path and asked if that was still in the plans for the future. Mr. Lanning said it was.

Mrs. Plympton asked if they were still going to put the left turn lane on Milnor Road. Mr. Lanning said they were.

Mr. Dunlap made a motion to close the public hearing for Case Number 03-ZC-2019 at 8:24 p.m. and return to the regularly scheduled Trustee Meeting. Mr. Monhollen seconded the motion. Roll call vote: Mr. Dunlap, yes; Mr. Monhollen, yes; Mrs. Wilde, yes. Motion carries 3-0.

Respectfully submitted,

Brian Sauer, Fiscal Officer

Joniann Goldberg, Administrative Assistant

Approved by:

Terry J. Dunlap, Sr., Trustee

Darrin Monhollen, Trustee

Melissa Wilde., Trustee

Date: _____