

Staff Report: Completed by Jeff Palmer Director of Planning & Zoning

Report Date: July 21, 2017

Meeting Date: August 7, 2017

Applicant: Alan Harshman, agent for Soraya Farms

Requested Action: Stage 3 PUD Approval

Attached: Stage 3 Application/Intent Letter (July 17, 2017), Clearcreek Township Resolutions: 2492, 3209, 3536 and 4378. Exhibit C Openspace Plan (February 7, 2007), Soraya Farms Section 4 Lifestyle Community Construction Drawings (July 17, 2017), Soraya Farms Section 4 Lifestyle Community Record Plan (July 17, 2017), Perimeter Landscape: L1.04 (February 7, 2007), Perimeter Landscape: L1.05 (February 7, 2007), Preliminary Plat: C1.03 (May 8, 2013), Preliminary Plat: C1.04 (May 8, 2013).

The Stage 3 request is a formal checklist to make sure the applicant has adhered to the conditions imposed from all applicable agencies. In addition to the Trustee Resolutions, Section 13.05 (C) of the Clearcreek Township Zoning Resolution must also be reviewed with the applicant.

Trustee Resolutions associated with Soraya Farms R-1PUD:

1. On September 19, 2002, the Clearcreek Township Trustees approved Resolution 2492, with fifteen (15) conditions. This was the Stage 1 approval.
2. On March 15, 2007, the Clearcreek Township Trustees approved Resolution 3209, with fifty-four (54) conditions. This was the Stage 2 approval.
3. On May 27, 2009, the Clearcreek Township Trustees approved Resolution 3536. This resolution modified the amenities listed in Trustee Resolution 3209.
4. On May 22, 2013, the Clearcreek Township Trustees approved Resolution 4378. This resolution modified walking paths, trash receptacles and tree standards.

The request is for Stage 3 approval for Section 4 Lifestyle Community. This is 5.7441 acres in size. The entire R-1PUD is 172.276 acres.

Stage 3: PUD Objectives

(a) The Stage 3: PUD Final Site Plan objective is to further refine the Stage 2: PUD Preliminary Site Plan into a finalized Site Plan. Therefore, the following information shall be specified/clarified in the narrative and on the drawing(s) at the time of approval:

(1) A finalized list of uses permitted within the PUD are defined.

Staff Comments:

1. A total of 96 lifestyle lots have been platted.
2. This request is to add 24 lots.
3. A maximum of 151 attached and/or detached lifestyle housing are allowed on the site.

(2) The exact locations, types, heights, materials, and designs of such uses are finalized.

Staff Comments:

1. Multi family attached lots.
 2. .853 acres of open space with sidewalk.
 3. .496 acres of public access easement with 6' asphalt path.
- (3) All use-specific standards that apply to the permitted uses are finalized and identified in a table which includes: the average, highest, and lowest quantities and a count of each occurrence.

Staff Comments: Use standards are outlined in Stage 2 approvals.

- (4) The maximum density or intensity permitted within the PUD is finalized.

Staff Comments: Request conforms to density provision.

- (5) The exact amount and location of open space/recreation areas are finalized.

Staff Comments: Exhibit C Open Space Plan from February 7, 2007 identified Reserve A to be 10.52 acres. Reserve A has a total of 6.9259 acres currently platted:

1. Section 1 Lifestyle 3.0273 acres open space.
 2. Section 3 Lifestyle: 3.4456 acres open space and .453 acres of public access easement.
- (6) The layout of all new street(s), major access drive(s), sidewalks, trails, and any other methods of circulation required or necessary throughout the PUD are defined and the acreage is finalized.

Staff Comments:

1. The Lifestyle Community section has private streets maintained by the Home Owners Association.
 2. The sidewalk required in the Stage 3 approval for Soraya Farms Section 3 on February 4, 2013 on Open Space Lot 59 has not been installed. Staff met with the applicant on July 21, 2017, as a result of that meeting the applicant committed to have the sidewalk area staked and bid, prior to the meeting date.
- (7) The exact location of all impervious surfaces for non-residential building areas, parking and truck loading areas with ingress and egress drives are finalized.

Staff Comments: This is a residential area.

- (8) The exact location(s) and a submitted timeline of all of the proposed development's amenities are finalized. **Note: Amenities part of a phase shall be constructed concurrently with that phase. If the PUD consists of multiple phases to be developed over time, no more than 25% of the total number of lots approved for the PUD as a whole shall be built on before planned amenities and buffers are constructed. This requirement may be modified depending on the distribution, number, and location of amenities in the PUD as a whole.*

Staff Comments:

1. The last section to receive Stage 3 approval was the Soraya Farms Section 4 on March 7, 2016, no amenities are required as part of that approval.
2. A streetlight district has been requested by the applicant for Soraya Farms Section 3, Soraya Farms Lifestyle Section 3 and Soraya Farms Section 4. The lighting, a function of the Record Plat process has not been installed. Staff met with the applicant on July 21, 2017, as a result of that meeting a timeline is being developed to install the streetlights.

- (9) The exact location and size of all signage are finalized.

Staff Comments:

1. The last section to receive Stage 3 approval was the Soraya Farms Section 4 on March 7, 2016. No signage was required as part of the Section 4 approval.
2. Signage will be required along the asphalt path per the May 8, 2013 Preliminary Plat C1.03. The plan specifies that the proposed walking path will have signage. The standards are found in Resolution 4378 (b).

- (b) Additionally, the Stage 3: PUD Final Site Plan shall:

- (1) Conform to the approved Stage 2: PUD Preliminary Site Plan as revised or amended by the Clearcreek Township Board of Trustees.

1. Resolution 3209, Condition 36: Applicant states “Regarding perimeter landscape buffer. We are maintaining the existing vegetation buffer along the north side of the proposed section and provide an easement with the walking path, per the Stage II plans (L1-04)”.

Staff Comments:

1. The Perimeter Landscape Plan is depicted on both L1.04 and L1.05.

2. L1.05 shows the northern boundary in its entirety.
3. Section 4 Lifestyle Community buffer needs to have 12 trees and 34 shrubs added to the existing vegetation, to comply with L1.05.

(2) Conform to all applicable regulations set forth herein.

Staff Comments: No other issues have been identified.

Stage 3: Conditions for Approval

The following criteria shall be used in the recommendations and decisions made regarding the Stage 3: PUD Final Site Plan. Failure to comply with any of these criteria shall require a PUD modification and shall therefore be subject to the criteria set forth in **SECTION 13.07, PUD Modifications.**

- (a) All requirements established as part of the approved Stage 1: PUD Concept Plan and Stage 2: PUD Preliminary Site Plan have been satisfied.
- (b) All requirements of the Zoning Resolution that have not been varied as part of the Stage 1: PUD Concept Plan and Stage 2: PUD Preliminary Site Plan have been satisfied.
- (c) When phased, the proposed Stage 3: PUD Final Site Plan for the individual phase of the overall PUD is consistent with the approved Stage 1: PUD Concept Plan and Stage 2: PUD Preliminary Site Plan.
- (d) Any part of the PUD not used for structures, parking and loading areas, public improvements, streets, or walkways shall be landscaped, improved for the purpose intended, or returned to and maintained in a natural state.
- (e) The internal streets and thoroughfares conform to the approved Stage 2: PUD Preliminary Site Plan.
- (f) The amenities that are part of the submitted phase are scheduled to be constructed concurrently with that phase.
- (g) The Stage 3: PUD Final Site Plan is consistent with the intent and purpose of the Clearcreek Township Zoning Resolution, Clearcreek Township Board of Trustee Resolutions, and promotes the protection of public health, safety, morals, and general welfare of Clearcreek Township.
- (h) The comments and recommendations received from the Warren County departments as well as representatives of federal and state agencies have been satisfactorily addressed.
- (i) The following Stage 3: PUD Final Site Plan documents have also been satisfied:

- (1) All necessary legal documentation relating to the incorporation of a homeowners' or property owners' association for residential PUDs or other similar associations for non-residential or mixed use PUDs, have been submitted and approved as part of the PUD Final Site Plan. Such legal documentation has demonstrated how the common open space will be permanently maintained.
- (2) Copies of any restrictive covenants or agreements that are to be recorded have been submitted.