

**CITY OF DELAWARE
PLANNING COMMISSION
AGENDA**

**CITY COUNCIL CHAMBERS
1 S. SANDUSKY ST.
7:00 P.M.**

REGULAR MEETING

December 7, 2016

1. ROLL CALL
2. APPROVAL of the Motion Summary of the Planning Commission meeting held on November 2, 2016, as recorded and transcribed.
3. REGULAR BUSINESS
 - A. 2016-2859: A request by Mr. & Mrs. Cory Hupp for approval of an Alley Vacation just east of Euclid Avenue between W, Fountain Avenue and West Lincoln Avenue adjacent to 8 parcels that encompass approximately 0.10 acres (Tabled 10/19/16).

Anticipated Process

 - a. Staff Presentation
 - b. Applicant Presentation
 - c. Public comment (public hearing)
 - d. Commission Action
 - B. 2016-3400: A request by Bowtown Delaware Ltd. for approval of a Final Subdivision Plat for Old Colony Estates Phase 2 consisting of 55 single family lots on approximately 14.92 acres zoned R-4 with Text Limitations (Medium Density Residential District) and located on Wallace Drive, Vernon Avenue and Pilgrim Circle.

Anticipated Process

 - a. Staff Presentation
 - b. Applicant Presentation
 - c. Public comment (not a public hearing)
 - d. Commission Action
 - C. Willowbrook West
 - (1) 2016-3396: A request by T&R Properties for approval of a Preliminary Development Plan for Willowbrook West consisting of 96 single family attached units on approximately 15.18 acres zoned R-6 PUD (Multi-Family Residential District with a Planned Unit Development Overlay District) located on the west side of North Houk Road just north of Arthur Place.
 - (2) 2016-3397: A request by T&R Properties for approval of a Preliminary Subdivision Plat for Willowbrook West consisting of 96 single family lots on approximately 15.18 acres zoned R-6 PUD (Multi-Family Residential District with a Planned Unit Development Overlay District) located on the west side of North Houk Road just north of Arthur Place.

Anticipated Process

- a. Staff Presentation
- b. Applicant Presentation
- c. Public comment (not a public hearing)
- d. Commission Action

- 4. PLANNING DIRECTOR'S REPORT
- 5. COMMISSION MEMBER COMMENTS AND DISCUSSION
- 6. NEXT REGULAR MEETING: January 18, 2017
- 7. ADJOURNMENT

**PLANNING COMMISSION
MOTION SUMMARY
November 2, 2016**

ITEM 1. Roll Call

Chairwoman Keller called the Planning Commission meeting to order at 7:00 p.m.

Members Present: Robert Badger, George Mantzoros, Dean Prall, Vice-Chairman Stacy Simpson and Chairwoman Lisa Keller

Members Absent: Jim Halter

Staff Present: Matt Weber, Deputy City Engineer, Jennifer Stachler, Assistant City Engineer, Lance Schultz, Zoning Administrator, and Dave Efland, Planning and Community Development Director

Motion to Excuse: Vice-Chairman Simpson moved to excuse Mr. Halter, seconded by Mr. Mantzoros. Motion approved by a 5-0 vote.

ITEM 2. Approval of the Motion Summary of the Planning Commission meeting held on October 19, 2016, as recorded and transcribed.

Motion: Mr. Badger moved to approve the Motion Summary for the October 19, 2016 meeting, seconded by Mr. Mantzoros. Motion approved by a 4-0-1 (Simpson) vote.

ITEM 3. REGULAR BUSINESS

- A. 2016-2859: A request by Mr. & Mrs. Cory Hupp for approval of an Alley Vacation just east of Euclid Avenue between West Fountain Avenue and West Lincoln Avenue adjacent to 8 parcels that encompass approximately 0.10 acres (Tabled 10/19/16).

Anticipated Process

- a. Staff Presentation
- b. Applicant Presentation
- c. Public comment (public hearing)
- d. Commission Action

Motion: Vice-Chairman Simpson moved to table 2016-2859, until the December 7, 2016 meeting, seconded by Mr. Badger. Motion approved by a 5-0 vote.

B. Coughlin's Crossing

- (1) 2016-2783: A request by Delaware Development Plan LTD for approval of a Rezoning Amendment from A-1 (Agricultural District) and A-1 PMU (Agricultural District with a Planned Mixed Use Overlay District) to A-1 PMU for Coughlin's Crossing on 15 parcels encompassing approximately 80 acres located east of US 23, west of Stratford Road and north of Meeker Way (Tabled 10/19/16).
- (2) 2016-2784: A request by Delaware Development Plan LTD for approval of a Conditional Use Permit allowing the placement of a PMU (Planned Mixed Use Overlay District) for Coughlin's Crossing encompassing approximately 80 acres located east of US 23, west of Stratford Road and north of Meeker Way (Tabled 10/19/16).
- (3) 2016-2785: A request by Delaware Development Plan LTD for approval of an Amendment to the Comprehensive Plan on property designated as Mixed Use, Low Density Single Family and Medium Density Single Family on the Future Land Use Map to Mixed Use for Coughlin's Crossing encompassing approximately 80 acres located east of US 23, west of Stratford Road and north of Meeker Way (Tabled 10/19/16).
- (4) 2016-2786: A request by Delaware Development Plan LTD for approval of a Preliminary Development Plan for Coughlin's Crossing encompassing approximately 80 acres located east of US 23, west of Stratford Road and north of Meeker Way (Tabled 10/19/16).
- (5) 2016-2787: A request by Delaware Development Plan LTD for approval of a Preliminary Subdivision Plat for Coughlin's Crossing encompassing approximately 80 acres located east of US 23, west of Stratford Road and north of Meeker Way (Tabled 10/19/16).

Anticipated Process

a. Staff Presentation

Mr. Efland provided a staff update and reviewed the commercial patio locations and restrictions. Mr. Efland clarified the restrictions and location of a potential gas station.

b. Applicant Presentation

APPLICANT:

Connie Klema
P.O. Box 991
Pataskala, Ohio

Randy Vantilburg
157 Thornapple Trail
Delaware, Ohio

Ryan Bush
MS Consultants
2221 Schrock Rd
Westerville, Ohio

c. Public comment (public hearing)

Tom Wolber
272 Hearthstone Dr.
Delaware, Ohio 43015

Mr. Wolber discussed renewable energy sources and if the installation of solar roof will be used on the residential houses.

Roger Plummer
2505 Stratford Rd.
Delaware, Ohio 43015

Mr. Plummer voiced his concerns regarding the water drainage and concerns regarding increased speeding along Stratford Road since the opening of Meeker Way.

Peter Ruffing
1960 Stratford Rd.
Delaware, Ohio 43015

Mr. Ruffing voiced his concerns of increased speeding on Stratford Road and the concern for pedestrian safety with a bike path. Mr. Ruffing also discussed the importance of keeping trees healthy in the area to be part of landscape screening.

Jeanie Ball
1989 Stratford Rd.
Delaware, Ohio

Ms. Ball discussed the current historic buildings on the subject properties in relation to the storm water drainage plans.

Jeannine Ruffing
1960 Stratford Rd.
Delaware, Ohio

Ms. Ruffing voiced her concern over the increased speed and increase of pedestrian use on Stratford Road.

Michael Shade
P.O. Box 438
Delaware, Ohio

Mr. Shade discussed the annexation process that Turkey Hill was uncooperative with.

Mr. Vantilburg addressed the storm water concerns and the plans to release treated water into the Olentangy River. Mr. Vantilburg also informed the Commission that they were aware of the historic building location.

Ms. Klema discussed the potential use of solar energy and at this time there are no restrictions, but would like to have some design requirements.

Mr. Weber discussed the need to monitor speed in the area.

d. Commission Action

Motion: Vice-Chairman Simpson moved to remove from the table cases 2016-2783, 2016-2784, 2016-2785, 2016-2786, and 2016-2787, seconded by Mr. Badger. Motion approved by a 5-0 vote.

Motion: Mr. Prall moved to approve 2016-2783, along with all staff recommendations, seconded by Mr. Badger. Motion approved by a 5-0 vote.

Motion: Mr. Prall moved to approve 2016-2784, along with all staff recommendations, seconded by Mr. Badger. Motion approved by a 5-0 vote.

Motion: Mr. Prall moved to approve 2016-2785, along with all staff recommendations, seconded by Mr. Badger. Motion approved by a 5-0 vote.

Motion: Mr. Prall moved to approve 2016-2786, along with all staff recommendations, seconded by Mr. Badger. Motion approved by a 5-0 vote.

Motion: Mr. Prall moved to approve 2016-2787, along with all staff recommendations, seconded by Mr. Badger. Motion approved by a 5-0 vote.

ITEM 4. PLANNING DIRECTOR'S REPORT

Mr. Efland discussed the meeting date change for January 18, 2017.

ITEM 5. COMMISSION MEMBER COMMENTS AND DISCUSSION

Mr. Prall stated that he will not be at the December meeting.

Mr. Badger requested an update on filling the empty seat on the Commission.
Mr. Efland provided an update.

ITEM 6. NEXT REGULAR MEETING: December 7, 2016

ITEM 7. ADJOURNMENT:

Motion: Chairwoman Keller moved for the November 2, 2016 Planning Commission meeting to adjourn. The meeting adjourned at 7:51 p.m.

Lisa Keller, Chairwoman

Elaine McCloskey, Clerk



PLANNING COMMISSION / STAFF REPORT

CASE NUMBERS: 2016-3400

REQUEST: Final Subdivision Plat

PROJECT: Old Colony Estates Phase 2

MEETING DATE: December 7, 2016

APPLICANT/OWNER

Bowtown Delaware Ltd.
536 South Wall Street
Dublin, Ohio 43016

REQUEST

2016-3400: A request by Bowtown Delaware Ltd. for approval of a Final Subdivision Plat for Old Colony Estates Phase 2 consisting of 55 single family lots on approximately 14.92 acres zoned R-4 with Text Limitations (Moderate Density Residential District) and located on Wallace Drive, Vernon Avenue and Pilgrim Circle.

PROPERTY LOCATION & DESCRIPTION

The subject site is located north of Bowtown Road and just north of Phase I of the Old Colony Estates and west of Kennsington Place Subdivision. The zoning of the subject property is R-4 with Text Limitations (Moderate Density Residential District). The zoning to the east is R-3 (One Family Residential), the zoning to the west is R-6 (Multi-Family Residential District), and the zoning to the south is R-4 with Text Limitations while the zoning to the north is residential in the Township.

BACKGROUND

In October 2002 City Council (Ordinance 02-138) approved the Final Subdivision Plat for Old Colony Estates and the subsequent engineering drawings were also approved in October 2002. In September 2004 City Council approved an extension of the aforementioned Final Subdivision Plat until July 2005. The developer constructed the infrastructure (streets, utilities, etc.) in Phase 1 with the construction improvements accepted by the City in early 2008. Before the houses could be constructed the recession of 2008 occurred and the development was halted. In 2014, Ryan Homes purchased the lots and began constructing houses and now most of Phase 1 is built out. Also during this time, Ryan Homes constructed a playground and bike path in the parkland area and agreed this to be in the Homeowners Association and maintained via covenants and declarations. Since 2005, the Final Subdivision Plat and the engineering drawings for Phase 2 have expired and now the developer is requesting Final Subdivision Plat approval for Phase 2 which consists of 55 single family lots on approximately 14.92 acres.

STAFF ANALYSIS

- **LAND USE:** The proposed development is located in an area that is entirely residential in use and character. The Comprehensive Plan recommends a land use of Moderate Density Single-Family (3.25 – 4.75 du/ac) for the subject site. At 3.12 du/ac, the proposed density for the entire development is less than recommended and consistent with other recommendations of the Comprehensive Plan.
- **ENGINEERING:** The Applicant needs to obtain engineering approvals, including any storm water and utility issues that need to be worked out through the Engineering and Utilities Departments. All comments regarding the layout and details of the project are preliminary and subject to modification or change based on a technical review by the Engineering Department once a complete plan set is submitted for review.
- **STORM WATER:** Storm water in this area has been a source of concern with negative impacts to the adjacent residents in the area since this and the adjacent developments were constructed in the late 1990's (Kennsington Place and Village Gate Apartments). The engineer has only had one review of the engineering drawings and the initial storm water plan was incomplete. Due to the fact that there are concerns with the existing and adjacent ponds and outlet staging and the proposed development will contribute flows to this pond, the engineer was advised to model the storm water system again to determine the need for an additional outlet. In addition, there are concerns regarding stagnant water in the existing ponds to the east and south of this development. The developer shall provide appropriately sized aeration systems for the existing pond to the southeast of this development and for the ponds south of Ferguson Avenue between Old Colony Drive and Village Gate Apartments.
- **ROADS, TRAFFIC & ACCESS:** Phase 2 is accessed by Wallace Drive which extends north from Ferguson Avenue which is in Phase 1 (the plat indicates this street is Bowtown Road and needs to be revised to Ferguson Avenue). Wallace Drive extends north and then proceeds east to connect into the Kennsington Place Subdivision. In addition, this Phase would finally connect Vernon Avenue from Kennsington Place to the

existing western leg of Vernon Avenue that extends to Channing Street. All the streets have 60 feet of right-of-way except for Pilgrim Circle which has 50 feet of right-of-way. The pavement widths would be 36 feet for Vernon Avenue, 32 feet for Wallace Drive and 28 feet for Pilgrim Circle. All roads and utilities are shown to extend to the end of lots being developed as a result of this plat as well as the property lines of the overall development. Public sidewalks would be required along all public streets.

- **LOT SIZE:** Phase 2 contains 55 single family lots on 14.92 acres with lots ranging in size from 0.152 acres (6,600 square feet) to 0.581 acres (25,308 square feet) and has a minimum frontage of 55 feet and a minimum depth of 120 feet. Most of the lots are in the 0.152 acre (6,600 square foot) size range with the corner lots being oversized per the zoning code. The front yard setbacks are 25 feet, the rear yard setbacks are 30 feet and the side yard setbacks total 15 feet (minimum 6 feet). Also a 33 foot wide gas easement bisects this phase in a southeast to northwest direction and impacts the buildable area of 13 lots with a significant impact to 3 lots (lots 91, 98 & 99). This same gas easement also impacts buildable area of lots of Phase 1 (which are already constructed). In addition, a sanitary easement along the northern portion of lot 102 restricts the buildable area of that lot. Staff understands this development design was approved in 2002 as a Final Subdivision Plat but this site design pertaining to the gas line easement and sanitary easement impacting the said lots are not ideal but are consistent with what was previously approved. The future owners of the lots significantly impacted (lots 91, 98, 99 and 102) should be made aware of the aforementioned gas easement and sanitary line easement. Per the zoning code, the minimum house size is 1,250 square feet for a three bedroom unit with each additional bedroom adding 200 square feet to the totals. The proposed lot dimensions/sizes and minimum dwelling sizes are in accordance with the previously approved Final Subdivision Plat and consistent with lots already developed within the subdivision.
- **DESIGN:** The houses would be required to comply with the Residential Design Criteria and Performance Standards of Section 1171.08 of the Planning & Zoning Code. The standards include among other items: front elevations consisting of a minimum 25 percent of natural materials (the natural materials are to include but are not limited to stone, brick, cedar, wood, stucco and stucco stone), minimum 8 inch overhangs/soffits on returns, minimum 4 inch window trim and higher end vinyl siding.
- **LIGHTING PLAN:** A lighting plan that complies with the minimum zoning requirement has to submitted, reviewed and approved by the Chief Building Official for Phase 2.
- **LANDSCAPE PLAN:** A street tree plan is required to be submitted, reviewed and approved by the Shade Tree Commission for this Phase. It is imperative that the Applicant coordinate the landscaping plan with the engineering site development plan so that required landscaping does not impede visibility at intersections or of any traffic control signs.
- **PARKS/OPEN SPACE:** There are two reserves in this phase. Reserve A, which encompasses 0.347 acres, is an island located just west of Pilgrim Circle and is dedicated open space. This open space shall be an open "field" area and shall be maintained by the Homeowner's Association. Reserve B, which is located behind lots 97-105, is a detention basin and shall be maintained by the Homeowner's Association. Additionally, the aforementioned Phase 1 playground and bike path shall be owned and maintained by the Homeowners Association. This shall be formalized prior to acceptance of public improvements in Phase 2.
- **TREE PRESERVATION:** The subject site does not appear to have any trees. However if any trees are removed the development would have to achieve compliance with Chapter 1168 Tree Preservation Regulations.

STAFF RECOMMENDATION – (2016-3400 FINAL SUBDIVISION PLAT)

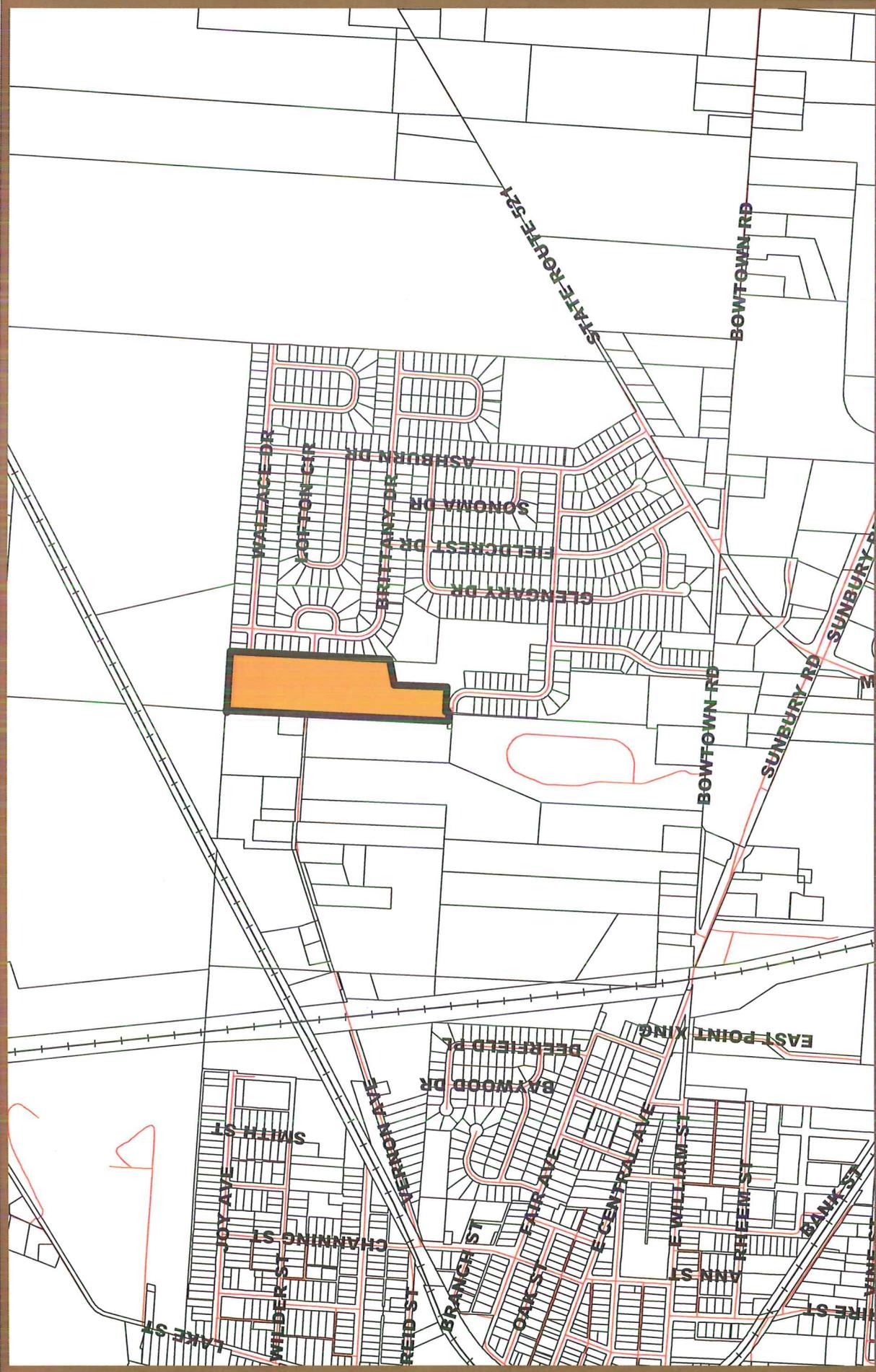
Staff recommends approval of a request by Bowtown Delaware Ltd. for a Final Subdivision Plat for Old Colony Estates Phase 2 consisting of 55 single family lots on approximately 14.92 acres zoned R-4 with Text Limitations (Moderate Density Residential District) and located on Wallace Drive, Vernon Avenue and Pilgrim Circle, with the following conditions that:

1. The Applicant needs to obtain final engineering approvals, including any stormwater and utility issues that need to be worked out through the Engineering and Utilities Departments. All comments regarding the layout and details of the project are preliminary and subject to modification or change based on the final technical review by the Engineering Department.
2. A public sidewalk shall be required along all public streets.

3. The houses shall achieve compliance the minimum Residential Design Standards Criteria and Performance Standards of Section 1171.08 of the Planning and Zoning Code.
4. The minimum houses sizes shall be 1,250 for a 3 bedroom unit with any additional bedroom adding 200 square feet to the totals.
5. The street tree plan shall be submitted, reviewed and approved by the Shade Tree Commission.
6. A lighting plan that achieves compliance with the zoning code shall be submitted, reviewed and approved by the Chief Building Official.
7. The playground and bike path in Phase 1 shall be owned and maintained by the Homeowners Association. This shall be formalized prior to acceptance of public improvements in Phase 2.
8. The developer shall provide appropriately sized aeration systems for the existing pond to the southeast of this development and for the ponds south of Ferguson Avenue between Old Colony Drive and Village Gate Apartments.

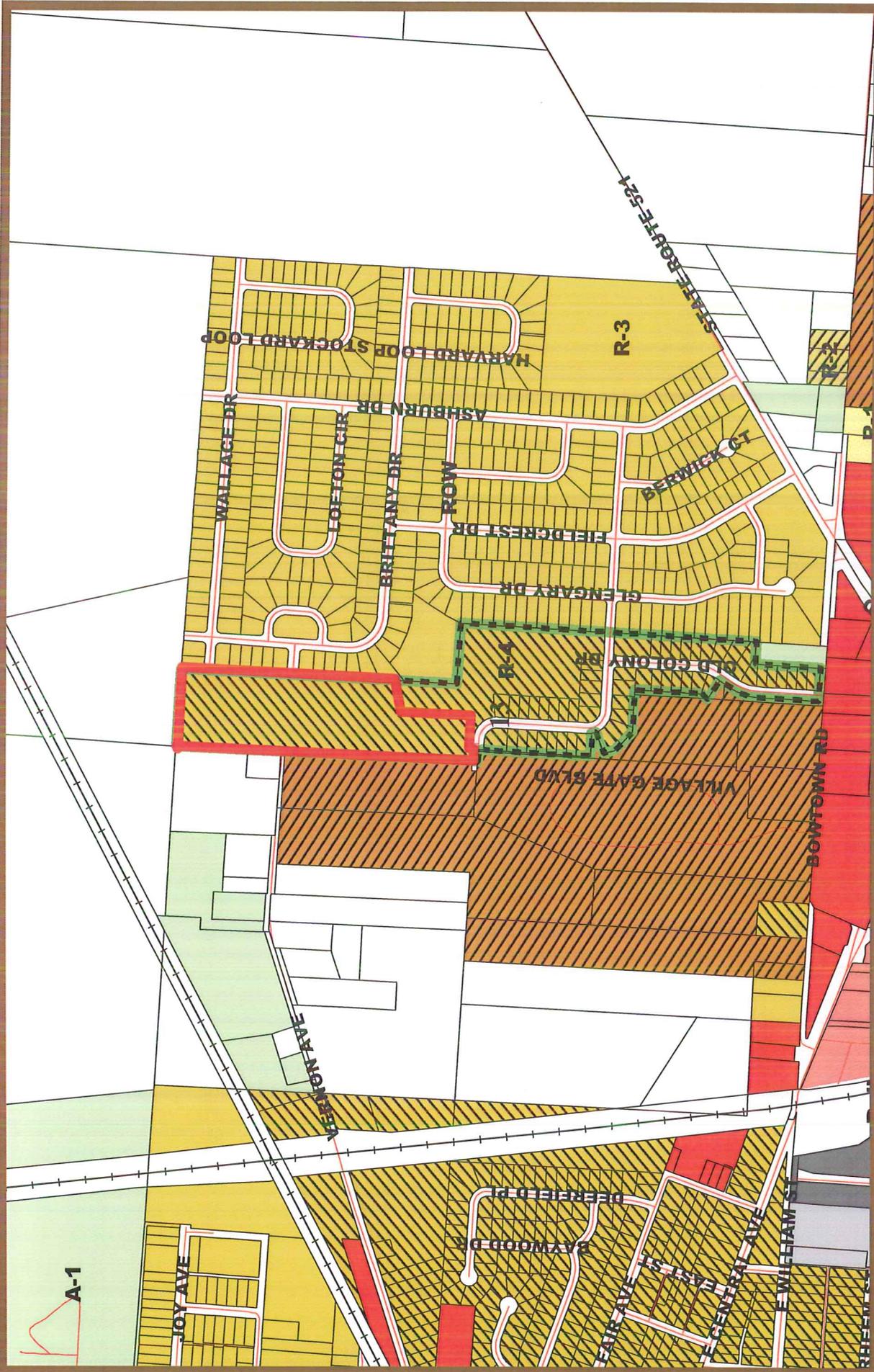
CONCLUSIONS

- The proposal meets all applicable Code requirements, with fulfillment of the approval conditions.



2016-3400
 Final Subdivision Plat
 Old Colony Estates - Phase 2
 Location Map





2016-3400
 Final Subdivision Plat
 Old Colony Estates - Phase 2
 Zoning Map





2016-3400
Final Subdivision Plat
Old Colony Estates - Phase 2
Aerial (2016)





**CITY OF DELAWARE, OHIO
PLANNING & COMMUNITY DEVELOPMENT
MASTER APPLICATION FORM**



Project # 161-622

Case # 2016-3400 FSP

Planning Commission

- | | | |
|--|--|---|
| <input type="checkbox"/> Amended Final Development Plan | <input type="checkbox"/> Final Development Plan Extension | <input type="checkbox"/> Substitution of a Non-Conforming Use |
| <input type="checkbox"/> Amended Final Subdivision Plat | <input checked="" type="checkbox"/> Final Subdivision Plat | <input type="checkbox"/> Vacation-Alley |
| <input type="checkbox"/> Amended Preliminary Development Plan | <input type="checkbox"/> Final Subdivision Plat Extension | <input type="checkbox"/> Vacation-Easement |
| <input type="checkbox"/> Amended Preliminary Subdivision Plat | <input type="checkbox"/> Floodplain Permit | <input type="checkbox"/> Vacation-Street |
| <input type="checkbox"/> Annexation Review | <input type="checkbox"/> Lot Split | Board of Zoning Appeals |
| <input type="checkbox"/> Combined Preliminary & Final Development Plan | <input type="checkbox"/> Pre-annexation Agreement | <input type="checkbox"/> Appeal Administrative Decision or Interpretation |
| <input type="checkbox"/> Comprehensive Plan Amendment | <input type="checkbox"/> Preliminary Development Plan | <input type="checkbox"/> Conditional Use Permit |
| <input type="checkbox"/> Concept Plan | <input type="checkbox"/> Preliminary Dev Plan Extension | <input type="checkbox"/> Substitution of Equal or Less Non-Conforming Use |
| <input type="checkbox"/> Conditional Use Permit | <input type="checkbox"/> Preliminary Sub Plat | <input type="checkbox"/> Variance |
| <input type="checkbox"/> Determination of Similar Use | <input type="checkbox"/> Preliminary Sub Plat Extension | |
| <input type="checkbox"/> Development Plan Exemption | <input type="checkbox"/> Rezoning | |
| <input type="checkbox"/> Final Development Plan | <input type="checkbox"/> Subdivision Variance | |

Subdivision/Project Name Old Colony Estates Phase 2 Address City of Delaware, Delaware County, Ohio

Acreage 14.962 Square Footage 651,744.72 Number of Lots 55 Number of Units ---

Zoning District/Land Use R-4 Proposed Zoning/Land Use R-4 Parcel # 51944101015000

Applicant Name Civil & Environmental Consultants, Inc. Contact Person Chad Buckley

Applicant Address 250 Old Wilson Bridge Road, Suite 250, Worthington, Ohio 43085

Phone 614-468-6200 Fax 614-540-6638 E-mail cbuckley@cecinc.com

Owner Name Bowtown Delaware, Ltd. Contact Person Jack Wendell

Owner Address 536 South Wall Street, Suite 300, Columbus, OH 43215

Phone 614-224-9255 Fax _____ E-mail jwendell@smithtandy.com

Engineer/Architect/Attorney Civil & Environmental Consultants, Inc. Contact Person Chad Buckley

Address 250 Old Wilson Bridge Road, Suite 250, Worthington, Ohio 43085

Phone 614-468-6200 Fax 614-540-6638 E-mail cbuckley@cecinc.com

The undersigned, do hereby verify the truth and correctness of all facts and information presented with this application and authorize field inspections by City Staff.

Jack Wendell
 REPRESENTING Owner Signature
Chad Buckley
 Agent Signature

Jack Wendell
 REPRESENTING Owner Printed Name
 Chad Buckley
 Agent Printed Name

Sworn to before me and subscribed in my presence this 9th day of November, 2016 by Jack A Wendell



Amy A. Friend
 Notary Public, State of Ohio
 Notary Stamp Expires 02-17-2019

Amy A. Friend
 Notary Public

CASE NUMBERS: 2016-3396 & 3397

REQUEST: Multiple Requests

PROJECT: Willowbrook West

MEETING DATE: December 7, 2016

APPLICANT/OWNER

T&R Properties
3895 Stonebridge Court
Dublin, Ohio 43016

REQUEST

2016-3396: A request by T&R Properties for approval of a Preliminary Development Plan for Willowbrook West consisting of 96 single family attached units on approximately 15.18 acres zoned R-6 PUD (Multi-Family Residential District with a Planned Unit Development Overlay District) located on the west side of North Houk Road just north of Arthur Place.

2016-3397: A request by T&R Properties for approval of a Preliminary Subdivision Plat for Willowbrook West consisting of 96 single family lots on approximately 15.18 acres zoned R-6 PUD (Multi-Family Residential District with a Planned Unit Development Overlay District) located on the west side of North Houk Road just north of Arthur Place.

PROPERTY LOCATION & DESCRIPTION

The subject property is located on the west side of North Houk Road just north of Arthur Place. The subject site is zoned R-6 PUD (Multi-Family Residential District with a Planned Unit Development Overlay District). The properties to the east and west are zoned R-3 PUD while the property to the north is zoned B-3 PUD and the property to the south is zoned R-6 PUD.

BACKGROUND

In 1999 (Ordinance 99-76), Medrock LLC., received approval of a Planned Mixed Use Development (PUD) that encompassed approximately 282 acres essentially south of US 36, north of the railroad tracks, west of Acme Road and along and east of the Houk Road. The permitted land uses include single family, two family attached, multi-family, commercial and industrial uses. A large portion of this area has been built out which includes the following developments: Adalee Park, Millbrook, Braddington Commons, Arthur Place, Village at Willowbrook Farms, Willowbrook East. In 2007, this portion of the Willowbrook PUD was subject to a rezoning which was coordinated with the initial submission for what became Arthur Place. In 2008, Arthur Place “flipped” sites and became located at its current site. This left the multi-family area in question in this case as the land remaining between the proposed retail and existing senior housing sites (Arthur Place). Also in 2008, the retail site underwent a rezoning which included some revised development text as well as the required mounding and landscaping along the south boundary of the retail site. All of the previous plans and changes have been reviewed with this case to ensure consistency and adherence to prior actions.

Now the developer is proposing to develop 96 single family attached units on 96 lots on approximately 15.18 acres for a density of 6.32 units per acre. The main access would be a full movement curb cut on South Houk Road adjacent to Rockmill Street with a second access point utilizing the northern most access point to Arthur Place which is a right-in/right-out only curb cut. Arthur Place (Ordinance 08-37) was approved and constructed in 2008 and the land was sold to the Buckeye Community Hope Foundation by the current applicant.

STAFF ANALYSIS

- **COMPREHENSIVE PLAN:** The Comprehensive Plan recommends a future land use of Moderate Density Multi-Family (8-10 du/ac) for this area. The proposed development land use and density of 6.32 units per acre would achieve compliance with the Comprehensive Plan.
- **ZONING:** As mentioned above, the subject property was originally rezoned in 1999 to R-6 PUD with subsequent rezoning revisions in 2007 and 2008. This subject area is identified as “Multi-Family Area 1” in the development text which permitted 186 dwelling units. Arthur Place which is also located in “Multi-Family Area 1” and constructed in 2008 contained 80 dwelling units of the allotted 186 dwelling units. Therefore, the proposed 96 attached dwelling units would be permitted per the approved R-6 PUD. From a procedural

perspective, Preliminary and Final Development Plans and Plats would need to be reviewed and approved by the Planning Commission and City Council for the proposed development.

- **DEVELOPMENT TEXT:** The aforementioned R-6 PUD (as amended) has specific development text for the entire development pertaining to permitted uses, density, lot size, minimum dwelling size, building setbacks, landscaping, lighting, architectural elevations, etc.
- **GENERAL ENGINEERING:** The Applicant needs to obtain engineering approvals, including any storm water and utility issues that need to be worked out through the Engineering and Utilities Departments. All comments regarding the layout and details of the project are preliminary and subject to modification or change based on the final technical review by the Engineering Department once a complete plan set is submitted for review.
- **UTILITIES:** The site would be serviced by City sanitary sewer and water that would have to be extended by the developer to this site. In addition, all retention ponds should be setback a minimum of 80 feet from the edge of pavement for roads per the City Engineer.
- **ROADS AND ACCESS:** The primary access to the site would be from a full movement curb cut on South Houk Road adjacent to Rockmill Street while a second curb cut would be from the right-in/right-out on the northern portion of the Arthur Place development. An access easement with Arthur Place was recorded in 2008 to allow access to the existing right-in/right-out curb cut (see attached). The internal access roadway network would be comprised of private 24 foot wide streets built to public street standards with no parking permitted on the streets. Also the names of the street shall be vetted with appropriate agencies to ensure compliance and non-duplication prior to Final Development Plan and Final Subdivision Plat submittal.
- **PEDESTRIAN CONNECTIVITY:** A sidewalk shall be extended along the South Houk Road frontage of the subject site. The applicant is proposing private internal sidewalks on the south sides of Racheal Lane, Amelia Lane, the southeastern portion of Blaise Lane and southeastern portion of Isaac Lane while staff would recommend a sidewalk on the north side of Mara Avenue (which would provide a sidewalk on each street) to enhance pedestrian safety throughout the development. Also, sidewalks should be along the entire frontage of the south side of Amelia Lane. Finally, sidewalks should be added on the east side Blaise Lane.
- **LOT LAYOUT & SIZE:** The site layout would entail a looped street configuration with a main access drive bisecting the development. An open space area would be located behind the lots on Mara Avenue and Amelia Lane and include a sidewalk which would connect to the development mail box on the southeastern portion of the site on Isaac Lane. A retention pond is located along South Houk Road in the southeastern portion of the site. Just east of the retention pond is the existing mound with landscaping that buffers South Houk Road and the subject development. Per the approved revised PUD development text, a proposed mound with landscaping would be located just north of the development to buffer the future commercial zoned property. Also, the applicant is proposing 15 common parking spaces within the development but the three spaces at the southern terminus of Blaise Lane would need to be removed because they will inhibit the movement of emergency and refuse vehicles. There would be six common spaces located in front of the mailbox area on Isaac Lane and six spaces on Blaise Lane on the northwestern portion of the site.

The revised PUD development text permits 106 multi-family units on the subject site which could be apartment and/or condominium units ranging in construction from a minimum single family attached unit to several unit configurations. The applicant is proposing single family ranch style attached units on fee simple single family lots with a condominium association which is about the least impactful of all the potential different construction alternatives. Consequently, the subject development would be subdivided into 96 single family lots (owner occupied) with a minimum lot size of 4,275 square feet (45-ft x 95-ft). The attached units would have a minimum front yard of 25 feet and a minimum rear yard setback of 18 feet while there would be a minimum 10 feet between units. Also, morning/sunroom(s) would be permitted on all interior lots as well as lots abutting South Houk Road. The morning/sunroom(s) shall have a minimum rear yard setback of 10 feet. In addition, each unit will be permitted a deck or patio that would need to be setback a minimum 10 feet from the rear property line. The minimum unit size is 1,350 square feet. Each unit would have a two car garage with a driveway which can accommodate parking for two vehicles. Furthermore, the subject condominium development would have a homeowners association that would have a common maintenance plan for lawn, landscaping and snow removal within the development. The final development plan and final subdivision plat would need to have lot sizes, widths, depths, etc., identified per the typical subdivision plan

and plat per Chapter 1129.05 (Final Development Plans) and Chapter 1111.04 (Final Subdivision Plats) of the codified ordinances.

- **BUILDING DESIGN:** The intent of the design requirements is to mimic the Arthur Place ranch style attached units with a stone wainscoting (see attached exhibits) and all the units would have an earth tone color to be harmonious and compatible with the adjacent neighborhoods while allowing a color pallet to provide unit diversification and visual integrity (this will be submitted with Final Development Plan). Additionally, there would be only a maximum of two attached units giving a more single family development appearance. All the roofs would have a minimum roof slope of 6:12 while secondary roofs may be a lesser slope with a minimum 5:12. Roofs would be finished in a standard 3-tab shingle with a 25 year warranty and black in color. Furthermore, minimum 8 inch overhangs, shutters, window trim, one garage light course, etc., would be minimum design standards for the buildings.
- **LANDSCAPING & SCREENING:** A comprehensive landscape plan would be required to be submitted, reviewed and approved by staff prior to submitting for any Final Development Plans and Plats. The landscaping plan would include street trees, individual building landscaping and perimeter buffering. Per the approved revised PUD development text, the northern boundary of the subject development is required to have an undulating earthen mound ranging from 8 to 12 feet in height to block views of the future commercial development to the north. A mix of deciduous, evergreen and ornamental tree plantings shall be provided on the top of the mound consistent with the existing South Houk Road landscape mound and have a minimum 60% opacity at the time of installation. The subject mound shall either be located on the subject property or within an easement with the property to the north and shall be constructed with the initial construction of the subject development. All landscape plans would require review and approval by the Shade Tree Commission.
- **OPEN SPACE/PARKLAND:** The subject development has two reserves areas that encompass approximately 1.95 acres (12.8%). The retention pond reserve encompasses approximately 1.31 acres and is located along South Houk Road in the southeastern portion of the site. The second reserve is a open space park area that encompass approximately 0.64 acres located behind the attached units between Maria Avenue and Amelia Lane. Staff recommends the open space to be programmed with amenities that target the users of the subject development (the developer indicated this would be primarily empty nester families). This could include benches, a pavilion, etc. The reserves and amenities would be owned and maintained by the Homeowners Association.
- **TREE PRESERVATION:** There do not appear to be trees on the subject site but if any trees are removed the development would have to achieve compliance with Chapter 1168 Tree Preservation Regulations.
- **LIGHTING PLAN:** A lighting plan for all streets and amenities would be required for Final Development Plan and Final Subdivision Plat approval and would have to achieve compliance with the zoning code and approved by the Chief Building Official.
- **SIGNAGE:** All signage shall achieve compliance with the minimum zoning requirements and the adopted Gateways and Corridor Study, as well being consistent with the stone monument signs signage in the PUD.
- **FIRE DEPARTMENT:** The fire department requires two full access points to the subject development. In addition because of the width of the private street, no parking would be permitted on either side of the street. Also, the fire hydrant location and fire flow requirements would need to be addressed prior to Final Development Plan approval.

STAFF RECOMMENDATION – (2016-3396 PRELIMINARY DEVELOPMENT PLAN)

Staff recommends approval of a request by T&R Properties for a Preliminary Development Plan for Willowbrook West consisting of 96 single family attached units on approximately 15.18 acres zoned R-6 PUD (Multi-Family Residential District with a Planned Unit Development Overlay District) located on the west side of North Houk Road just north of Arthur Place, with the following conditions that:

1. The Applicant needs to obtain final engineering approvals, including any storm water and utility issues that need to be worked out through the Engineering and Utilities Departments. All comments regarding the layout and details of the project are preliminary and subject to modification or change based on the final technical review by the Engineering Department.

2. Two curb cuts would be required for the subject development. The existing right-in/right-out curb cut on the northern portion of the Arthur Place development could be utilized as the second curb cut per the recorded access easement with Arthur Place in 2008.
3. The internal access roadway network would be comprised of 24 foot wide private streets built to public street standards with no parking permitted on the streets.
4. The street names shall be vetted and approved by the appropriate agencies to ensure compliance and non-duplication prior to Final Subdivision Plat submission.
5. The three parking spaces located at the southern terminus of Blaise Lane shall be removed because they will inhibit the movement of emergency and refuse vehicles.
6. Internal sidewalks shall be located on one side of each private street.
7. All retention ponds shall be setback a minimum of 80 feet from the edge of pavement per the City Engineer.
8. The lots and houses shall comply with the minimum bulk and setback requirements as shown on this plan.
9. The single family attached units shall comply with the minimum architectural standards approved in the development text and include minimum 8 inch overhang, shutters, window trim, one garage light course, etc.
10. The minimum attached unit house size shall be 1,350 square feet.
11. A morning/sunroom shall be permitted on all interior lots as well as lots abutting South Houk Road. The morning/sunroom(s) shall have a minimum rear yard setback of 10 feet.
12. Each unit shall be permitted a deck or patio that shall be setback a minimum 10 feet from the rear property line
13. The mounding and landscaping along South Houk Road shall be maintained as constructed and the maintenance of the mound and associated landscaping shall be the responsibility of the Homeowner's Association.
14. Along the northern boundary of the subject development, an undulating earthen mound ranging from 8 to 12 feet in height to block views of the future commercial development to the north. A mix of deciduous, evergreen and ornamental tree plantings shall be provided on the top of the mound consistent with the existing South Houk Road landscape mound and have a minimum 60% opacity at the time of installation. The subject mound shall either be located on the subject property or within an easement with the property to the north and shall be constructed with the initial construction of the subject development.
15. All landscaping plans shall be submitted, reviewed and approved by the Shade Tree Commission.
16. Any tree removal and/or replacement requirements shall achieve compliance with Chapter 1168 Tree Preservation Regulations and shall be required prior to final plat approvals for each section.
17. The street lighting plan shall be submitted, reviewed and approved by the Chief Building Official and achieve compliance with all zoning requirements prior to final subdivision plat approval.
18. The open space between Maria Avenue and Amelia Lane shall be programmed with amenities and submitted concurrent with Final Development Plan and Plat approval.
19. A comprehensive landscape plan that includes street trees, individual building landscaping and perimeter buffering shall be required to be submitted, reviewed and approved by the City prior to Final Development Plan and Plat.
20. All signage shall achieve compliance with the minimum zoning requirements and the adopted Gateways and Corridor Plan.
21. The Final development Plan and Final Subdivision Plat shall comply with the submission requirements of Chapters 1129.05 (Final Development Plans) and Chapters 1111.04 (Final Subdivision Plats) respectively of the codified ordinances.

STAFF RECOMMENDATION – (2016- 3397 PRELIMINARY SUBDIVISION PLAT)

Staff recommends approval of a request by T&R Properties for a Preliminary Subdivision Plat for Willowbrook West consisting of 96 single family lots on approximately 15.18 acres zoned R-6 PUD (Multi-Family Residential District with a Planned Unit Development Overlay District) located on the west side of North Houk Road just north of Arthur Place, with the following conditions that:

1. The Applicant needs to obtain final engineering approvals, including any storm water and utility issues that need to be worked out through the Engineering and Utilities Departments. All comments regarding the layout and details of the project are preliminary and subject to modification or change based on the final technical review by the Engineering Department.
2. Two curb cuts would be required for the subject development. The existing right-in/right-out curb cut on the northern portion of the Arthur Place development could be utilized as the second curb cut per the recorded access easement with Arthur Place in 2008.
3. The internal access roadway network would be comprised of 24 foot wide private streets built to public street standards with no parking permitted on the streets.
4. The street names shall be vetted and approved by the appropriate agencies to ensure compliance and non-duplication prior to Final Subdivision Plat submission.
5. The three parking spaces located at the southern terminus of Blaise Lane shall be removed because they will inhibit the movement of emergency and refuse vehicles.
6. Internal sidewalks shall be located on one side of each private street.
7. All retention ponds shall be setback a minimum of 80 feet from the edge of pavement per the City Engineer.
8. The lots and houses shall comply with the minimum bulk and setback requirements as shown on this plan.
9. The single family attached units shall comply with the minimum architectural standards approved in the development text and include minimum 8 inch overhang, shutters, window trim, one garage light course, etc.
10. The minimum attached unit house size shall be 1,350 square feet.
11. A morning/sunroom shall be permitted on all interior lots as well as lots abutting South Houk Road. The morning/sunroom(s) shall have a minimum rear yard setback of 10 feet.
12. Each unit shall be permitted a deck or patio that shall be setback a minimum 10 feet from the rear property line
13. The mounding and landscaping along South Houk Road shall be maintained as constructed and the maintenance of the mound and associated landscaping shall be the responsibility of the Homeowner's Association.
14. Along the northern boundary of the subject development, an undulating earthen mound ranging from 8 to 12 feet in height to block views of the future commercial development to the north. A mix of deciduous, evergreen and ornamental tree plantings shall be provided on the top of the mound consistent with the existing South Houk Road landscape mound and have a minimum 60% opacity at the time of installation. The subject mound shall either be located on the subject property or within an easement with the property to the north and shall be constructed with the initial construction of the subject development.
15. All landscaping plans shall be submitted, reviewed and approved by the Shade Tree Commission.
16. Any tree removal and/or replacement requirements shall achieve compliance with Chapter 1168 Tree Preservation Regulations and shall be required prior to final plat approvals for each section.
17. The street lighting plan shall be submitted, reviewed and approved by the Chief Building Official and achieve compliance with all zoning requirements prior to final subdivision plat approval.
18. The open space between Maria Avenue and Amelia Lane shall be programmed with amenities and submitted concurrent with Final Development Plan and Plat approval.
19. A comprehensive landscape plan that includes street trees, individual building landscaping and perimeter buffering shall be required to be submitted, reviewed and approved by the City prior to Final Development Plan and Plat.

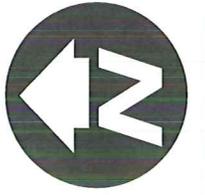
- 20. All signage shall achieve compliance with the minimum zoning requirements and the adopted Gateways and Corridor Plan.
- 21. The Final development Plan and Final Subdivision Plat shall comply with the submission requirements of Chapters 1129.05 (Final Development Plans) and Chapters 1111.04 (Final Subdivision Plats) respectively of the codified ordinances.

COMMISSION NOTES:

MOTION: _____ *1st* _____ *2nd* *approved* *denied* *tabled* _____

CONDITIONS/MISCELLANEOUS:

FILE:
ORIGINAL: 11/30/16
REVISED:



2016-3396 & 3397
Preliminary Development Plan & Preliminary Subdivision Plat
Willowbrook West
Aerial (2016)



Development Text

See Building Elevation of the typical homes – Attachment is a representation of what each home will look like. Architectural review and approval for the final elevations will be required by the developer.

The exterior finishes and materials of the proposed homes will be harmonious and compatible with adjacent neighborhoods.

Front facades shall consist of a minimum of 15% natural materials. Natural materials shall be defined as brick or manufactured stone. Only earth tone colors will be permitted on the exterior of homes.

All main roofs will have a minimum pitch of 6:12. Secondary roofs may be a lesser slope with a minimum of 5:12. Roofs will be finished in a standard 3-tab shingle with a 25 year warranty. Dimensional shingles may also be used. Roof colors will be consistent from building to building and will be black in color.

Morning Room/Sunroom extensions shall be permitted on all interior lots as well as lots abutting South Houk Road. Morning Rooms/Sunrooms shall have a minimum setback of 10' from the rear property line.

Decks or Patios shall be permitted on all homesites.

All homes shall have 1 coach light near front entry leadwalk.

Homes will be fee simple/attached on private streets.

Side yard separation shall be a minimum of 10' between structures.

Mounding and landscaping shall be installed on the North Property Line.



200800026243
Filed for Record in
DELAWARE COUNTY, OHIO
ANDREW D BRENNER
09-10-2008 At 11:59 am.
EASEMENT 84.00
OR Book 864 Page 2271 - 2279

DEED OF EASEMENT FOR ACCESS

August 20, 2008
200800026243
JAMES A SAAD L L C
229 HUBER VILLAGE BLVD
WESTERVILLE OH 43081

This Deed of Easement for Access is made as of the date set forth above by **Delaware Senior L.P., an Ohio limited partnership**, its successors and assigns, with an address at 3021 E. Dublin Granville Rd., Suite 200, Columbus, Ohio 43231 (hereinafter called "**Delaware Senior**") and **Medrock LLC, an Ohio limited liability company**, its successors and assigns, with an address at 3895 Stoneridge Ln, Dublin, OH 43017 (hereinafter called "**Medrock**").

Background

- A. Delaware Senior is the owner of a certain 10.000 acres parcel of real property located in Delaware, Ohio, (the "Delaware Senior Property") and Medrock is the owner of a certain 164.571 acres parcel of real property located in Delaware, Ohio (the "Medrock Property").
- B. The Delaware Senior Property and the Medrock Property are contiguous.
- C. Delaware Senior has agreed to grant a nonexclusive easement for ingress and egress to Medrock over a certain 0.164 acre strip of land (the "Access Easement Area") specifically described in Exhibit A attached hereto. A survey drawing is attached as Attachment A. Medrock has agreed to release and extinguish an existing nonexclusive easement for ingress and egress that it has over a portion of the Delaware Senior Property.
- D. Delaware Senior and Medrock hereby agree to the following described rights and responsibilities regarding the creation and the use of the access easement.

Agreement

- 1. Delaware Senior hereby creates the following perpetual, non-exclusive easement and rights of use of the Access Easement Area for pedestrian and vehicular ingress and egress over and upon the Access Easement Area.
- 2. This non-exclusive access easement and the right of use created herein shall be appurtenant, shall run with the land, and shall inure to the benefit of the successors and assigns of the Medrock Property subject to the responsibilities described herein.
- 3. It is anticipated that Delaware Senior will construct a driveway in the Access Easement Area at the sole cost of Delaware Senior. When the driveway is completed, Delaware Senior will give Medrock notice that it is ready for Medrock's use. Medrock may inspect the driveway within 30 days of receipt of such notice. If

Delaware County
The Grantor Has Complied With
Section 319.202 Of The R.C.
DATE 9/10/08 Transfer Tax Paid _____
TRANSFERRED OR TRANSFER NOT NECESSARY
Delaware County Auditor By S. Hines

James A. Saad LLC
Star Title Agency LLC
229 Huber Village Blvd. #130
Westerville, OH 43081

PLEASE
RETURN
TO:

requested by Medrock, Delaware Senior will have its architect or engineer certify to Medrock that the driveway has been constructed in a workmanlike manner. Once Medrock's first building is occupied on the Medrock Property, then the maintenance, repair and replacement costs of any of the driveway improvements or facilities located in the Access Easement Area shall be allocated 50% to the Medrock Property and 50% to the Delaware Senior Property. The driveway in the Access Easement Area shall not be used by construction-related traffic related to development of the Medrock Property. The Medrock Property shall carry liability insurance with regard to the use of the Access Easement Area. Delaware Senior, its successors and assigns, of the Delaware Senior Property shall be responsible for maintaining, repairing and replacing the improvements described above in the Access Easement Area, which will benefit Medrock, its successors and assigns, of the Medrock Property as well as the Delaware Senior Property. The owner of the Delaware Senior Property shall be the decision maker for all the maintenance, repair and replacement of the improvements described above of the Access Easement Area. However, the cost of the maintenance, repair and replacement work shall be the responsibility of and paid for by both the Medrock Property owner and the Delaware Senior Property owner in the above described 50 - 50 percentages of share of cost. Neither the Medrock Property owner nor the Delaware Senior Property owner shall obstruct, impede or interfere with or permit any obstruction, impediment or interference with the use of the improvements described above of the Access Easement Area. Decisions for the repair, maintenance or replacement of the improvements described above of the Access Easement Area shall be made by the Delaware Senior Property owner, its successors and assigns. In the event that the Delaware Senior Property owner, its successors and assigns, determines that repair, maintenance or replacement work needs to be done on the improvements described above of the Access Easement Area, then in such event, the Delaware Senior Property owner, its successors and assigns, shall notify the Medrock Property owner, its successors and assigns, of such determination by Certified U.S. Mail, to the last known address of the Medrock Property owner, its successors and assigns. This Notice shall contain a statement of services, materials and labor that are required and the approximate cost of the same. The Medrock Property owner, its successors and assigns, shall have twenty (20) days from receipt of said notice to notify the Delaware Senior Property owner, its successors and assigns, in writing, of any complaint or disagreement with the notice provided by the Delaware Senior Property owner. If the Delaware Senior Property owner receives no written response to its Notice within twenty (20) days of receipt by the Medrock Property owner, then the Delaware Senior Property owner may proceed toward completion of the necessary work, as if the Medrock Property owner has expressly approved the repairs, maintenance or replacement. In the event the Medrock Property owner does not agree with the terms of the notice provided by the Delaware Senior Property owner, and responds in writing received by the Delaware Senior Property owner within the twenty (20) day period noted above, then in such event, the Delaware Senior Property owner is authorized by the Medrock Property owner to obtain the services of an independent engineer, who shall determine the necessity of the services, materials and labor proposed by the Delaware Senior Property owner for the maintenance, repair and replacement of the improvements described above of the Access Easement Area. The decision of the Engineer shall be final, and the

Delaware Senior Property owner, the Medrock Property owner, their respective successors and assigns, shall be bound by the determination of the independent engineer. The cost of the services of the independent Engineer shall be shared in the same percentage as noted above for repairs, and so forth, by the Delaware Senior Property owner and the Medrock Property owner, their respective successors and assigns. In all events, Delaware Senior Property owner, its successors and assigns, shall oversee the completion of any services, labor or materials needed for the repair, maintenance and replacement of the improvements described above of the Access Easement Area. Notwithstanding anything stated herein to the contrary, in the case of a safety emergency or in the case of a governmental order, Delaware Senior may proceed to make the repair or maintenance required without prior notice to Medrock, and Medrock agrees to share such expense equally with Delaware Senior, so long as the time has commenced for Medrock to share such expenses.

4. Since Medrock, its successors and assigns, will benefit from the use of the Access Easement Area for ingress and egress as described in this easement instrument, Medrock, its successor and assigns, agrees to indemnify, hold harmless and defend Delaware Senior, its successors and assigns, for any claim, loss, expense or damages of Delaware Senior, its successors and assigns, caused by Medrock, its successors and assigns, which may arise out of Medrock's, its successors and assigns, and its tenants, invitees or guests use of the Access Easement Area under this easement instrument. In return, Delaware Senior, its successor and assigns, agrees to indemnify, hold harmless and defend Medrock, its successors and assigns, for any claim, loss, expense or damages of Medrock, its successors and assigns, caused by Delaware Senior, its successors and assigns, which may arise out of Delaware Senior's, its successors and assigns, and its tenants, invitees or guests use of the Access Easement Area under this easement instrument.
5. Medrock, its successors and assigns, hereby releases and extinguishes forever that certain non-exclusive easement over the north 30 feet of the Delaware Senior Property as ingress and egress to the Medrock Property which easement was reserved by Medrock in its deed of conveyance to Delaware Senior as recorded in Official Record Volume 0821, Page 0437, Delaware County records.

Prior Instrument Reference of Medrock LLC: Deed Record Volume 650 Page 240, Delaware County, Ohio, Deed Records.

Prior Instrument Reference of Delaware Senior L.P.: Official Record Volume 821 Page 437, Delaware County, Ohio, Deed Records.

EXECUTED BY Delaware Senior L.P., by its duly authorized representative, the 20th day of August, 2008.

DELAWARE SENIOR L.P.
By: Delaware Senior Housing Partners, Inc.,
General Partner

By: [Signature]
Steven J. Boone, President

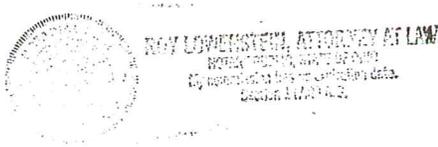
EXECUTED BY Medrock LLC, by its duly authorized representative, the 20th day of August, 2008.

MEDROCK LLC
By: [Signature]
P. Ronald Sabatino, Managing Member

STATE OF Ohio,
COUNTY OF Franklin, SS.

Before me, a Notary Public in and for said County and State, personally appeared **Steven J. Boone**, the duly authorized President of **Delaware Senior Housing Partners, Inc.**, an **Ohio corporation**, the duly authorized general partner of **Delaware Senior L.P.**, who acknowledged that he executed the foregoing instrument as his and its free act and deed.

IN TESTIMONY WHEREOF, I have herewith subscribed my name and affixed my official seal at Columbus, Ohio, this 20th day of August, 2008.



[Signature]
NOTARY PUBLIC
Commission expires: no expiration

STATE OF Ohio,

COUNTY OF Madison, SS.

Before me, a Notary Public in and for said County and State, personally appeared **P. Ronald Sabatino**, the duly authorized MANAGING MEMBER of **Medrock LLC**, an **Ohio limited liability company**, who acknowledged that he executed the foregoing instrument as his and its free act and deed.

IN TESTIMONY WHEREOF, I have herewith subscribed my name and affixed my official seal at Columbus, OH, this 20th day of AUGUST, 2008.



MARILYN A LAMB
Notary Public
In and for the State of Ohio
My Commission Expires
April 30, 2012

Marilyn A Lamb
NOTARY PUBLIC
Commission expires: 4/30/12

This Instrument prepared by James A. Saad, Esq., James A. Saad LLC.

EXHIBIT A (Access Easement Area)



Civil & Environmental Consultants, Inc.
8740 Orion Place, Suite 100 • Columbus, Ohio 43240
Phone 614.540.6633 • Fax 614.540.6638
CHICAGO, IL. • CINCINNATI, OH • EXPORT, PA. • INDIANAPOLIS IN.
NASHVILLE, TN. • PITTSBURGH, PA. • ST. LOUIS, MO.

DESCRIPTION OF A
0.164 ACRE ACCESS EASEMENT
SOUTH OF U.S. ROUTE 36,
WEST OF HOUK ROAD,
CITY OF DELAWARE,
COUNTY OF DELAWARE, OHIO

EXHIBIT A

Situated in the State of Ohio, County of Delaware, City of Delaware, and being in Farm Lot 31, Quarter Township 3, Township 5, Range 19, United States Military District, and being 0.164 acres of a 10.000 acre tract conveyed to Delaware Senior L.P., by deed of record in Official Record 821, Page 437, all records herein are from the Recorder's Office, Delaware County, Ohio, said 0.164 acre tract being more particularly described as follows:

BEGINNING at the northeast corner of said 10.000 acre tract, and being a point on the westerly right-of-way of Houk Road (100' R/W), as shown and delineated in Plat Cabinet 3, Slide 72-72B;

Thence along a curve to the right, having a radius of 550.00 feet, an arc length of 51.08 feet, a delta angle of 05°19'16", a chord bearing of South 16°19'59" West, and a chord length of 51.06 feet, along the westerly right-of-way of said Houk Road and an easterly line of said 10.000 acre tract, to a point;

Thence the following two (2) courses and distances over and across said 10.000 acre tract:

1. North 85°21'51" West, a distance of 137.23 feet, to a point;
2. North 04°38'09" East, a distance of 50.00 feet, to a point on the northerly line of said 10.000 acre tract;

Thence South 85°21'51" East, a distance of 147.58 feet, along the northerly line of said 10.000 acre tract, to the **POINT OF BEGINNING**, containing 0.164 acres, more or less.

This description was based on record information obtained from the Delaware County Recorder's Office.

The bearings are based between Delaware County Monuments Known as "Delpport" and "Delpport AZ", Ohio north zone, having an angle which bears South 80°54'30" East.



Civil & Environmental Consultants, Inc.

JLB 6-19-08
Jennifer L. Blue Date
Registered Surveyor No. S-8382

ATTACHMENT A (Survey Drawing)



Civil & Environmental Consultants, Inc.

8740 Orion Place, Suite 100 Columbus, Oh. 43240
 (614) 540-6633 (888)598-6808 FAX(614)540-6638
 CHICAGO, IL. CINCINNATI, OH. CLEVELAND, OH. EXPORT, PA. INDIANAPOLIS, IN.
 NASHVILLE, TN. PITTSBURGH, PA. ST. LOUIS, MO. DETROIT, MI.

0.164 Acre Access Easement



NORTH

MEDROCK LLC
 ORIGINAL 164.571 ACRES
 D.B. 650, PG. 240



DELAWARE SENIOR L.P.
 10.000 ACRES
 O.R. 821, PG. 437

HOUJK ROAD (100' R/W)
 P.C. 3, SLIDE 72-728

ATTACHMENT A



BASIS OF BEARING

BASIS OF BEARING: FOR THE PURPOSE OF THIS DESCRIPTION A BEARING OF SOUTH 80°54'30\"/>

SITUATE

SITUATED IN THE STATE OF OHIO, COUNTY OF DELAWARE, CITY OF DELAWARE, AND BEING IN FARM LOT 31, QUARTER TOWNSHIP 3, TOWNSHIP 3, RANGE 19, UNITED STATES MILITARY DISTRICT, AND BEING 0.164 ACRES OF A 10,000 ACRE TRACT CONVEYED TO DELAWARE SENIOR L.P., BY DEED OF RECORD IN OFFICIAL RECORD 821, PAGE 437, RECORDER'S OFFICE, DELAWARE COUNTY, OHIO.

SURVEYOR'S CERTIFICATE

THIS EXHIBIT WAS BASED ON RECORD INFORMATION OBTAINED FROM THE DELAWARE COUNTY RECORDER'S OFFICE.



JLB 6-19-08
 Jennifer L. Blue Date
 Registered Surveyor S-8382

S:\PROJ\2007\071905 SURVEY\DWG\EASEMENTS\071905-ACCESS_ESMT.DWG (JMH\AMC\DWG) JUN 19, 2008 9:55:59

REVISION RECORD		DRAWN BY: JMH	JOB NUMBER 071-905
DATE	DESCRIPTION	FIELD WORK BY: N/A	
		DATE: 6-19-08	
		SCALE: 1" = 80'	



**CITY OF DELAWARE, OHIO
PLANNING & COMMUNITY DEVELOPMENT
MASTER APPLICATION FORM**



Project # _____

Case # 2016 - 3396 - PDP

2016 - 3397 - PSP

Planning Commission

- | | | |
|--|--|---|
| <input type="checkbox"/> Amended Final Development Plan | <input type="checkbox"/> Final Development Plan Extension | <input type="checkbox"/> Substitution of a Non-Conforming Use |
| <input type="checkbox"/> Amended Final Subdivision Plat | <input type="checkbox"/> Final Subdivision Plat | <input type="checkbox"/> Vacation-Alley |
| <input type="checkbox"/> Amended Preliminary Development Plan | <input type="checkbox"/> Final Subdivision Plat Extension | <input type="checkbox"/> Vacation-Easement |
| <input type="checkbox"/> Amended Preliminary Subdivision Plat | <input type="checkbox"/> Floodplain Permit | <input type="checkbox"/> Vacation-Street |
| <input type="checkbox"/> Annexation Review | <input type="checkbox"/> Lot Split | Board of Zoning Appeals |
| <input type="checkbox"/> Combined Preliminary & Final Development Plan | <input type="checkbox"/> Pre-annexation Agreement | <input type="checkbox"/> Appeal Administrative Decision or Interpretation |
| <input type="checkbox"/> Comprehensive Plan Amendment | <input checked="" type="checkbox"/> Preliminary Development Plan | <input type="checkbox"/> Conditional Use Permit |
| <input type="checkbox"/> Concept Plan | <input type="checkbox"/> Preliminary Dev Plan Extension | <input type="checkbox"/> Substitution of Equal or Less Non-Conforming Use |
| <input type="checkbox"/> Conditional Use Permit | <input checked="" type="checkbox"/> Preliminary Sub Plat | <input type="checkbox"/> Variance |
| <input type="checkbox"/> Determination of Similar Use | <input type="checkbox"/> Preliminary Sub Plat Extension | |
| <input type="checkbox"/> Development Plan Exemption | <input type="checkbox"/> Rezoning | |
| <input type="checkbox"/> Final Development Plan | <input type="checkbox"/> Subdivision Variance | |

Subdivision/Project Name Willowbrook West Address Houk Rd., Delaware, OH
 Acreage 15.182 Square Footage 661,337.88 Number of Lots 96 Number of Units 96
 Zoning District/Land Use _____ Proposed Zoning/Land Use PRD Parcel # 519-330-02-031-000

Applicant Name T & R Properties Contact Person Ron Sabatino
 Applicant Address 3895 Stoneridge Court, Dublin, OH 43017
 Phone (614) 923-4000 Fax _____ E-mail rsabatino@trprop.com
 Owner Name Medrock LLC Contact Person Ron Sabatino
 Owner Address Same as applicant
 Phone Same as applicant Fax Same as applicant E-mail Same as applicant
 Engineer/Architect/Attorney CT Consultants Contact Person James Barry
 Address 7905 North High Street, Columbus, OH 43235
 Phone (614) 885-1700 Fax (614) 885-1701 E-mail jbarry@ctconsultants.com

The undersigned, do hereby verify the truth and correctness of all facts and information presented with this application and authorize field inspections by City Staff.

[Signature]
 Owner Signature

 Owner Printed Name

[Signature]
 Agent Signature

James M. Barry
 Agent Printed Name

Sworn to before me and subscribed in my presence this 2nd day of November, 2016.



Notary LINDSAY M HARRIS
 NOTARY PUBLIC - OHIO
 MY COMMISSION EXPIRES 04-02-20

[Signature]
 Notary Public