



<b>Meeting:</b> August 5, 2015	<b>Sublots:</b> 40
<b>App. No.:</b> 047-2015-FP	<b>Zoning:</b> R-1 PUD Planned Unit Development Overlay
<b>Applicant:</b> Pulte Homes, Paul Wolenski	<b>Utilities:</b> Central water and sanitary sewers
<b>Engineer:</b> TGC Engineering, LLC, Jeremy Sack	<b>School Dist.:</b> Buckeye Local
<b>Area:</b> 45.0797 acres	<b>Reviewer:</b> Rob Henwood

### EXECUTIVE SUMMARY

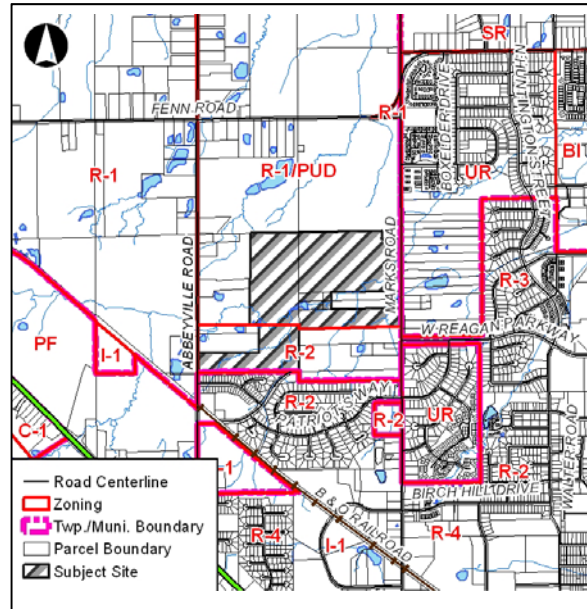
The subject site is located on the west side of Marks Road, east of Abbeyville Road and north of Savannah Trail. (see location map). The proposal for the 45.0797 acre site includes 40 single family sublots on public streets with 9.2367 acres of open space and 20.8867 acres for future development. The applicant proposes to create three public streets; two with temporary turnarounds and one street which stubs to an adjoining undeveloped property to the north. The site will be served by central water and sanitary sewers.

**Recommendation: CONDITIONAL APPROVAL**

**Note:** Red underlined text indicates new text and ~~red-strikeout text~~ indicates deleted text.

**Proposal:** The proposed Final Plat for Phase 1 includes the following:<sup>1</sup>

- 40 sublots
- 9.2367 acres in open space blocks
- 20.8867 acres in a block for future development.
- Three public streets with at least 60 foot right-of-ways (ROW)
  - Daintree Lane includes the boulevard entrance (approximately 310 feet long) and accesses Marks Road. ROW width varies from 60 and 110 feet. The proposed street runs east and west and stubs with a temporary turnaround at the Phase 1 and 2 boundary. All 40 proposed sublots front on Daintree Lane.



<sup>1</sup> For purposes of this staff review, the following documents are utilized: Final Plat: Forest Creek – Phase 1: Creating Sublots 1-40 and Blocks... TGC Engineering, Project No. 1072. Revised 6/23/2015. Pages 1 through 8. Date stamped by DPS staff on 7/27/2015 and Preliminary Plan: General Development Plan: Forest Creek. TGC Engineering; Project No. 1072a. Revised 6/23/2015. Sheets 1 and 2. Sheet 2 is subtitled Enlarged General Development Plan. Date stamped by DPS staff on 6/24/2015.

- Arapaho Way terminates to the south with a temporary turnaround into the area shown on the Preliminary Plan as Phase 2.
- Atwood Drive stubs to the undeveloped property to the north.
- Central sewer and water

**History:** The Medina County Planning Commission (MCPC) conditionally approved the Preliminary Plan in September of 2014; a Variance from § 604(B)(9) of the Subdivision Regulations was also approved to allow more than 40 sublots on a cul-de-sac street. The Concept Plan was reviewed in April of 2014.

**Access:** Access to the site is provided via the proposed Daintree Lane to Marks Road; the entrance on Marks Road is shown including a boulevard approximately 310 feet long. The proposed street runs east and west and stubs with a temporary turn-around at the Phase 1 and 2 boundary. All 40 proposed sublots front on Daintree Lane. Arapaho Way stubs to the south with a temporary turnaround into the area shown on the Preliminary Plan as Phase 2 and Atwood Drive stubs to the undeveloped property to the north.

The initial plan for the subdivision submitted for the Concept Plan showed two means of access and egress to Marks Road. The applicant was requested to consider a single boulevard entrance with full ROW on both sides of the boulevard.<sup>2</sup> The applicant was asked to consider the boulevard alternative as there were concerns over sufficient separation distance between the proposed streets and uncertainty regarding possible future improvements that could be required on Marks Road (including adding turn lanes and enlarging the existing bridge).

**Agency Comments:** *Italicized text* indicates quotations from submitting agency comments.

**Tax Maps, Beth Mika, 6/20/2015. CONDITIONAL APPROVAL**

1. *Indicate ROW width as Daintree Lane comes off of Marks Road, before it transitions to 60 foot width (Page 2).*
2. *Remove parcel numbers on adjoining properties.*
3. *Correct acreage of Cleveland Professional Complex LLC. Check document numbers from prior Tax Map reviews (Page 3).*
4. *Property currently goes to the center line of Marks Road. Marks Road is not shown as being dedicated. What is happening to this portion of the road?*
5. *Subject to all remarks made from prior Tax Map reviews.*

**Sanitary Engineer, Jeremy Sinko, 6/18/2015. Cannot approve Final Plat until the water and sanitary mains have been installed.**

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<sup>2</sup> A similar boulevard entrance configuration was approved by the Planning Commission for the Estates at Waldon Pond in Hinckley Township in 2005. Full 60 foot road ROWs are included on both sides of the boulevard. The roads are limited to one way – in and out of the subdivision; in the event of an emergency, the roads are constructed so that either one may be utilized as a two-way road. The interior street, which serves a majority of the sublots, is looped. The subdivision was approved with this configuration in lieu of the provision of a second means of access and egress.

**Highway Engineer, Andy Conrad;**

8/5/2015. Thank you for contacting me earlier today in regards to the use of a "T-type" turnaround versus the standard temporary cul-de-sac at the phase line of Daintree Lane.

Our office contacted York Township today to confirm which of the turnarounds would be acceptable. Trustee Rick Monroe said that it should be the cul-de-sac because the Board had not authorized the "T-type" previously.

Our office then contacted Paul Wolensk of Pulte Homes to discuss the matter. He has agreed to make it a cul-de-sac. He indicated that he would have his design engineer revise the construction drawings and the Final Plat to reflect this change.

Thank you for bringing this to my attention. It appears that Putle Homes is committed to meeting the standard, but you can make it a condition of the Final Plat approval if you want.

6/12/2015. DISAPPROVED

1. *The County Commissioners do not enter into construction agreements with the developer. Revise the signature block accordingly.*
2. *The area of Block "D" is listed inconsistently on different pages.*

**Soil and Water Conservation District (SWCD), Jim Dieter, 6/15/2015. No further comments.**

**Columbia Gas, Russ Johnson, 6/15/2015. APPROVED. Columbia Gas does not have facilities that directly impact this property. We have facilities close.**

**Ohio Department of Transportation (ODOT), Jared Feller, 6/12/2015. No objections.**

**Health Department, Steve Mazak, 6/12/2015. No comment.**

**Staff Comments:**

~~1. The following outstanding MCPC Preliminary Plan approval condition has not been satisfied (Subdivision Regulation section reference is included):~~

~~e. For sites reserved for public use or common use of property owners... a description of any proposed covenants, conditions and restrictions must be submitted with the Preliminary Plan. 404(C)(2)e.8. and 9. **No Homeowners Association (HOA) documents have been submitted. Submit three copies of draft HOA document addressing maintenance of the open space blocks for review and approval of the township and the Prosecutor's Office. Provide evidence of approval from the township and the Prosecutor's Office.**~~

~~2.1. The following required data/information was not provided on or with the Final Plat (Subdivision Regulations section references are included):~~

~~a. Total site data – Including... number of residential lots. § 404(D)(2)f.13. **Show number of sublots.**~~

- b. Show boundaries and identify the use of all parcels, which are to be dedicated or reserved for public use or easements.. § 404(D)(2)f.14. **Indicate that blocks are to be used as open space or for future development.**
- c. Signature and seal of a Registered Surveyor on each sheet. § 404(D)(2)f.16. **Provide signature and seal of the surveyor on each sheet of the plat.**
- d. Notarized certification by the owner or owners of the subdivision. § 404(D)(2)f.17. **Provide notarized signature of the owners.**
- e. Variances approved. § 404(D)(2)f.18. **Indicate that a Variance from § 604(B)(9) was granted by the MCPC.**
- f. Certification from the Township that the Final Plat as submitted is in compliance with local zoning standards and requirements. Such certification shall be in the form of an executed signature block on the original mylar and signed by at least two of the Township Trustees. § 404(D)(2)g.1. **Provide signatures of at least two of the township trustees.**
- g. A subdivision served by a public central sanitary sewer [and public central water] shall be certified by the Sanitary Engineer stating all required wastewater disposal facilities and central water facilities have been satisfactorily installed or adequate financial guarantees have been approved. Such Certification shall be in the form of an executed signature block on the original mylar. § 404(D)(2)g.4. **Provide the signature of the Sanitary Engineer.**
- h. Certification of County Engineer that all required improvements have been satisfactorily installed or financial guarantees have been provided to cover all construction. § 404(D)(2)g.5. **Provide the signature of the Highway Engineer.**
- i. Acceptance of offers of dedication by County Commissioners, when all improvements have been constructed, or financial guarantees... have been approved. § 404(D)(2)g.6. **Provide the signatures of the County Commissioners.**
- j. Protective covenants, conditions and restrictions... shall be either shown on the plat or recorded separately as a separate instrument, provided volume and page reference thereto is indicated on the plat. § 404(D)(2)h and i. **Provide a note indicating the subdivision is governed by a HOA and provide a volume and page reference to the recorded protective covenants, conditions, and restrictions documents.**

~~3.2.~~ Per § 604(B)(8) Access reservation easements limiting access pending future street extension shall be granted to the Medina County Commissioners. A 10 foot reservation strip to control access from a stub street to undeveloped land within the dedicated ROW shall be required. Reservation easements must be indicated on the plat as follows:

- a. A 10 foot reservation easement must be shown along the terminus of Atwood Drive.
- b. A 10 foot reservation strip must be show along the terminus of Arapaho Way within the dedicated ROW.
- c. A 10 foot reservation strip must be shown along the terminus and along the sides of Daintree Lane that do not front on sublots within the dedicated ROW.

~~4.3.~~ The Final Plat conforms to the York Township Zoning Resolution.

~~5.4.~~ The proposed subdivision is consistent with the York Township Comprehensive Plan Update (2012).

- | ~~6.5.~~ The proposed Final Plat is in substantial conformity with the approved Preliminary Plan and its conditions of approval with the exception of the submission and approval of the HOA documents.
- | ~~7.6.~~ The proposed Final Plat fulfills the purpose and intent and meets the standards and requirements of the Subdivision Regulations with the exception of the submission and approval of the HOA documents.
- | ~~8.7.~~ The Sanitary Engineer **HAS NOT** determined that all required central water facilities have been satisfactorily installed or adequate financial guarantees have been approved.
- | ~~9.8.~~ The Director is authorized to execute the Final Plat on behalf of the MCPC upon certification by the Highway Engineer that the construction is complete or that adequate financial guarantees have been provided.

**Recommendation:** Staff recommends the MCPC **APPROVE WITH MODIFICATIONS** the Phase 1 Final Plat for the Forest Creek Subdivision subject to the following modifications:

1. Submit evidence that the township and the Prosecutor's Office have reviewed and approved the HOA documents per the outstanding MCPC Preliminary Plan approval condition.
2. Satisfy the comments of the Tax Map Department and the Highway and Sanitary Engineers as shown above.
3. Provide all above listed missing data/information on or with three copies of a corrected Final Plat.
- | 4. Reservation easements must be indicated on the plat as required.
- | 5. Temporary turn-arounds must be reconfigured as required by the Highway Engineer.

All the above listed modifications must be satisfied prior to the Director signing the Final Plat.

**Attachments:** Final Plat