

VINMAR VILLAGE PHASES 4, 5 AND 6 DEVELOPMENT PLAN TEXT

BACKGROUND AND INTRODUCTION: Vinmar Investment Limited, an Ohio limited liability company, its successors and assigns (the “Developer”), has filed a Zoning Map Amendment Application dated June 26, 2017 (the “Application”) with Genoa Township, Delaware County, Ohio (the “Township”), pertaining to 74.523 acres that is between South Old 3C Highway and State Route 3 just north of the Vinmar Village Subdivision Sections 1, 2 and 3 (the “Property”). The Developer proposes to develop the Property into a single-family residential community (the “Development”). The Development will be a continuation and expansion of “Vinmar Village”. The current owner of the Property is Columbus Corporate Center Inc. and the Applicant has a contract on the land.

In addition to the Application and this Development Plan Text, the Developer has filed with the Township the following documents and materials which together with the Application and this Development Plan Text shall constitute the Development Plan for the Property under the Zoning Code for the Township:

- Survey with Legal Description
- Preliminary Development Plan
- Preliminary Utility Layout Plan
- Landscape Plan for Zoning
- Survey of Existing Trees
- Existing Features Plan
- Site Plan on Aerial Photo
- Development Plan Text
- Traffic Study
- Jurisdictional Waters Delineation Reports
- Color Photos of proposed homes
- Utility Letters from Del-Co Water, Genoa Fire Dept. and Delaware County Sanitary
- Declaration of Covenants, Easements, Restrictions, Assessments and Assessment Liens for Vinmar Village to be expanded pursuant to Article I thereof to include the Property

This Development Plan Text (the “Development Text”) relates to the Application and is an integral part of the Development Plan. All Articles and Sections referenced herein refer to the Zoning Code of the Township as in effect on June 26, 2017 (the “Zoning Code”) and all zoning and development requirements and standards applicable to the Development Plan and the Property shall be based on and interpreted in accordance with the Zoning Code as in effect on June 26, 2017. All capitalized words and terms used herein that are not otherwise defined herein shall have the meanings assigned to such words and terms in the Zoning Code.

The Property is currently zoned Rural Residential (RR). The Application requests that the Property be rezoned to a **Planned Residential District Without Conservation Development Standards** pursuant to Article 9.

The purpose of this Development Plan Text is to set forth in textual form all information required by the Application and Section 916.02, and to set forth in textual form certain development standards that will apply to the Development. The Development Plan Text is a part of the Development Plan. To the extent a matter is not addressed textually in this Development Plan Text but is otherwise addressed either graphically or textually elsewhere in the Development Plan materials, such matter shall be deemed addressed herein.

APPLICATION PROCEDURE: Set forth below and in the accompanying Development Plan materials are all matters required pursuant to Section 916.01 as follows:

- 1) Existing Features Plan**
See Existing Features Exhibit and Site Plan on Aerial Photo included in Development Plan materials
- 2) Development Plan**
 - See Preliminary Development Plans included in Development Plan materials
 - See Development Plan Text set forth herein
- 3) Landscape Plan, including Inventory of Existing Trees:**
 - See Landscape Plan and Survey of Existing Trees included in Development Plan materials
- 4) Plan for Exterior Lighting and for Signage:**
 - See Landscape Plan included in Development Plan materials
- 5) Vicinity Map**
See Development Plan
- 6) Delaware County Regional Planning Commission Site Review:**
Delaware County Regional Planning conducted an on-site review on July 13, and a meeting on July 27. Review comments are included with this application. See Tab 6.
- 7) Traffic Study**
See Tab 7 for a Traffic information.
- 8) A list of property owners within 500 feet of the property**
See Tab 1
- 9) Fee**
 - A check for \$8,052.00, made out to Genoa Township, has been submitted with this application to satisfy the Township fee requirement.
The check amount is based on the following: $\$600 + (\$100 \times 74.523 \text{ ac}) = \$8,052.00$
 - A check for \$300.00, made out to Delaware County Regional Planning, has also been submitted with this application to satisfy DCRP's fee requirement.

GENERAL DEVELOPMENT PLAN TEXT: The Development Plan required by Section 916.02 in textual form is as follows:

- 1) Section 916.02 (A) The proposed size and location of the Planned Residential District (PRD);**
 - The project area consists of three parcels: 3172-100-701-7001, 3172-2100-701-8000, 3171-200-500-9000. The three areas combined equal 74.523 acres net after 0.435 acres is subtracted for future right-of-way dedication; the current boundary includes to the center of South Old 3C Highway.
 - The site is located between South Old 3C Highway and State Route 3, just north of the Vinmar Village Subdivision Sections 1, 2 and 3.

2) Section 916.02 (B) The general development character of the tract including the limitations or controls to be placed on residential and related uses, with probable lot sizes, minimum setback requirements and other development features including Landscaping;

The overall character of the new neighborhood will be very similar to Vinmar Farms and Vinmar Village Sections 1, 2 and 3, the existing neighborhoods located just south of this site. That is, similar home sizes and styles, similar density, similar roadway configuration with curvilinear streets that wrap around central open spaces, preservation of mature trees, trail connections, and the dedication of parkland for public use.

- **Homes:** Single-family homes on fee-simple platted lots will constitute 100% of the dwelling units in the Development. See Preliminary Development Plan for setbacks and lot dimensions. The minimum lot size is 95-feet wide by 150-feet deep, 27 +/- lots will be more than 175' deep, and 9 +/- lots will be more than 200' deep. Limitations and controls will be placed on the development through the Township Zoning Resolution, the Vinmar Village Phases 4, 5 and 6 Development Text and the *Declaration of Covenants, Easements, Conditions and Restrictions*, which will be administered and enforced by the community's Home Owner's Association (HOA).
- **Roadways:** The proposed streets will be platted and constructed per Delaware County standards. Olivero Drive will continue north with an 80-foot wide right-of-way, 36-foot wide pavement, and a 35 mph posted speed limit. It will taper to a 60-foot wide right-of-way and 27-foot wide pavement per County Standards. Parking will be restricted on the west side of the street. All other streets will be classified as local with 60-foot wide right-of-ways, 27-foot wide pavement, restricted parking on the water line side, and a 25-mph posted speed limit. Pavement widths indicated are measured from the face of curb. Right-of-ways will contain street trees, owned and maintained by the resident or HOA, sidewalks, curb and gutters, and decorative mail boxes. Recently the Postal Service has required kiosk-style mail boxes on similar project throughout Central Ohio. If so required for this project, one will be placed in each phase with the exact location, style, and details included in Final Development Plan.
- **Setbacks:** 30' front yard, 40' rear yard, 12' side yard for a total of 24' minimum between homes, 50' perimeter setback, and a 200' lot setback from the centerlines of South Old 3C Highway and State Route 3 will be established.
- **Sidewalks** will be located on both sides of the proposed streets.
- **Density:** net developable acreage = 74.523 – 11.178(15%) – 0.809(wetlands) = 62.536 acres
Net Density: 71/62.536 = 1.14 du/ac
Gross Density: 71/74.523 = 0.95 du/ac
- **Open Space:** 47%, or 34.94 acres, of the gross acreage within the PRD shall be reserved as open space per Section 910. Of this, at least 15.45 acres, or 44% of the dedicated open space, will be common open space per Section 911.01. The common open space area is located on the west end of the property, adjacent to the Genoa Trail, and will be owned and maintained by the Homeowner's Association. Ten off-street parking spaces, a 10-foot wide paved trail that connects to the existing Genoa Trail, seeding, ten shade trees and up to \$50,000 in improvements to the park. This may include playground equipment, a shelter, and or restroom building.
- **Landscaping:** See the Landscape Plan for proposed plant types, sizes and locations of street trees, park trees and buffer plants. A mix of twenty trees shall be installed along the south property line, north of the gas line easement. At least three-foot tall mounding will be installed along the south property line as well.

- Signage: The existing brick signs constructed for Vinmar Village Sections 1, 2 and 3, will also serve for Section 4,5 and 6. Additional ancillary signage may be constructed for this project in the open space areas at the entrance. If so, the exact location, style and details will be included in the Final Development Plan.
- Preservation of natural features: Stantec’s surveyors and environmental scientists have field located trees larger than 6 inches, three wetland areas and two streams. The proposed design of the new neighborhood was determined with an emphasis on minimizing their impacts. The 0.43 acre wetland and large trees, in the center of the site will be preserved.

3) Section 916.02 (C) Architectural design criteria for all Structures and criteria for proposed Signs with proposed control procedures;

- No less than 50% of the homes constructed will have brick, stone, cultured stone, stucco, wood siding or fibrous cement siding on 100% of the front elevation, excluding foundations, garage doors, entry doors, gutters, down spouts and windows.
- The Developer will exercise architectural control over all structures within the Development.
- No building in this Development will exceed thirty-five feet in height.
- Color photos of proposed homes are included in the Development Plan materials.

4) Section 916.02 (D) The proposed provisions for water, sanitary sewer and surface drainage with engineering feasibility studies or other evidence of reasonableness;

Letters from Del-Co Water and Delaware County Regional Sewer District stating service is available for the project, based on the current site plan, have been included with this submittal.

- Water: Water service is available to the Property through a connection to an existing 8" water line located on the east side of Luca Drive, and to an existing 8" water line located on the west side of Olivero Drive. An upsized water line will be provided to connect the proposed water tower to an existing 10" water line adjacent S. Old 3C Highway.
- Sanitary: Sewer from the entire Property will flow via gravity to two 8" pipes stubbed on the north side of existing Vinmar Village Sections 1, 2 and 3.
- Storm: Two storm water management basins, sized per County standards for water quality and detention, are proposed. They are located on the east and west side of the existing ephemeral stream that traverses the site. Storm water from the proposed development, as well as off-site flows, will be diverted to these basins via swales and storm pipes. Storm water from these basins will be released into the stream at the south end of the site per County standards at predetermined rates. All necessary storm water facilities will be placed on ditch maintenance per County requirements.

5) Section 916.02 (E) The proposed traffic patterns showing public and private streets and other transportation facilities, including their relationship to existing conditions, topographically and otherwise;

All the proposed streets within the Development will be public. Primary vehicle access to the new neighborhood will occur via Olivero Drive which leads directly to South Old 3C Highway. A turn lane and widening off of South Old 3C Highway were recently constructed during the development of Vinmar Village Phase 1 with the anticipation of traffic from future developments to the north accessing this intersection. The new neighborhood will also connect to existing Vinmar Village at Luca Drive. Two stub streets on the north side of the new neighborhood are proposed with the anticipation that at least one of these streets will eventually connect to Lewis Center Road.

6) Section 916.02 (F) A traffic study examining the impact of the development on the existing infrastructure, modifications required to handle the increased traffic and the mechanism proposed to complete the necessary improvements;

A comprehensive traffic study was prepared in 2012 for Vinmar Village Sections 1, 2 and 3 that included the intersection of Olivero Drive and South Old 3C Highway. Included with this submittal is a Traffic Study Update that re-evaluates the 2012 Study per the proposed development. The scope and content of the updated materials were coordinated with Delaware County Traffic Engineer to ensure compliance. See Memo of Understanding and 2017 Traffic Study included with this submittal.

7) Section 916.02 (G) The relationship of the proposed development to existing and probable Uses of surrounding areas during the development timetable;

The development timetable will consist of three phases. The first phase will occur on the east end of the site, phase two in the center, and phase three on the west end. Construction traffic will primarily access the site via Olivero Road. Silt fence, as well as other erosion and sediment control measures that are deemed necessary, will be installed prior to the commencing of construction.

8) Section 916.02 (H) Location of schools, parks, and other facility sites, if any;

The Development is in the Big Walnut School District. The site is near Hoover Reservoir, Char Mar Ridge Preserve, Alum Creek State Park and McNamara Park. The Genoa Trail is adjacent to the project site on the west side. The Genoa Township Police and Fire Stations are also nearby.

9) Section 916.02 (I) The proposed time schedule for development of the site including streets, Buildings, utilities, and other facilities

Development is scheduled to commence immediately following receipt of engineering approvals which will be sought promptly after approval of the Development Plan. Development is expected to be completed in three phases and within approximately 6 years.

10) Section 916.02 (J) If the proposed timetable for development includes developing the land in phases, all phases to be developed after the first, which in no event shall be less than five (5) acres or the whole tract (whichever is smaller), shall be fully described in textual form in a manner calculated to give township officials definitive guidelines for approval of future phases;

The project will be developed in three phases. Phases are graphically depicted on the Preliminary Development Plan. Phase 4 will contain 21 homes and include extending Olivero Drive, the cul-d-sac along the south property line and the large pond in the center. Phase 5 will contain 28 homes and include the constructs of Luca Drive past the north stub, terminating in a temporary T-type turnaround. Phase 6 will contain 22 homes and the extension of Luca Drive to Phase 5, construction of the neighborhood park and the small pond.

11) Section 916.02 (K) The ability of the applicant to carry forth its plan by control of the land and the engineering feasibility of the plan.

The Applicant will develop the property and currently holds a contract on the land with the property owner. The Applicant has retained Stantec Consulting Services to prepare this application as well as perform engineering feasibility studies. The Applicant will be granted control of the land to carry forth the plan upon successful completion of the rezoning process.

12) Section 916.02 (L) Specific statements of Divergence shall be requested “per plan”; if any deviation from the development standards in this Resolution or existing county regulations or standards are desired, an applicant making such a request shall specifically and separately list

each requested Divergence and submit written development text justifying each deviation from any requirements of this Resolution and demonstrating how each Divergence will advance public interests and the General Purposes of this Zoning Resolution.

The Applicant is requesting no divergences.

RELATIONSHIP TO TOWNSHIP COMPREHENSIVE PLAN: Section 918.04 requires that a Final Development Plan support the requirement that the proposed rezoning be in conformance with the standards, objectives, and policies of the Genoa Township Comprehensive Plan, being the 2016 Comprehensive Plan of the Township adopted December 1, 2016 (the "Comprehensive Plan"). Chapter 5, Section B. of the Comprehensive Plan requires that when development occurs such as that contemplated by the Application there shall be a review for consistency with the recommendations of the Comprehensive Plan in conjunction with the Zoning Code review and if the proposed development is in conflict with the Comprehensive Plan, the Applicant must address the conflict(s) by: (1) identifying any changed circumstances since the Comprehensive Plan was adopted and (2) providing rationale the Applicant believes supports the conflicting elements of the proposed development plan, including the opportunity to propose a deviation from the Comprehensive Plan.

In response to these requirements of the Zoning Code and the Comprehensive Plan, the Applicant states the following:

1. Section 903.02 limits density in Planned Residential Districts without Conservation Development Standards such as that proposed by the Application to 1.8 Dwelling Units per Net Developable Acre. The development proposed by the Applicant has a density of 1.14 Dwelling Units per Net Developable Acre, or 0.66 Dwelling Units per Net Developable Acre less than the maximum permitted by the Zoning Code.
2. The Property is in Planning Area 4 established by the Comprehensive Plan. The Comprehensive Plan states that within Planning Area 4, the Township's 2015 Sewer Recommendation to referenced Delaware County Resolution was 1.1 Dwelling Units per Net Developable Acre in Planned Residential Development (PRD) Districts without Conservation Development Standards. The Comprehensive Plan went on to recommend that in Planning Area 4, with centralized sanitary sewer service, single family residential developments in Planned Conservation Subdivisions in the Rural Residential District (PRRCD) were to be developed at a density of three-quarters of a dwelling unit (0.75 units) per Net Developable Acre. The development proposed has 0.04 Dwelling Units per Net Developable Acre more than the Township's 2015 Sewer Recommendation and 0.39 Dwelling Units per Net Developable Acre more than the recommendation contained in the Comprehensive Plan.
3. While the Comprehensive Plan is a planning document, the Zoning Code is the official zoning document for the Township under the Ohio Revised Code and is controlling with respect to density limitations and Applicant's legal rights. Consequently, the Applicant is entitled to density of up to 1.8 Dwelling Units per Net Developable Acre.
4. Notwithstanding the density conflict between the Zoning Code and the Comprehensive Plan and the Applicant's legal right to density of 1.8 Dwelling Units per Net Developable Acre, the Applicant maintains that the proposed density for the Property of 1.14 Dwelling Units per Net Developable Acre is in any event appropriate and warranted under the circumstances for the following reasons:

- a. The development of the Property as proposed will be a further extension of Vinmar Village Sections 1, 2 and 3 having similar density, lot sizes, architecture, amenities and open space. Consequently, the proposed development is in keeping with established land use patterns and the density pattern in the surrounding area. (see Page 12 of the Comprehensive Plan, Chapter 1: Policy; Guidelines for Analysis)
- b. Appendix D to the Comprehensive Plan at the sixth bullet point states that research undertaken by Fallon Research & Communications, Inc. with Township residents resulted in Township respondents stating that: "...most residents appeared to be willing to accept additional residential development, and were most inclined to prefer single family homes located north of Big Walnut Road, which would be similar in style to the existing character of the community..."

The development of the Property as proposed will be in keeping with this sentiment expressed by Township residents.

In summation, the density being proposed by the Application is legally permitted under the Zoning Code and is generally in keeping with the standards, objectives and policies of the Comprehensive Plan. A deviation from the density limitations of the Comprehensive Plan, while not required for the reasons stated above, is warranted under the circumstances because such deviation is generally in keeping with development patterns in the surrounding area.

ADDITIONAL REQUIREMENTS AND COMMITMENTS: The following additional requirements and commitments will be a part of the Final Development Plan:

1) Construction Traffic

During initial development and construction of homes within the Development, construction traffic will be limited to access off Olivero Drive.

2) Preliminary Development Plan and Final Development Plan

Developer acknowledges that under the Zoning Code, it implies in Article 9 and Article 26 that zoning amendments, such as those requested in the Application, include approval of a Final Development Plan. Developer agrees that so long as it has no adverse impact on the rezoning requested by Developer pursuant to the Application and such rezoning is considered final upon approval by the Genoa Township Trustees, the Development Plan that is a part of the Application shall be considered a Preliminary Development Plan and at such time as Developer has completed all final engineering and planning for the Development, Developer shall present a Final Development Plan to the Zoning Commission and Township Trustees for consideration and approval under Article 9 and Article 26.

3) Open Space Improvements

Improving the proposed open space with amenities, landscaping, gardens or any other improvement permitted within common open spaces without permit via the Zoning Resolution, shall be solely controlled and managed by the developer and the subsequent homeowner's association.

4) Water Tower

The applicant has agreed to locate a water tower on the site per the request of Del-Co Water. The location of the tower is shown on the Preliminary Development Plan in the northwest corner of

the site. The tower will occupy one-acre of land. Access to the tower is provided by the 10-foot-wide asphalt bike path. Del-Co Water will be granted permission to use the bike path for vehicle access through an easement that will be dedicated during the platting process. The water tower is a permitted principal use within a Planned Residential District (PRD) pursuant to Section 904.01(E).

- 5) Per Section 903.12, a conceptual landscape plan for a typical home will be included in the Final Development plan submittal materials.
- 6) Per Section 1904.14, each home will contain at least two off street parking spaces in a fully enclosed garage.
- 7) Per Section 907.01, All driveways or pavement will have a setback of no less than two feet from the property line.
- 8) Per Section 907.02, All side load garages shall have a turning pad of no less than 24 feet.
- 9) Per Section 907.03, No driveways will be located so it enters a public road within 40 feet of the intersection of the edge of the contiguous right-of-way of any two public roads.
- 10) Per Section 908, One story homes shall be at least 1,100 square feet, and two story homes shall be at least 1,400 square feet.
- 11) The Final Development Plan will provide details in regard to the proposed plantings (species, heights, etc.).
- 12) All buildings, structures, and improvements will comply with any and all applicable township zoning standards identified in the Genoa Township Zoning Resolution, as may be amended, including, but not necessarily limited to; Section 1608 (Architectural Projections), Section 1609 (Accessory Structures), Section 1707 (Temporary Uses), Section 1708 (Home Occupations), Section 1708 (Swimming Pools), Section 2002 (Fences, Accessory Walls and Vegetation), Section 2004 (Retaining Walls), and Article 22 (Utilities).
- 13) All plans will be reviewed and approved by all applicable County and/or State departments and/or agencies.
- 14) All required permits shall be obtained prior to the commencement of any work. This shall include, but is not necessarily limited to, individual permits for fences, retaining walls, signs, and accessory buildings/structures.
- 15) Prior to obtaining a Zoning Permit, the Applicant will provide proof that the Delaware County Engineer's Office has approved the proposed Stormwater Management Plan, Per Section 1303.08.
- 16) All streets, both public and private, shall conform to Delaware County specifications as may be applicable.