



## **Planning and Zoning Commission STAFF REPORT**

**Monday – March 4, 2019 at 6:00 PM**

**CASE NUMBER:** #2018-11

**APPLICANT:** EMH&T – Matt Kirk

**EXISTING ZONING:** R-4

**REQUEST:** **#2018-11** A request by EMH&T – Matt Kirk for a Final Plat at 0 Bixby Road, Hickory Grove, Section 3A, Parcel #185-001602 (*tabled from the October 1, November 5, and December 3, 2018 meetings*).

**DESCRIPTION:** The applicant is requesting approval of the final plat for Hickory Grove, Section 3, Phase A. The final plat was previously approved for Hickory Grove Section 3 but was not recorded within six months as required in section 1191.09(b). The applicant is now showing Section 3 being split into two phases. Section 3 Phase A is currently zoned Suburban Residential (R4). Lot sizes comply with the current R4 zoning district requirements. The building setback line is shown to be twenty-five feet which complies with the setback requirements of the zoning code. As required in sections 1191.09 (15) water and sewer tap fees and 1191.09(17) tree fund fee shall be paid in advance upon approval of the final plat.

### **CONCLUSION:**

Staff has no objections to the approval of the final plat for Hickory Grove Section 3 Phase A.



**DEPARTMENT OF ENGINEERING**  
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## **MEMORANDUM**

Office of the City Engineer

Date: February 27, 2019

To: Mayor Lance Westcamp  
Members of Planning and Zoning Commission

From: Stephen Farst, PE, CFM, City Engineer

Copy: Stephen Moore, Chief Building and Zoning Official

Re: **CASE # 2018-11** -- Planning & Zoning Commission – March 4, 2019

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### **Case – 2018-11 Request for Final Plat approval – Hickory Grove Sec 3A**

Site address:	0 Bixby Road
Containing parcel (s):	185-001602 & 185-001601
Current Zoning:	R4 (residential)
Proposed Zoning:	No Change
Current Use:	Vacant

Request: Applicant (Matt Kirk, EMH&T, on behalf of Maronda Homes, Inc.) is requesting **Final Plat approval** for 23 lots in 1 phase (being Section 3A) including, 6.47 +/- acres.

#### **Comments:**

##### **1) Final Plat:**

The applicant is requesting approval of the final plat for Hickory Grove Section 3, Phase 3A. The final plat was previously approved for Hickory Grove Section 3, but was not recorded within six months as required in section 1191.09(b). As the Section 3 plat was not recorded within the requisite six months, the approval thus has expired. The developer is now planning to split Section 3 into two phases, Phases 3A and 3B. This Final Plat application is for Section 3A. Section 3B is not part of this application.

The most recent submitted proposed plat for Section 3A was reviewed and review comments pertaining to the plat have been addressed to my satisfaction.

The previous concern with this case – resulting in a tabling on the application in the December 2018 P&Z meeting - pertained to an incomplete application due to lack of information from the applicant on environmentally sensitive areas (i.e., wetlands) on the site. Since the December Planning and Zoning meeting, the applicant's environmental consultant has submitted to the City Engineering Department documentation that shows coordination with the U.S. Army Corps of Engineers regarding their site evaluation for presence of jurisdictional wetlands that affect the project site. The applicant's consultant indicates that application is being made for a permit to impact 0.4 acres of jurisdictional wetlands, with commitment to acquire wetland credits. Engineering Department is satisfied the intent of City code chapter 1191.09 (c)(6) is met, thus making the Final Plat application complete.

2) Street and Utility Improvement Plans for the subject project:

As reported in previous memos on this case, revision to previously prepared engineering design and improvement plans is needed due to the change in establishing two phases of development and also due to required updates to City of Columbus and City of Groveport design standards.

The following improvement plans are being reviewed. Status is as follows:

(a) Sanitary Sewer improvement plan (the proposed development requires extension of public sanitary sewers):

- Comments resolved.

(b) Street, Storm Sewer, Water and Lighting improvement plan:

- Review comments were recently returned to the applicant's Engineer for corrections, which are minor. It is expected that approval of the plans will occur in the very near future.

3) Development Agreement: Pursuant to City of Groveport Chapter 925.08, sanitary sewer extensions shall not be installed unless authorized by a Developer's Agreement entered into between the City and the developer/applicant. In February 2005, a Development Agreement was entered into between the Developer and City of Groveport for Section 2 and 3, that outlined commitments by the developer for the proposed project including but not limited to construction and dedication of public improvements (e.g., street, utilities, including sanitary sewers) and financial contributions for offsite improvements that supported the Section 2 and Section 3 Developments. These offsite improvements included reconstruction of Bixby Road (completed in 2005) and improvements to the offsite Elmont public sanitary pump station that serves the site (completed in 2004). Other commitments made by the developer in the agreement, and the outcome, included:

- (a) The plat for Section 3 would be recorded; it was not.
- (b) Commencement of development of Section 3 within 18 months after commencement of Section 2; it was not.
- (c) In order to facilitate needed improvements to the Elmont sanitary pump station, the developer was to contribute \$215 per lot for Section 2 and Section 3, to the City; no record of these contributions is found for Section 2 and was not made for Section 3.
- (d) With regard to improvements to Bixby Road, the developer was to contribute \$955 per lot, less credit for installing sewer taps for existing offsite contiguous lots to the project, in an estimated total of \$89,928 for Sections 2 and 3; no record of these contributions is found for Section 2 and was not made for Section 3.
- (e) Developer shall deposit with the City the sum required by Section 911.09 of codified ordinances of the City of Groveport for the purpose of planting street trees for Sections 2 and 3; no record of receipt of these deposits was found.

Due to failure for compliance with these commitments, it is recommended a new Development Agreement be established for Section 3A that will include among other agreements related to construction and dedication of public improvements including the Sewer extension (per Chapter 925.08), a restatement of the above listed items and the developer honoring these prior commitments.

**Conclusion – Case 2018-11**

Staff have no objection to granting approval of the final plat for Section 3A, but do suggest if approved, the following conditions be made a part of that approval:

- 1) A new Development Agreement for Section 3A shall be entered into between the Developer and the City before commencement of construction of infrastructure for Section 3A, that will require the developer to honor the above stated financial contributions for Sections 2 and 3.
- 2) Final Plat meets requirements of the City of Groveport Chapter 1191.09.