

# MINUTES OF THE WAYNE TOWNSHIP BOARD OF TRUSTEES MEETING HELD JULY 17, 2018

Mr. Coffman called the meeting to order at 7:00 pm.

Roll call: Mr. Coffman – present; Mr. Foley- present; Mr. Patrick – present.

The following *staff* were also present: Administrator, Donald Edwards; Roads Supervisor, Scott Camery; Fire Chief, Paul Scherer; Zoning Inspector, Erin Hartsock; and Fiscal Officer, Darrell Coffman.

The following *residents* were also present: George Cherryholmes, M. Joyce Breeze, Gary Breeze, Andy Jacobs, Jeff Lay, Pat Davidson, Michael Seeger (Choice One Engineering), Rick Ousley, Jim Laffey, Walt Hildebrecht II, Robin Hildebrecht, Jenn Rice, Bruce Thiel, Tom and Lisa Patton, Warren Sheehan, Patrick Walsh and Mistan Bailey, Brian and Jody Wells, Terri and Dan Markl, Barb Edwards, Dale and Kimberly Kaan, Tom Duerr and MJ Walling, Bill and Wanda Downe, Mark Newland, Andrew and Linda Fenlon, Keith Valiquett, Nicole and Brandon Back, Jason Leopold, Doug Palmer, Jim and Tanya Nix, Ceclia Nix, Roger Butler, Scott Denney, Tricia Berens, Mike Shaffer, and Craig Lamb (and others who did not sign in).

Mr. Coffman led all present in the **pledge of allegiance to the flag**.

Mr. Patrick motioned to approve the **Minutes of the July 10<sup>th</sup>** meeting. Mr. Foley seconded the motion. Minutes were approved by unanimous vote.

Mr. Patrick motioned to approve the **Minutes of the June 19<sup>th</sup>** meeting. Mr. Foley seconded the motion. Minutes were approved by unanimous vote.

**CITIZENS' COMMENTS:** None

**DEPARTMENT REPORTS:** *Due to the rescheduling of the first July meeting, only one week has passed between meetings. So reports were brief.*

## **ROAD DEPARTMENT:**

Road Department Supervisor, Scott Camery reported as follows:

**Valdosta Way** (Winfield Estates) and been paved in its entirety. A 2-year maintenance bond period is now in effect. Look for petition from the developer in July 2020 to turn the road over to the Township for ongoing maintenance.

**Spoil removal** is on schedule at the Fire Station No. 2 thanks to dry weather.

## **FIRE DEPARTMENT:**

Fire Chief, Paul Scherer had no report.

## **ZONING DEPARTMENT:**

Zoning Inspector, Erin Hartsock was on vacation the prior week, so her monthly report was presented as follows:

8 permits were issued with all money collected and deposited.

1 accessory structure under 200 sq. ft.: 4099 SR 42, Tom Scott

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3 accessory structures over 200 sq. ft.: 1935 Murray Rd., Joe Bradley; 5233 Thomas Dr., Angie Layne; and 5532 Corwin Rd., Scott Branham.

2 decks: 9590 Wilson Rd., Nicole Stubbs; and 1935 Murray Rd., Joe Bradley

1 in-ground pool: 5233 Thomas Dr., Angie Layne

1 above ground pool: 4099 SR 42, Tom Scott

**ADMINISTRATOR REPORT:**

Administrator, Donald Edwards reported on the following:

Footers and foundations are nearly complete for **Fire Station No. 2**.

The storm water piping has been completed and structural steel installation will begin in August.

**Chip seal bids** were opened Monday at 1:00 p.m. with Chief Scherer, Scott Camery, Greg Hanahan of Ray Hensley, Inc. and Gus Edwards present.

**Two (2) bids were received for approx. 10 miles of roadway:**

Ray Hensley (\$188,121.06)

Miller-Mason Paving Co. (\$222,917.15)

After further discussion, it was determined that only 7.2 miles will be performed. Pekin Rd. was felt best left for following year and Old Route 73 will be sustaining a high volume of construction traffic with the new Fire House being built. Resurfacing will be most advantageous after heavy traffic eases.

The **Lytle Rd. closure** was extended for 2 weeks due to weather delays. Revised reopen date is July 27<sup>th</sup>.

A **firefighter's cancer claim with BWC** has been assigned to Wayne Township's account. It is currently being appealed through the Ohio Industrial Commission as the individual worked at several different jurisdictions. He has no indication of expected outcome.

A policy proposal was submitted to Burnham & Flower for **Property and Casualty Insurance** for August 19<sup>th</sup> OTARMA renewal date.

**OLD BUSINESS:**

**Massie Twp.:** Mr. Edwards received notification that Massie Township Fire Department would be hosting a luncheon for elected officials and other departments and agencies on Friday, July 20<sup>th</sup>.

**NEW BUSINESS:**

**Questions or Concerns Regarding the Bills:** None

**Legislation:**

**RESOLUTION 2018-29 RESOLUTION TO APPROVE NOTICE OF INTENT TO AWARD BID TO RAY HENSLEY, INC. FOR THE WAYNE TOWNSHIP CHIP SEAL PROGRAM**

Mr. Edwards presented for consideration and Mr. Patrick moved for adoption of said resolution.

Mr. Foley seconded the motion and upon call of the roll thereon the vote resulted as follows: Mr. Patrick – yea, Mr. Foley – yea, Mr. Coffman – yea. The resolution was therefore adopted the 17<sup>th</sup> day of July 2018.

**MINUTES OF THE WAYNE TOWNSHIP BOARD OF TRUSTEES MEETING  
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**RESOLUTION 2018-30 RESOLUTION APPROVING THE PROPERTY & CASUALTY INSURANCE PROPOSALS AS SUBMITTED BY BURNHAM & FLOWER OF OHIO FOR THE OHIO TOWNSHIP RISK MANAGEMENT AUTHORITY (OTARMA) PROGRAM AND AUTHORIZING THE TOWNSHIP ADMINISTRATOR TO SIGN ALL DOCUMENTS**

Mr. Edwards presented for consideration and Mr. Patrick moved for adoption of said resolution.

Mr. Foley seconded the motion and upon call of the roll thereon the vote resulted as follows: Mr. Patrick – yea, Mr. Foley – yea, Mr. Coffman – yea. The resolution was therefore adopted the 17<sup>th</sup> day of July 2018.

**CORRESPONDENCE:**

**Warren County Health District:** Monthly report

**Collett Propane:** 2018-2019 pricing and credit balance from prior year

**WORK SESSION:** None

**EXECUTIVE SESSION:** None

At 7:20 p.m. Mr. Coffman called for a 10 minute recess before opening the public hearing for the VT-PUD application submitted by John Federle.

**7:30 P.M. ZONING MAP AMENDMENT HEARING**

Mr. Coffman opened the public hearing to consider an application to rezone 40.700 acs. located at 5615 Lytle Rd. and the rear 1.29 acs. of 5621 Lytle Rd. from R-1 to Village Transition PUD.

Mr. Coffman asked all present to sign the register in the rear of the room if they had not already done so. He also announced that attendees were expected to be civil and respectful with all questions and comments directed at the Board.

Mr. Coffman asked Ms. Hartsock to provide a PowerPoint presentation (**attachment 1**) of the application's details and merits.

Mr. Coffman then invited Mr. Michael Seeger, P.E., the engineer for the applicant to speak. Mr. Seeger stated that common concerns that are often expressed, but all concerns will be addressed in later stages, but he preliminarily reported:

- Increased traffic—any potential future impact will be evaluated by the Warren County Engineer's Office in a Traffic Impact Study. If any roadway improvements are deemed necessary, they will be made.
- Storm Water retention—all plans for development will include storm water retention and detention as required by the Warren County Engineer's Office, Warren County Soil and Water as well as the EPA. No more water may leave the site after development as it does before development commences.
- Impact to the schools—the Super Intendent had no concerns with the additional enrollment that would result from 39 homes
- Warren County Sheriff's Office—had no concerns with being able to provide services to the proposed development

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- WTFD—a new fire station will soon be located within 1 m.
- Water—Mr. McKeever of the Village of Waynesville indicated no capacity concerns to provide water for the proposed homes.
- Sewer—the sewer poised for extension into the development is at an appropriate depth and Warren County Water & Sewer, however the County was endeavoring to create a mapped area where they will provide future sewer services. This process has begun, but is not complete or final.

He also shared that the staff recommendation for added sidewalks were not required through Warren County subdivision regulations for any development with less than a 1 unit/acre density. The proposed development is currently at .93 units/acre. He also stated that centralized mail locations are currently required by the Post Master, but hopes that multiple locations will be permitted, thus alleviating the need for sidewalks to access one, centralized location.

He also addressed the recommendation that the existing tree lines be protected. He stated that proposed language had been inserted into the HOA documents that preserved existing trees 8" in diameter or larger along the perimeter of the development.

**Mr. Foley** inquired if there was a timeline to determine if the property would be located within the sewer serviceability area.

**Mr. Seeger** responded that it is a public hearing process and has not yet been defined.

**Mr. Coffman** inquired about on-street parking and if that had been limited or prohibited in the HOA documents.

**Mr. Seeger** replied that the parking concerns as evident in the Rosewood Meadows area of the Village of Waynesville will not be an issue as the road and right-of-way will be larger, the homes will have a 40' setback and the road will not have curb and gutter. All lending to increased areas to park in each driveway.

**Mr. Coffman** was concerned with on street parking overnight.

**Mr. Seeger** stated that on street parking can be prohibited through law enforcement after a certain time period. However, he and the applicant will consider looking at limiting it in the HOA regulations.

**Mr. Coffman** asked what material was planned for the walking trail.

**Mr. Seeger:** Looking to keep it natural. Mulched most likely.

Having no more questions for Mr. Seeger, Mr. Coffman opened the floor to concerned residents.

**Mr. Roger Butler** inquired about the specific measurements used to calculate water flows for storm water management regulations.

**Mr. Seeger** responded that he was unsure of those specifics at that time, however compliance and to the regulations would be to the letter.

**Mr. Tom Duerr** (5249 Lytle Rd.) stated that the proposed development does not immediately abut his property, but it does share boundaries with those of his neighbors'. He stated that the proposal met all the "checked boxes" in the zoning provisions with the exception of ensuring the proposed PUD would not be detrimental to public opinion regarding its health, safety, morals, and general welfare.

*The Dayton Daily News* ran an article that stated that the Trustees will approve this proposal. He hoped that was not the case.

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He asked the Trustees to consider his belief that the impacts of the development will be negative to the community and will set the precedent for all properties in the USB to be subject to approval in the same manner.

He did not believe the Township was in need of any additional tax funding as would be afforded in denser development with fewer roads. Decisions such as this should be more than financially motivated.

He wrapped up by asking that the Trustees consider “justice for all” not just 39 potential home owners.

**Mr. Wayne Donaldson** (8246 N. Lytle Trails Rd.) said “Show me the money”. This was a borrowed quote to underscore that he felt the developer is trying to maximize his investment.

He stated that he and his wife moved to the community a number of years ago for the open space. He felt that larger lots would command a larger price tag and afford a “win—win” for the community and the developer.

**Mr. Gary Breeze** (5260 O’Neill Rd.) said that he supported a 2 acre minimum lot size. He shared that he believed that larger lot sizes could be incorporated into the plan and should have fewer lots overall. He also stated that having no sidewalks would enable property owners to park right up to the edge of the pavement.

**Mr. Greg Krupko** (1500 Adamsmoor Dr.) (sp? Did not sign in) spoke about concerns of having only one way into the development and only one way out.

**Mr. Coffman** clarified that the proposal has two entrances/exits as proposed (White Rose Dr. and Lytle Rd.).

**Mr. Jeff Lay** (1040 Rose Petal Ct.) stated that he moved to the area 18 years ago because of the small town feel. He was concerned about the sale of 2000 acres of land for development in the Caesar Creek area. He did not want the area to turn into Lebanon or Mason.

He was also concerned with storm water runoff from the proposed development site through his property to the Catholic Church.

He also posed the following question: If the new home owners wish to annex, can they still if this proceeds? And if so, is that a process that the property owners vote on or all residents of the Township.

Mr. Edwards responded that annexation can be applied for at any time by a majority of property owners. If the Village accepts the annexation, there is little that the Township or other residents can do to stop it without an annexation agreement previously in place.

**Mr. Tim Henderson** (5516 Lytle Rd.) stated that the Trustees were elected to care for the community. It will grow, it was only a matter of how. Mr. Henderson wished to address the crowd, but was reminded that all questions are to be directed to the Board as previously stated).

**Mr. Jason Leopold** (5462 Lytle Trails Rd.) had concerns not about how fast the water left the development, but as to how it might back up and cause his property further damage upstream from the development. His home had experienced flooding in the past and did not wish to add to any problems.

**Mrs. Barb Edwards** (5197 Lytle Rd.) shared the buffering standards of the Wayne Township Zoning Code with the Trustees. She requested that they consider requiring a vegetative buffer to the north of the development between her property and the development. She offered to share the cost of the trees.

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**Mr. Wayne Donaldson** (spoke previously) if the development would bring natural gas to the site.  
**Mr. Federle** stated that it would.

**Mr. Keith Valiquette** (9636 Ferry Rd.) spoke as a resident in the NW quadrant of the Township. He was concerned with water and sewer availability/capacity.

He shared additional concerns with the traffic and speed of traffic on Ferry Rd. He would like to see infrastructure improved prior to any new development and further sprawl.

**Mr. Foley** responded that he understood Mr. Valiquette's concerns, but noted that these concerns would be aggravated if the land were developed under village density patterns.

**Mr. Mike Shaffer** (5146 Township Line Rd.) Stated that he heard that the addition of the homes in this development would be too much for the schools, contrary to what the applicant reported. He also paid too much in taxes, and did not wish to pay more.

**Ms. Jody Wells** (9271 Lytle-Ferry Rd.) Recalled that 26 years ago, she would walk or ride a bike on Lytle-Ferry Rd. Now traffic is too heavy. She believed the roads were not substantial enough to support current traffic volumes. 39 homes, with 2-3 cars each commuting would not help matters. She thanked the Trustees to not approve the application.

**Mr. Andrew Fenlon** (5566 Lytle Rd.) Expressed concerns with increased traffic in whatever number of additional vehicles. However, he said any reduction in numbers would help. He believed that the development would lead to increased taxes for other residents. The Urban Service Boundary, he said, was a good idea, but all areas will be developed eventually regardless. He stated that he liked the current character of the land as hayfields "made good neighbors". He urged the Trustees to make a decision to minimize density and not set a precedent for approving these types of applications.

**Mr. Zach Gallagher** (1264 Adamsoor Dr.) Inquired if the Trustees had to pass the rezoning application.

**Mr. Coffman** stated that he did not believe so.

**Mr. Gallagher** expressed his thoughts that development could not be approved without a clear development plan. And further expressed his wishes that the Trustees make their decision with future precedents in mind (specifically alluding to the Girl Scout camp).

He then inquired about steps to change acreage requirements in the Township.

**Ms. Tricia Berens** (9119 Old Stage Rd.) Expressed her concerns about the welfare of Wayne Local Schools. She stated that she wished the community to remain small as that is what attracted her to it 20 years ago when she moved here.

**Bruce Thiel** (8365 Ferry Rd.) Inquired about who would pay for straining the water supply.

**Mr. Coffman** stated that would be a question for Waynesville Council as they are the water providers.

**Mr. Thiel** further expressed his concerns with traffic on Ferry Rd.

Having no more concerned residents wishing to speak, **Mr. Federle** requested the chance to speak.

He stated that he looked at the development as an opportunity for new residents to move to the community. An opportunity that had been previously afforded to many who spoke that evening. He also viewed it as an opportunity to control growth. He stated that if annexed, the density would likely at least double. He believed that was a good precedent to set.

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He shared that the plans were in a conceptual stage. As such, the storm water management engineered designs will likely necessitate the loss of 1-2 building lots as the EPA and the County Engineers will closely scrutinize all plans.

He apologized for the miscalculation in percentages in lots in his plan that were equal to or greater than an acre. According to Ms. Hartsock's calculations, the plan as presently represented, has 53% of lots less than 1 ac and 47% 1 acre or greater accounting for a 3% reduction request. Even with the reduction request, the overall number of lots would be the same if no reductions were granted.

**Ms. Hartsock** verified this.

**Mr. Foley** wished to address Mr. Leopold's concerns regarding storm water backing up to his property upstream.

**Mr. Fedele** stated that a box culvert would likely be installed across Satterwaite's Run and as it is in the flood plain, FEMA would heavily regulate any changes made to the site. It was also discussed that all areas in or around the stream would be controlled by the HOA as opposed to individual homeowners such as is the case in Lytle Trails.

There was discussion back and forth between the Trustees and Mr. Federle regarding increasing the size of the proposed lots in the layout as this was a concern heard from the residents present. Mr. Federle stated that he did not have plans prepared for any such changes.

Mr. Federle explained that he felt it was difficult for residents to conceptualize ½ lot sizes. He said that this size is still double the size of lots on Rose Petal Ct. He further stated that he thought his plans were a good option for the area. He had been a resident of Waynesville for 15 year and likes the area. He believed he would be providing affordable housing options priced midway between a \$200,000 home in the existing neighborhood to the south and the \$450,000 homes in the 2 acre sized neighborhoods that Ellis Custom Homes is known for.

**Mr. Patrick** asked Michael Seeger to explain the storm water runoff flow rate calculations that Mr. Butler asked about.

**Mr. Seeger** said that he did not have the engineering standards from Warren County at this point, but plans would meet the standards as provided.

**Mr. Coffman** inquired about buffering.

**Mr. Fedele** stated that the plans are conceptual. Tweaks can happen in further stages. But he was willing to work with the Township on what they wanted to see.

**Mr. Coffman** asked about sidewalks for pedestrians.

**Mr. Federle** asked if he would like to see sidewalks in the ROW or on the backside of ditches.

**Mr. Coffman:** ideally on the front side so that pedestrians did not have to cross ditches.

**Mr. Foley** expressed his wishes to see on-street parking addressed/limited in HOA documents.

**Mr. Federle** said that he could limit parking to one side. But he would work with the Township on the specifics.

**Mr. Foley** discussed what 75% of the site would look like if held to 1 acre or larger lots.

**Ms. Hartsock** shared with the Trustees language in 2.2.506.4(C) and which she believed did not enable the Township to entertain this scenario.

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**Ms. Wells** (spoke previously) asked if the plan was conceptual in nature, could it change dramatically?

**Ms. Hartsock** stated that minor changes such as an individual lot line shifting slightly or the roadway layout shifting a bit would be acceptable, however major changes would spark the hearing process to being anew.

**Mr. Duerr** inquired about lot # 16 being a flag lot and his believe that such lots were not permissible under Wayne Township Zoning.

**Ms. Hartsock** stated that such lots are permissible as of April 2017 if they are 5 aces or larger in an attempt to address large parcels of relatively landlocked land created by road front development over the decades. In this circumstance, the standard lot dimensions permissive under standard zoning are not applicable as the PUD is designed to be flexible and accommodate smaller lots that do not have set standards in the zoning.

**Mr. Coffman** asked Mr. Federle to approach the rostrum.

The Trustees conferenced with Ms. Hartsock regarding the recommendations of previous boards.

Being no further discussion was needed, Mr. Coffman motioned to close the public hearing at 9:48 p.m. with Mr. Foley seconding the motion. The motion passed by unanimous vote.

Mr. Coffman then called for a motion to hold a vote. The motion was seconded by Mr. Patrick. The motion passed unanimously.

Mr. Coffman then asked Ms. Hartsock to read a list of Wayne Township Staff conditions with notations as follows:

1. Recommend approval contingent on RPC recommendations (**attachment A**) being satisfied in addition to the following added conditions:
2. Increase side yard setback to the north of the development to a minimum of 25'; and,
3. \*(modification of RPC's §7.5 Sidewalk connectivity) Extend sidewalk or bike path from the east side of White Rose Dr. along the south side of main drive out to Lytle Rd. for pedestrian and central mail location traffic.
4. Adding language to the HOA regulations preserving the established wood lines 25' in width around the perimeter of the development.
5. All approvals are contingent on adequate sewer serviceability.

Mr. Coffman motioned to approve the application based on the conditions as read by Ms. Hartsock. Mr. Patrick seconded the motion and upon call of the roll thereon the vote resulted as follows: Mr. Coffman – yea; Mr. Patrick – nay; Mr. Foley – yea. The motion was therefore approved the 17<sup>th</sup> day of July 2018.


Being no further business, Mr. Foley motioned to adjourn at 9:53 pm. Mr. Patrick seconded the motion. The motion passed with a unanimous vote.



## Village Transition PUD Overlay

WAYNE TOWNSHIP

Applicant:  
John Federte



Prepared for the  
Wayne Township, Warren County, Board of Trustees  
Hearing

Held on:  
07/17/2018

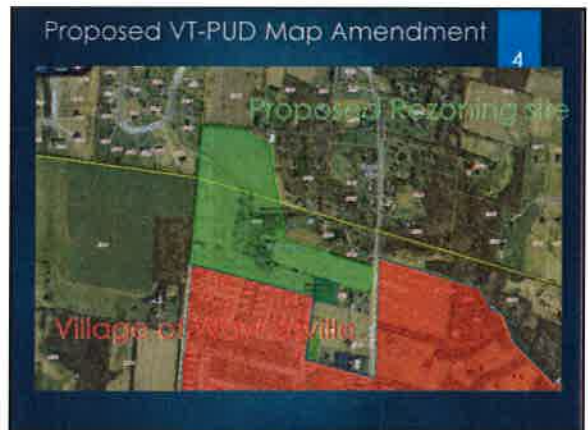


## Proposed VT-PUD Map Amendment

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-5615 Lytle Rd. in its entirety (40.7003 ac);  
and adjoining property  
-5612 Lytle Rd. rear portion (1.29 ac)

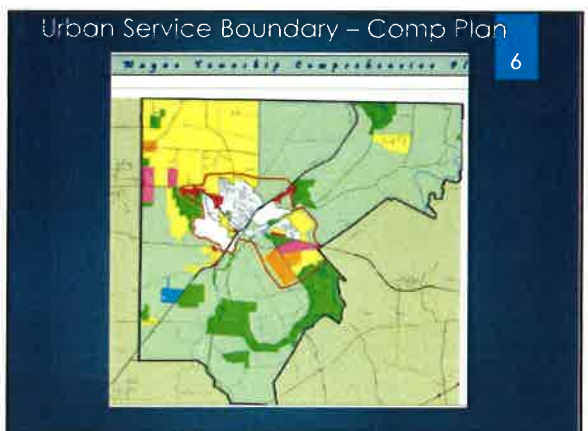
**41.9903 ac. total**  
**39 40 homes**



## Where can the VT-PUD apply?

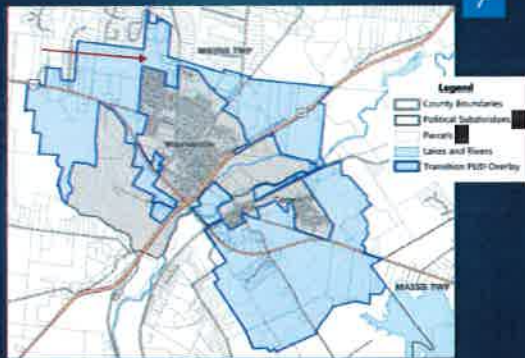
5

1. Within the USB (surrounding the village cores); and
2. Where utilities can be extended; and
3. Open space criteria are met



## District Boundary

7



## What is the VT-PUD?

8

Village transition planned development

It is a residential overlay zoning designed to allow higher density than what would be permissible under standard residential zoning where such development is best suited

## What is the VT-PUD—is it new?

9

Zoning overlay ordinance adopted Sept. 1, 2015

- Initiated June 16, 2015 [Res. 2015-25]
- ZC- 1<sup>st</sup> hearing July 23, 2015
- BoT- hearing August 18<sup>th</sup> and continued and approved on Sept. 1 [Res. 2015-34]
- Effective Oct. 1, 2015

## Are lots <2 acs new in R-1 zone?

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- ▶ Nov. 1997—present: 2 ac. min.
- ▶ Nov. 1973—1997: ½ ac.

Ex. of developments with smaller lots in Wayne Township

- ▶ Valley Acres (Fairfield and Morris) 1960s
- ▶ Carter Dr. (~1 ac) 1960s
- ▶ Route 42 / Old 122 / Middletown Rd. 1950-1960s
- ▶ Lylle and Mt. Holly areas (varies from 0.2-1+ ac) 19<sup>th</sup> century
- ▶ Sandy Run (~1 ac) (early 1990s)

## Are lots <2 acs new in R-1 zone?

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Comprehensive Plan 2030 (multi-year public process approved in 2013) called for more focused/encouraged development with the USB to alleviate development pressure on more outlying rural areas.

Low-density (2 ac. lots) in USB did not make financial sense.

Non-targeted, low-density residential growth had led to low tax revenue to provide services and to a disproportionate amount of lost farm land.

**Citizen Advisory Committee** established to address Comp Plan implementation in zoning code.

## What/who was the CAC?

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CAC was a panel of 15-20 residents appointed by the Trustees (broad array of interests, professional backgrounds and geographic locations).

Tasked with revising sometimes antiquated zoning regulations to reflect and better implement the Comp Plan 2030 and to address frequently heard variance requests.

- Met on the 1<sup>st</sup> and 3<sup>rd</sup> Wed. of every month 6:30-8:00, from 8/2015—12/2016
- All meetings were open to public comment.
- All meetings were posted online with audio recordings.
- Articles ran in the Dayton Daily News.
- Updates were provided regularly in open Trustees' meeting.

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Are there other opportunities to have smaller sized lots as a result of the CAC recommendations?

Yes

The 2-ac minimum was identified as not practical in all scenarios.

Commercial minimum lot sizes have nearly reduced across the board.

R-2 and R-3 for multifamily developments (14,000 and 12,000-sf respectively)

Conservation design option: density bonus of 40% for every 30% of land set aside for protective easement.

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Why the VT-PUD?

Designed to:

Implement the Comp Plan 2030 Vision statement

Blend the high density village developments

with the annexation

15

Comp Plan 2030 Vision Statement

...“continue to preserve the Township’s **quality of life and rural character**, recognizing that economic opportunities will be enhanced, transportation and recreational provisions will be created, and environmental quality and cultural heritage will be maintained, all while protecting the property rights of landowners.

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Comp Plan 2030 Vision Statement

**How do more homes protect rural character? Isn't that backwards?**

Concentrating development near the urban core allows for growth where services and infrastructure are most efficiently and effectively provided, while alleviating development pressures in the more far-flung rural areas.

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Comp Plan 2030 Vision Statement

**How does more homes protect quality of life?**

Infrastructure is costly to build and maintain.

Current low-density development patterns are straining local budgets to maintain services under current tax levels.

18

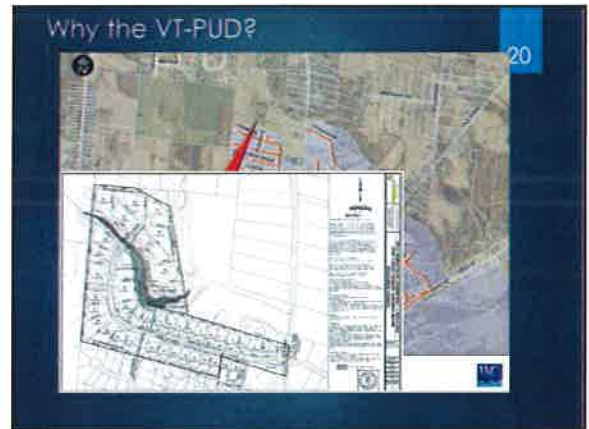
Why the VT-PUD?

Designed to:

Implement the Comp Plan 2030 Vision statement

Blend the high density village developments into more rural township development patterns

with the annexation



Why the VT-PUD?

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Designed to:

- Implement the Comp Plan 2010-2030
- Attract high density village on site

Retain Township control of development patterns

Why the VT-PUD?

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If annexed, there is NO township control of development

For example: past annexations/comparisons

- Furnas Forge: 64 ac. 177 homes (3.5 u/acre) - 143 homes potential
- Rosewood Meadows: 22 ac. 61 homes (3.5 u/a (raw)) - 143 homes potential
- Thatcher Hill: 10.5 ac 34 homes (4.5 u/a (raw)) - 143 homes potential

VT-PUD Overlay District **Overlay**  
Qualifications (2-204)

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- Application limited to properties within overlay district
- >10 acres
- Properties must have an R-1 base zone to qualify for application
- Permitted uses are the same as those under R-1
- Public sanitary sewer connection is required for all lots
- Minimum lot size is 1/2 acre

VT-PUD Overlay District **Overlay**  
Qualifications (2-204)

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- 1 acre lots or larger required on 50% of site, **with a minimum of 100 sq ft of open space**
- Based on:
  - Relationship of the site to surrounding properties
  - Proposed lot pattern/layout
  - Natural features of the site
  - Preservation of natural resources
- Overall density should not exceed 1.5 units/acre based on above criteria
- Complies with open space requirements in § 3.101
- Complies with buffering standards in § 3.606

### Concept Plan **initial** submission

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### Concept Plan **revised** submission

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### RPC recommendations

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1. All plans and proposals of the applicant shall be made conditions of approval, unless modified by one of the following conditions:
2. Compliance with the Wayne Township Zoning Resolution.
3. Compliance with the recommended PUD Standards provided in Exhibit B\*
4. Open space shown on the PUD Conceptual Plan shall be amended to comply with the standards of Section 3.101 (Open Space Standards). Revised submission dated 6/27/2018 meets standards.

### Wayne Township Zoning Staff recommendations

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1. Recommend approval contingent on RPC recommendations being satisfied in addition to the following added conditions:
2. Increase side yard setback to the north of the development to a minimum of 25' to mirror other boundaries of the development. And R-1 zoning standards.
3. \*(modification of RPC's 67.5 Sidewalk connectivity) Extend sidewalk from the east side of White Rose Dr. along the south side of main drive out to Lytle Rd. for pedestrian and central mail location traffic.
4. Consider adding required language to either the individual property deeds or HOA regulations preserving the established wood lines 25' in width around the perimeter of the development.

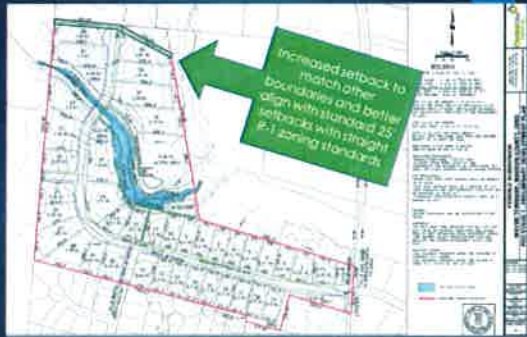
### Wayne Township Zoning Commission recommendations

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1. Recommend approval contingent on RPC recommendations being satisfied, and;
2. Increase side yard setback to the north of the development to a minimum of 25' to mirror other boundaries of the development. And R-1 zoning standards.
3. Add required language to either the individual property deeds or HOA regulations preserving the established wood lines 25' in width around the perimeter of the development. (applicant has proposed language in HOA docs: "All live trees eight (8) inches in diameter and the foliage of such trees on the perimeter of the development are to remain.")
4. Not approve the 20% requested reduction in lots 1 ac or more. (The number of lots would remain consistent at 39 homes either way).

### Wayne Township Zoning Staff recommendations

30



Wayne Township Planning staff  
recommendations

31



Questions?

32





**Warren County Regional Planning Commission**  
 WARREN COUNTY ADMINISTRATION BUILDING  
 400 JEFFERSON • LEBANON, OHIO 45030  
 TELEPHONE 614 399-1223  
 STANLEY C. WILLIAMS, EXECUTIVE DIRECTOR

June 28, 2018

Ms. Erin Hartsock  
 Wayne Township Zoning  
 PO Box 89  
 Waynesville, Ohio 45068

Dear Ms. Hartsock:

This letter is in regard to the Federle PUD Stage 1 planned in Wayne Township.

At its meeting on June 28, 2018 the Warren County Regional Planning Commission (RPC) Executive Committee recommended approval of the Federle Village Transition (VT)-PUD Stage 1 subject to the following conditions:

1. All plans and proposals of the applicant shall be made conditions of approval, unless modified by one of the following conditions.
2. Compliance with the Wayne Township Zoning Resolution.
3. Compliance with the recommended PUD Standards provided in Exhibit B.
4. Open space shown on the PUD Conceptual Plan shall be amended to comply with the standards of Section 3.101 (Open Space Standards).

Sincerely,

Stan Williams, AICP  
 Executive Director

attachment



PRINTED ON RECYCLED PAPER

**EXHIBIT B - PUD STANDARDS**

**PUD Standards**  
 Federle Village Transition (VT)-PUD  
 2615 Lytle Rd  
 Wayne Township, Warren County, Ohio

**SECTION 1 - PURPOSE**

The intent of the Federle VT-PUD is to establish standards for a single-family residential subdivision on approximately 42 acres north of the Village of Waynesville on Lytle Road, in keeping with the provisions of Section 2.506 (Village Transition PUD Overlay Regulations) and all other applicable sections of the Wayne Township Zoning Code.

**SECTION 2 - PUD BOUNDARIES**

The property to be rezoned consists of the following parcels (or portions thereof):

Parcel Identifier	Current Zoning	Total Area (Acres)	PUD Area (Acres)
09-01-101-008	R-1	40.69	40.69
10-27-305-013	R-3F	3.39	1.27*
<b>TOTAL</b>		<b>44.07</b>	<b>41.96</b>

\*The PUD boundary shall be as depicted on the PUD Concept Plan

The PUD acreage of both parcels listed above are to be rezoned as a Village Transition VT-PUD, and as such will constitute an amendment to the Official Zoning Map. The zoning on the area shall remain in place following any lot splits or consolidations in the future, until such time as a future map amendment may be brought forward by the property owner for approval.

**SECTION 3 - GENERAL STANDARDS**

- 3.1 **Definition of Terms**  
 Unless specified, the definition of all terms shall be the same as the definition set forth in the Wayne Township Zoning Resolution in effect at the time of zoning certificate application.
- 3.2 **Consistency with the Wayne Township Zoning Code**  
 Development of the PUD shall be in accordance with the PUD document and applicable sections of the Wayne Township Zoning Code (to the extent they are not inconsistent with the document) which are in effect at the time of issuance of any development order which authorizes the development of improvements.
- 3.3 **Concept Plan**  
 All conditions and concepts imposed herein or as represented on the PUD Concept Plan are a part of the regulations which govern the manner in which the PUD may be developed. However, it shall be recognized that the PUD Concept Plan is conceptual in nature and adjustments may be made at PUD Stage 2 or PUD Stage 3, so long as the overall plan proposed is in conformance with the standards of this document and generally conforms to the PUD (Stage 1) Concept Plan.
- 3.4 **Clearing & Grading**  
 Clearing, grading, earthwork, and site drainage work shall be performed in accordance with the procedures and requirements of the Warren County Soil & Water Conservation District and any other applicable provisions of law. The developer shall also comply with the applicable requirements for an NPDES permit through the EPA.

**SECTION 4 - PRINCIPAL USE REGULATIONS**

- 4.1 **Permitted Uses**  
The following shall be permitted as principal land uses within the PUD:
- Single-Family Dwellings
- 4.2 **Prohibited Uses**  
Principal land uses not listed in Section 4.1 above are prohibited within the PUD.

**SECTION 5 - ACCESSORY USE REGULATIONS**

- 6.1 **Permitted Uses**  
Permitted accessory uses shall be the same as in the R-1 Residential Single Family Zone, and shall conform to the use-specific standards as specified in the Wayne Township Zoning Code unless otherwise provided for in this PUD document.

**SECTION 6 - DEVELOPMENT STANDARDS**

- 6.1 **Minimum House Size**  
The minimum house size (square feet of living space per unit) shall be 1,700 square feet for a 1-story house, and 2,400 square feet for a 2-story house.

- 6.2 **Minimum Setbacks**

Structure Type	Minimum Front Yard Setback	Minimum Side Yard Setback	Minimum Rear Yard Setback
Principal	40 feet	12.5 feet	40 feet
Accessory	Not permitted in front yard	12.5 feet	20 feet

- 6.3 **Minimum Lot Size**  
Lot sizes shall comply with the provisions of the Wayne Township Zoning Code for Village Transition PUDs. Lots shown on the PUD Concept Plan may be reconfigured so long as the resulting conformation complies with the provisions mentioned above.

- 6.4 **Open Space**  
A minimum of twenty (20) percent of the overall PUD shall be dedicated to open space, and twenty five (25) percent of this open space area shall be reserved for active uses as defined in the Wayne Township Zoning Code. The PUD Stage 2 plan shall distinguish open space areas that are considered active, and note the uses that make such spaces active.

- 6.5 **Landscaping Plan**  
A landscaping plan shall be provided at the time of PUD Stage 3 application showing proposed locations of trees and shrubs, as well as decorative fencing or any other landscape components.

- 6.6 **Signs**  
A sign plan, inclusive of any gateway signage to be installed at the entrance from Lytle Road, shall be provided at the time of PUD Stage 3 application.

- 6.7 **Thoroughfare Buffer Yard**  
In accordance with Section 3.606, a thoroughfare buffer yard is required along Lytle Road (which is recognized as having a Collector Road designation under the Warren County Thoroughfare Plan) to be designed as one (1) of the following two (2) options:

- (1) If the buffer is less than one hundred (100) wide, then a landscaped berm seven (7) feet high shall be provided and be located outside the road right-of-way and also outside of utility easements unless approved by the appropriate authority, or
- (2) If the buffer is greater than or equal to one hundred (100) feet, but less than three hundred (300) feet, then a landscaped berm four (4) feet high shall be provided and be located outside of the road right-of-way and also outside of utility easements unless approved by the appropriate authority.
- This PUD document recognizes that sufficient vegetation does not exist near Lytle Road at the time of PUD approval that would properly satisfy Option 3 provided under Section 3.606.3, and therefore only options (1) and (2) above are possible.

**SECTION 7 - ACCESS/IRCULATION STANDARDS**

- 7.1 **Ingress/Egress**  
Ingress/egress points from public right-of-way to the development within the PUD shall be located off Lytle Road, or at another location found acceptable by the Warren County Engineer's Office. The developer shall comply with the Warren County Engineer's Office process and requirements for an Access Permit application.

- 7.2 **Traffic Impact Study**  
If deemed necessary by the Warren County Engineer's Office, the developer shall complete a Traffic Impact Study (TIS) and be responsible for any improvements to public roadways found necessary by the TIS. Possible improvements include traffic signals and/or additional turning or deceleration lanes, installed to the satisfaction of the Warren County Engineer's Office.

- 7.3 **Right-of-Way Dedication**  
Any additional right-of-way along Lytle Road required in accordance with the Warren County Thoroughfare Plan shall be dedicated to the satisfaction of the Warren County Engineer's Office.

- 7.4 **Street Stub**  
A paved connection is required to the existing White Rose Drive street stub to the south of the PUD site, and a new street stub is required to be constructed to the edge of the lot nearest property (Parcels ID: 05-07-200, 008) west of the PUD site. No other street stubs are mandatory for this PUD, though additional stubs may be provided if desired.

- 7.5 **Sidewalk Connectivity**  
The existing sidewalk located on the east side of the White Rose Drive stub shall be required to be extended to the next intersection and connect with the proposed trail as shown in Figure 7-1 at right.



Figure 7-1  
Required Sidewalk



**SECTION 3 - SERVICE STANDARDS**

**3.1**

**Sewer Service**

Correction and/or upgrades to the sanitary sewer utility shall be to the satisfaction of the Warren County Water & Sewer Department, or other appropriate approving authority. Written certification from the sewer authority verifying that capacity is available to serve the development with public sanitary sewer shall be required prior to approval of PUD Stage 2.

**3.2**

**Water Service**

Correction and/or upgrades to the water utility shall be to the satisfaction of the Waynesville Water District, or other appropriate approving authority.

