

Staff Report: Completed by Jeff Palmer Director of Planning & Zoning

Date: Original report: June 10, 2020, November 12, 2020, Updated February 8, 2021

Applicant: 05-20-100-001 Adam Sweeney agent for Design Homes/Clark Ventures LLC and 05-20-100-005 Clark Farm Enterprises. David Reed of Taft Stettinius & Hollister added as agent on November 18, 2020.

Property Identification: 05-20-100-001 (100 acres) and 05-20-100-005 (70.944 acres)

Acreage of Request: 170.944 acres by Warren County Auditor Website

170.60 acres by the submitted drawings

172.61 acres by attached legal description

Current Zoning of Requested Area: Suburban Residence “SR-1” (100 acres)

Township Residence “TR-1” (70.944 acres)

Requested Action: Residential Planned Unit Development “R-PUD”

Attached: Location Map, Application, Legal Description, Applicant's Report, Agent Letter, Silver Mill Net Density Plan, Request to Delay Submittal, Agent Letter, Soil Type Exhibit, Silver Mill PUD Concept Plan, and Colored Silver Mill PUD Concept Plan. November 4 update letter, November 4 updated Silver Mill PUD Concept Plan, November 4 updated Silver Mill Colored Concept Plan, November 4 updated right-of-way letter. February 1, 2021 Transmittal Letter, February 1, 2021 Updated Silver Mill PUD Concept Plan, February 1, 2021 Supplement to Stage 1 PUD Application with index tabs 1-14, Copper Mill Preliminary Plat, Density Chart 2-1-2021.

It is important to keep in mind that the task before you is to approve, modify or deny a zone change that has a Planned Unit Development (PUD) designation. Since it is a PUD request, representation of a concept plan will occur. Section 13.05 (2) Objectives and 13.05 (3) Conditions for Approval, concept plan, narrative and attached documentation should help guide your decision making process and rationale for your recommendation.

Agent’s April 2, 2020 reasons for the application: “Zoning change to bring a residential product that offers different option for all markets with a private feeling neighborhood.”

On November 4, 2020, the applicant provide an update letter, updated Silver Mill PUD Concept Plan, updated colored Silver Mill PUD Concept Plan and an updated right-of-way letter. See November 4 Update Letter.

On February 1, 2021 a supplemental narrative to the Stage 1 PUD application was submitted. The submittal was organized in an index format. A total of fourteen index items are part of this submittal. See index tabs: 1-14. Index tab: 9 is the updated PUD Concept Plan, it was also provided in a larger format. The applicant provides additional information in the February 1, 2021 update index tab: 1 under the Vision heading.

Background on the “SR-1” & “TR-1” to “R-PUD” request:

1. This application was originally submitted in April, 2, 2020. When I started my staff report, I found that the 100 acre parcel was controlled by Clark Ventures (Design Homes) and the 70 acre parcel was controlled by Clark Farm Enterprises. I spoke with Design Homes regarding the need for an updated agent letter or a second signature on the application. On April 17, 2020 Design Homes requested 60 days to meet that request. On April 23, 2020 I requested that the application be withdrawn from the Warren County Regional Planning Commission review process. On June 4, 2020 I received a letter from Clark Farm Enterprises, designating Design Homes as their agent. On June 4, 2020, the application was once again submitted to the Warren County Regional Planning Commission for review and recommendation. On July 6, 2020 The Zoning Commission held a public hearing for the Stage 1 PUD.

David Reed of Taft Stettinius & Hollister, Adam Sweeney of Design Homes, agents for Clark Ventures LLC and Clark Farm Enterprises INC

SR-1 & TR-1 to R-PUD Stage 1 Zone Change Request

Clearcreek Township Zoning Staff Report: Updated February 8, 2021

The request was tabled to September 14, 2020, in order to provide the applicant with time to redesign the concept plan while addressing the following concerns (at least in an updated narrative): character, density, sewer capacity, pressure of water supply, drainage, traffic impact. On September 14, 2020 per the applicant's request, the hearing was tabled to December 7, 2020. On December 7, 2020 per the applicant's request, the hearing was tabled to March 1, 2021.

- a. **Redesign the concept plan:**
 - The applicant provides an updated PUD Concept Plan in the February 1, 2021 update, index tabs: 2, 9.
 - b. **Character:**
 - The applicant provides additional information in the February 1, 2021 update, index tab: 1 under the Vision heading.
 - c. **Density:**
 - The applicant provides additional information in the February 1, 2021 update, index tab: 1 under the Concept Plan heading.
 - The applicant provides an updated PUD Concept Plan in the February 1, 2021 update, index tabs: 2, 3, 9.
 - d. **Sewer capacity:**
 - The applicant provides additional information in the February 1, 2021 update, index tab: 12.
 - e. **Pressure of water supply:**
 - The applicant provides additional information in the February 1, 2021 update, index tab: 14.
 - f. **Drainage:**
 - The applicant provides additional information in the February 1, 2021 update, index tab: 12.
 - g. **Traffic impact:**
 - The applicant provides additional information in the February 1, 2021 update, index tab: 10.
2. In the Suburban Residence Zone "SR-1", the minimum lot size is .50 acre with a sanitary sewer connection. The minimum lot size is 1.0 acres with on-site wastewater disposal. Minimum lot width is 100'.
 3. In the Township Residence Zone "TR-1", the minimum lot size is 1.5 acres with on-site wastewater disposal. No reduction in lot size is given for a sanitary connection. Minimum lot width is 120'.
 4. The applicant's **updated PUD Concept Plan request in November 2020 and February 2021 are identical for density.**
 1. The request is for 337 total dwelling units: 113 single family detached lots and 224 multi-family units.
 2. See the February 1, 2021 update, index tabs: 2, 9 and the November 4, 2020 submittal.
 3. The applicant provides additional information in the February 1, 2021 update, index tab: 1 under the Concept Plan heading.
 5. The updated request is for 64.7 acres of open space or 38%.
 - On the updated Silver Mill PUD Concept Plan, staff found that the text didn't match the drawing. **The open space is labeled Open Space A through Open Space H and totals 64.8 acres.**
 - **Open Space "B" & Open Space "F" were not found on the updated Silver Mill PUD Concept Plan.**
 - See the February 1, 2021 update, index tabs: 2, 9.

- The applicant provides additional information in the February 1, 2021 update, index tab: 1 under the Concept Plan heading.
6. The updated request is for 13.1 acres of road right-of-way: 11.9 acres of public road right-of-way and 1.2 acres of private right-of-way.
 1. See November 4, 2020 update road right-of-way letter.
 7. The request is for a **gross density of 1.95** dwelling units per acre (based on the legal description size of 172.6 acres and 337 dwelling units). **Or 1.98** dwelling units per acre (based on the applicant’s original submittal size of 170.6 acres and 337 dwelling units).
 1. See the February 1, 2021 update, index tabs: 2, 9, November 4, 2020 Concept Plan.
 8. Staff calculated based upon the drawing, a **net density of 3.56** dwelling unit per acre (based on the legal description size of 172.6 acres – 13.1 acres of road right-of-way – 64.8 acres of open space and 337 dwelling units). **Or 3.64** dwelling units per acre (based on the applicant’s original submittal size of 170.6 acres – 13.1 acres of road right-of-way – 64.8 acres of open space and 337 dwelling units).
 1. See the February 1, 2021 update, index tabs: 2, 9, November 4, 2020 Concept Plan.
 9. Master Land Use Plan:
 - The Suburban Residence Zone “SR-1” section of this request is split between Planning Area #1 and Planning Area #2.
 - The Township Residence Zone “TR-1” section of this request is in Planning Area #1
 - .i. Planning Area #1 - Northern Tier is an area where a commitment exists for the provision of public sanitary sewer at some point in the foreseeable future. It is also an area that is already either substantially developed, or where approval commitment for future development has already taken place. Thus the future character of the Northern Tier has already largely been established.
 - .ii. Planning Area #2 - Middle Belt Combined existing development or committed developments represent more than 75% of this area, with medium density (1- 3 acre lots) using onsite treatment systems.
 - Based upon the recent 2017 zone change and the 2005 Master Land Use Plan, the uses are anticipated to be Suburban Residential.
 - GOAL: A pattern of land use capable of serving and meeting the social, economic and environmental needs of the residents of the Township, now and in the future.
 - OBJECTIVE: Encourage the prudent development of residential areas with housing types and densities to meet the needs of Township residents, ensuring that a healthy, safe and attractive environment is maintained.
 - POLICIES: Encourage a logical pattern of residential development in the designated Urban Service Areas that transition from an urban density to a rural density.
 - The applicant provides additional information in the February 1, 2021 update, index tab: 1 under the Concept Plan heading.
 10. Zoning History for the Properties:
 - In 1973 the properties were classified as Rural Residence Zone “R-1”.
 - In 2005, the properties were rezoned to Township Residence Zone “TR-1” to comply with update to the Master Land Use Plan.
 - In 2017, parcel 05-20-100-001 was involved in a zone change request. The request was to change from Township Residence Zone “TR-1” to a split zone of Residence Zone “R-1A” and Suburban Residence “SR-1”. The Trustees modified the request to rezone the entire parcel to Suburban Residence Zone “SR-1”.

11. Zoning Classifications for Adjoining Properties:

- North of the properties there are several zoning classifications: Residence Zone “R-1”, Suburban Residence Zone “SR-1” and Residence Zone with a Planned Unit Development “R-1APUD”.
- East of the properties there are several zoning classifications: Suburban Residence Zone “SR-1” and Township Residence Zone “TR-1”.
- South of the properties there are several zoning classifications: Residence Zone “R-1” and Township Residence Zone “TR-1”.
- West of the properties there are several zoning classifications: Residence Zone “R-1” and Township Residence Zone “TR-1”.
- See Location Map.

12. Pending Preliminary Plan for Acreage with “SR-1” Zoning Classification:

- Parcel 05-20-100-001 has gone through the concept plan and preliminary plat process at the Warren County Regional Planning Commission to be subdivided into the Copper Mill subdivision. This property is zoned Suburban Residence Zone “SR-1”. The preliminary plan identified 116 single family dwelling lots, 5.4395 acres of open space and 15.5069 acres of street right-of-way. The density for the Copper Mill subdivision is 1.16 gross dwelling units per acre or 1.47 net dwelling units per acre.
- See Copper Mill Preliminary Plat.

Review of Application:

13.05(A)(1)(b) Step S1.2 – Zone Change Amendment Request/PUD Concept Plan Application:

(1) Applications for a Zone Change Amendment/PUD Concept Plan shall be submitted, signed by the owner(s) of the PUD or the designated agent, to the Clearcreek Township Zoning Inspector attesting to the truth and correctness of all facts and information presented with the application, on or before the scheduled monthly Zoning Commission meeting deadline, as identified on the Zoning Commission schedule found on the Clearcreek Township website (www.clearcreektownship.com).

Staff Comments: This information has been submitted, see April 2, 2020 submittal.

(2) All applications shall be submitted with the required fees as established in the Clearcreek Township fee schedule found on the Clearcreek Township website (www.clearcreektownship.com).

Staff Comments: The fee has been paid.

(3) The Zone Change Amendment Request/PUD Concept Plan Application shall include the following items:

a) An area map showing adjacent property owners and existing uses within 200 feet of the parcel(s).

Staff Comments: This information has been submitted, see February 1, 2021 Surrounding Use Plan, index tab: 4.

b) A legal description of the metes and bounds of the parcel(s).

Staff Comments: The information has been submitted, see attached documents, April 2, 2020.

c) A PUD Concept Plan to scale, though it need not be to the precision of a finished engineering drawing, which shall clearly show the following:

1. The existing type of topographical features of the site.

Staff Comments: The information has been submitted, see February 1, 2021 Updated Silver Mill PUD Concept Plan, index tab: 9. The topography ranges from 1014' to 1050'.

2. The general location of building lots and their areas in acres.
Staff Comments: The information has been submitted, see February 1, 2021 Updated Silver Mill PUD Concept Plan, index tabs: 2, 9.
The request is for 113 single family detached lots and 224 multi-family units.
 - a. **The concept drawing identifies three types of single family detached lots:**
 - **90' width lot:**
 - **Minimum lot size represented to be .31 acre.**
 - **Staff found the updated lot sizes to range from .31 acre to .55 acre.**
 - **.31 acre -.4 acre (17 lots).**
 - **.41 acre -.55 acre (5 lots).**
 - **Applicant proposed 22 lots.**
 - **65' width lot:**
 - **Minimum lot size represented to be .22 acre.**
 - **Staff found the updated lot sizes to range from: .22 acre to .53 acre.**
 - **.22 acre (7 lots).**
 - **.23 acre - .30 acre (46 lots).**
 - **.31 acre - .53 acre (28 lots).**
 - **Applicant proposed 81 lots.**
 - **Over 100' width estate lot:**
 - **Minimum lot size represented to be 2 acres.**
 - **Staff found the updated lot sizes to range from 2 acres to 3.9 acres.**
 - **2 acre -3 acres (6 lots).**
 - **3.1 acres -3.9 acres (4 lots).**
 - **Proposed 10 lots.**
 - b. **The February 1, 2021 Updated Silver Mill PUD Concept Plan identifies the multi-family units to be in a quad configuration:**
 - **Condominium style units:**
 - **The updated Silver Mill PUD Concept Plan identifies 56 quad structures which calculates into 224 units.**
 - **See the February 1, 2021 update, index tabs: 2, 9.**
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3. The general outlines of the interior roadway system and all existing right-of-way(s) and easement(s), whether public or private with acreage specified.
Staff Comments: The single family dwellings and the main access road for the multi-family dwellings will be publicly dedicated and maintained. The one interior street of the multi-family area will be privately maintained. This information has been submitted, see February 1, 2021 Updated Silver Mill PUD Concept Plan, index tabs: 2, 9, November 4 updated right-of-way letter.

 4. Delineation of the various land use areas with an indication for each such area of its general extent, size, and composition in terms of use and bulk of structures.
Staff Comments: The February 1, 2021 Updated Silver Mill PUD Concept Plan, index tabs: 2, 9, identifies the location and individual acreage for single family lots, the location of multi-family units, total acreage for open space and total acreage for road right-of-way.

5. A calculation of residential net density and/or net floor area ratio.

Staff Comments: This information has been submitted, see April 2, 2020 Net Density Plan, February 1, 2021 submittal index tab: 3.

Section 13.03(A) identifies an abatement of 10% of the net density (plan). Since the R-PUD process is no longer tied to an underlying zoning classification, the zoning at the time of the R-PUD request is the only density reference from which to abate. During the pre-application meeting, staff has been asked if an applicant should apply for a straight zoning classification change from the current to a more dense classification and then start the PUD process. Though a valid option, it appeared to me to be more process than necessary. Staff has coached the applicant to turn in a concept plan request that could be achieved and if the design and concept were thought to be appropriate by the Zoning Commission and Trustees then, the density issue could be addressed as a condition of approval.

The applicant provided a net density plan that was designed on the assumption that both parcels are currently zoned Suburban Residence Zone “SR-1”. See April 2, 2020 Net Density Plan, February 1, 2021 submittal index tab: 3. The applicant provides additional information in the February 1, 2021 update, index tab: 1 under the Density hearing and the PUD Flexibility heading.

The submission identifies:

- *Total acreage of 170.6 acres.*
- *269 single family dwelling lots on 145.3 acres.*
- *25.3 acres of road right-of-way*
- *A minimum lot size of .538 acre.*
- *Staff calculates the net density to be 1.85 dwelling units per acre.*
- *A gross density of 1.58 dwelling units per acre.*

Staff calculated:

The Suburban Residence Zone “SR-1” property:

- *Total acreage of 100 acres.*
- *Applicant submitted 156 lots on 87.93 acres.*
- *12.07 acres of right-of-way*
- *A minimum lot size of .538 acre.*
- *A net density for this property to be 1.77 dwelling units per acre.*
- *A gross density for this property to be 1.56 dwelling units per acre.*

The Township Residence Zone “TR-1” property:

- *Total acreage of 70.62 acres.*
- *Staff calculated 47 lots on 60.01 acres.*
- *10.59 acres of right-of-way*
- *A minimum lot size of 1.5 acres.*
- *A net density for this property to be .78 dwelling units per acre.*
- *A gross density for this property to be .67 dwelling units per acre.*

Combined “SR-1” and “TR-1” net density:

- *Total acreage of 170.62 acres.*
- *Staff calculated 203 lots on 147.94 acres.*
- *22.66 acres of right-of-way.*
- *A minimum lot size for “SR-1” to be .5 acre and for “TR-1” to be 1.5 acres.*
- *A net density for the combined classifications to be 1.37 dwelling units per acre.*
- *A gross density for the combined classifications to be 1.19 dwellings units per acre.*

Section 13.03(A) identifies an abatement of 10% of the net density (plan).

- *The applicant's April 2, 2020, February 2, 2021 index tab: 3 Net Density Plan showed a net density of 1.85 dwelling units per acre. If the 10% were applied, that would increase the net density to 2.05 dwelling units per acre (296 lots).*
- *Staff's Combined “SR-1” and “TR-1” yielded a net density of 1.37 dwelling units per acre. If the 10% were applied, that would increase the net density to 1.51 dwelling units per acre (223 lots).*
- *The applicant's February 1, 2021 Updated Silver Mill PUD Concept Plan submission, index tabs: 2, 9, shows a **net density of 3.56 dwelling units per acre (based on the legal description size of 172.60 acres, 13.1 acres of road right-of-way, 64.8 acres of open space and 337 dwelling units).** For comparison, the **net density of 3.64 dwelling units per acre was calculated for the original submittal size (based upon the applicant’s original submittal size of 170.6 acres, 13.1 acres of road right-of-way, 64.8 acres of open space and 337 dwelling units).***

6. The interior common open space system with acreage specified.

Staff Comments: This information has been submitted, see February 1, 2021 Updated Silver Mill PUD Concept Plan index tabs: 2, 9.

- *The open space is identified to be 64.7 acres (38%) (**based on the legal description size of 172.60 acres and 25% gross acreage minimum**).*
 - *This acreage includes 6.7 acres in ponds. Per Section 13.09 of the Clearcreek Township Zoning Resolution: retention ponds with include a water feature count toward the open space calculation, detention basins (not exceeding 25% of minimum required open space count toward the open space calculation).*
 - *The applicant has identified 6.7 acres in ponds.*
 - *Ponds account for approximately 10% of the open space total.*
 - *See February 1, 2021 submittal index tabs: 2, 9.*
- *Staff calculated the open space to be 64.8 acres (38%) (Addition of Open Space area A-H).*
 - *See February 1, 2021 submittal index tabs: 2, 9.*
- *The minimum acreage requirement per Section 13.09 of the Clearcreek Township Zoning Resolution is **43.15 acres (based on the legal description size of 172.60 acres and 25% gross acreage minimum)**. For comparison, the minimum acreage requirement for the original submittal size was 42.65 acres (based upon the applicant’s original submittal size of 170.6 acres and 25% gross acreage minimum). See April 2, 2020 PUD Concept Plan, November 4, 2020 PUD Concept Plan and the February 1, 2021 PUD Concept Plan, index tabs: 2, 9.*
 - *Open space A:*
 - *Buffer to external adjoining properties along western property line and Lytle Five Points:*

- 10.7 acres in size.
 - Minimum width between adjacent property line and single family lot is scaled to be 50'.
 - Hiker/Biker Trail.
 - **Open space B:**
 - **Staff was unable to identify the size and location of this open space.**
 - **Open space C:**
 - **Buffer to external adjoining properties and Lytle Five Points:**
 - 14.9 acres in size.
 - Minimum width between adjacent property line and multi-family unit is scaled to be 100'.
 - Hiker/Biker Trail.
 - Two retention ponds are identified on the drawing.
 - **Open space D:**
 - **Buffer to external adjoining properties along eastern property line and Lytle Five Points:**
 - 9.2 acres.
 - Minimum width between adjacent property line and multi-family unit is scaled to be 50'.
 - Hiker/Biker Trail.
 - **Open space E:**
 - **Interior open space to the multi-family units:**
 - 5.3 acres.
 - **Open space F:**
 - **Staff was unable to identify the size and location of this open space.**
 - **Open space G:**
 - **Buffer to external adjoining properties along eastern and southern property line:**
 - 23.6 acres
 - Minimum width between adjacent property line and multi-family unit is scaled to be 150'.
 - Hiker/Biker Trail.
 - A detention pond is identified on the drawing.
 - **Open space H:**
 - **Buffer to external adjoining properties along western and southern property line:**
 - 1.1 acres
 - A detention pond is identified on the drawing.
7. Identification of all areas declared to be an amenity for the PUD with acreage specified. Square footage of structures and percentages of impervious surfaces to be specified
Staff Comments: At this stage, ponds and the Hiker/Biker Trails are the only amenities proposed. The ponds (retention and detention) calculate to 6.7 acres. The width and materials for the Hiker/Biker Trails haven't been identified. Amenity details are addressed in a Stage 2 application. See the February 1, 2021 submittal, index tabs: 2, 9.

8. A drawing showing all soil types and their classifications. Additionally, a map indicating floodway and/or floodplain boundaries as determined by the federal emergency management agency shall be included for sites that have been subject to flooding and/or erosion at any time.

Staff Comments: Flood plain information has was provided in the February 1, 2021 submittal, index tab: 5.

9. Where areas lie in any aircraft approach and holding patterns, these areas shall be indicated.

Staff Comments: Aircraft approach information was proved in the February 1, 2021 submittal, index tab: 6.

10. Principal ties to the community at large with respect to transportation, water supply, and sewage disposal shall be indicated.

Staff Comments: This information was provided in the February 1, 2021 submittal, index tabs: 7, 10, 12, 13, 14. The applicant has provided in index tab: 10 (the July 24, 2020 Turn Lane Analysis). In addition to the applicant's information provided in index tab: 12, the Warren County Board of Commissioners Rules and Regulations for the Design of Storm Sewer and Stormwater Management Systems was provided.

- d) A net density plan illustrating the net density able to be obtained if developed under a straight zoning classification, to scale, though it need not be to the precision of a finished engineering drawing.

Staff Comments: This has been provided, see April 2, 2020 Silver Mill Net Density Plan in the February 1, 2021 submittal, index tab: 3 and information above.

- e) A written report containing the following:

1. General description of availability of other community facilities, such as schools, fire protection services, and cultural facilities if any, and how these facilities are affected by this proposal.

Staff Comments: The applicant has responded to this in the February 1, 2021 update, index tabs: 9, 11. The applicant provides additional information in the February 1, 2021 update, index tab: 1 under the PUD Flexibility heading. The applicant has provided in index tab: 11 a school revenue/expense estimate using Soraya Farms data.

2. Evidence how the developer's proposed land use(s) meet existing and projected community requirements.

Staff Comments: The applicant has responded to this in the February 1, 2021 update, index tabs: 7, 10, 11, 12, 13, 14. The applicant provides additional information in the February 1, 2021 update, index tab: 1 under the PUD Flexibility heading. The applicant has provided in index tab: 10 the July 24, 2020 Turn Lane Analysis. The applicant has provided in index tab: 11 a school revenue/expense estimate using Soraya Farms data. In addition to the applicant's information provided in index tab: 12, the Warren County Board of Commissioners Rules and Regulations for the Design of Storm Sewer and Stormwater Management Systems was provided.

3. A general statement how the common open space shall be owned and permanently maintained.

Staff Comments: The applicant has responded to this in the February 1, 2021 update, index tab: 8.

4. If the development is to be phased, a general indication as to how the phasing is to proceed. Whether or not the development is to be phased, the PUD Concept Plan shall show the intended total project.
- The applicant stated in the April 2, 2020 submittal: “The proposed development will be constructed in phases similar to how Soraya Farms was developed. Phasing of the proposed plan has yet to be determined but will be based on economic viability. Design Homes and Development truly believes the proposed development will be a benefit to the community by the evidence and examples presented and outlined above. As a developer and home builder, we strive to continue contributing to the community of Clearcreek Township and its residents.”

13.05(2) Stage 1: PUD Objectives

- (a) The Stage 1: Zone Change Amendment Request/PUD Concept Plan shall be acceptable, if:
- (1) The proposed use(s) are appropriate for the parcel(s) being reviewed; and
Staff Comments: The 2005 Master Land Use Plan identified the site in the Suburban Residence classification. See above.
- (2) The following information is specified/clarified in the narrative and on the drawing(s) at the time of approval:
- a) The list of uses permitted within the PUD are specified.
Staff Comments: The applicant has requested the use be for single family detached homes, multi-family dwelling (quad configuration), open space and road right-of-way. The applicant has responded to this in the February 1, 2021 update, index tabs: 2, 9.
- b) The general location of such uses is specified.
Staff Comments: The proposed uses have been specified in the narrative and on the updated February 1, 2021 Silver Mill PUD Concept Plan, index tabs: 1, 2, 9.
- c) Any use-specific standards that may apply to the permitted uses are included.
Staff Comments: The agent has requested a reduction in lot size and frontage and multi-family units. If this Stage 1 PUD is approved, design parameters for lots, materials and elevations for the structures will need to be submitted with the Stage 2 application. The applicant has responded to this in the February 1, 2021 update, index tabs: 2, 9.
- d) The maximum density or intensity is permitted within the PUD.
Staff Comments: Based upon the submittal, approximately thirty-four percent (34%) of the units are proposed to be single family detached. Approximately sixty-six percent (66%) of the units are proposed to be multi-family units. The applicant has responded to this in the February 1, 2021 update, index tabs: 2, 9.

The applicant compares this development to Soraya Farms. Silver Mill is less dense (both net and gross), has more open space and larger percentage of multi-family units:

<i>Soraya Farms</i>	<i>February 1, 2021 Updated Silver Mill</i>
<i>3.69 net dwelling units per acre</i>	<i>3.56 net dwelling units per acre</i>
<i>60% single family (227 lots)</i>	<i>33.53% single family (113 lots)</i>
<i>40% multi-family (151 units)</i>	<i>66.47% multi-family (224 lots)</i>
<i>2.2 gross dwelling units per acre</i>	<i>1.95 gross dwelling units per acre</i>
<i>Open space is a minimum of 31%</i>	<i>Open space is a minimum of 64.7%</i>
	<i>Based on Legal description size of 172.6 acres</i>

e) The amount and general location of open space are identified.

Staff Comments: The applicant has responded to this in the February 1, 2021 update, index tabs: 2, 9. See above and Density Chart 2-1-2021.

(b) The Clearcreek Township Zoning Commission and/or Clearcreek Township Board of Trustees shall have the authority to impose special conditions related to the PUD and to approve development standards unique to the PUD as deemed necessary in order to promote the public health, safety, morals, and general welfare of Clearcreek Township.

13.05(3) Stage 1: Conditions for Approval

The following criteria shall be used in the recommendations and decisions made regarding the Stage 1: Zone Change Amendment Request/PUD Concept Plan. Failure to comply with any of these criteria requires that explicit rationale or alternative requirements be set forth.

- (a) The Zone Change Amendment Request/PUD Concept Plan is consistent with the Clearcreek Township Master Land Use Plan;
- (b) The intensity proposed for the PUD does not exceed the maximum density or lot coverage allowed for the PUD as a whole;
- (c) The use(s) proposed will not be detrimental to existing and potential future surrounding uses and will harmoniously relate to the surrounding area;
- (d) The minimum common open space areas have been designated and designed in accordance with the provisions of this Resolution and shall be conveyed to a legally established homeowner's or property owner's association, commercial management group, or other agency as herein provided;
- (e) Approval of the Stage 1: Zone Change Amendment Request/PUD Concept Plan may be conditional upon provisions that are necessary for the protection of public health, safety, morals, and general welfare. Thus, the Clearcreek Township Zoning Commission or Board of Trustees may require the submittal of a revised PUD Concept Plan if it is determined that modifications are required to comply with this Resolution.