

Memorandum

To: Planning Commission Members
From: Development Department
CC: Honorable Members of City Council, Clerk of Council, City Departments
Date: September 30, 2011
Re: Staff Report for Holton Run – Development Plan Revision

Item #4 – Holton Run – Development Plan Revision (PID# 200407060064)

Application: Development Plan Revision
Location: Harrisburg Pike
Applicant: **Homewood Corporation**
Zoning: PUD-R
Current Use: Residential

Relevant Code Section(s):

- 1135.14 Zoning Districts and Regulations – Planned Unit Development District
- CR-44-03 Resolution to Approve the Development Plan for Holton Run Subdivision Located East of Broadway
- CR-61-04 Resolution to Approve the Revision to the Development Plan for Holton Run Located East of Broadway and North of Orders Road
- CR-59-08 Resolution to Amend CR-61-04, A Resolution to Approve the Revision to the Development Plan for Holton Run Located East of Broadway and North of Orders Road

Project Summary:

In 2003, as part of the originally approved Development Plan the developer of Holton Run was required to install a left turn lane on US 62 (Harrisburg Pike) to facilitate east bound traffic into the subdivision. This requirement appeared as stipulation #4 on Council's approval legislation, CR-44-03, see below.

Stipulation #4: *Full details and ODOT's approval of turn lanes at RT 62 to be provided.*

In 2004, the applicant requested an amendment to the originally approved Development Plan for the Holton Run subdivision. As a part of this amendment process Planning Commission revisited the turn lane issue and recommended to Council that the developer be required to construct the left turn lane prior to the issuance of permits for Section 8 of Hoover Park. Essentially, with Council's approval, a stipulation placed on the adjacent subdivision of Hoover Park (north of Holton Run), also being developed by Homewood Corporation. This stipulation appeared as stipulation #1 on Council's approval legislation, CR-61-04, see below.

Stipulation #1: *A left turn lane shall be constructed on Harrisburg Pike/Route 62 prior to the issuance of occupancy permits for Section 8 of Hoover Park.*

However please note that due to “circumstances outside the control of the developer”, the turn lane had not been completed.

In 2008, the applicant requested for a second amendment to City Council concerning the construction of this turn lane. With Council approval of CR-59-08, CR-61-04 was amended “to permit the City to issue occupancy permits for Section 8 of Hoover Park prior to the completion of the turn lane provided that a bond is posted with the City in amount necessary to cover the costs of construction of said turn lane.” This amendment was approved with the additional requirement that “the turn lane must be constructed on or before September 1, 2009.”

Today, the applicant is requesting a third amendment to address the turn lane issue. In accordance with CR-61-04, Homewood provided the required surety (an irrevocable letter of credit). However this surety has expired (likely due to the language contained on the surety document and the September 1, 2009 deadline). Therefore as it exists today, the turn lane has been designed (90% complete) but not constructed and remains in ODOT’s right-of-way.

With approval of this proposed amendment the applicant will be permitted to remove the September 1, 2009 deadline and provide another surety in the form of a bond or irrevocable letter of credit to ensure the improvements are constructed.

Recommendation(s):

After review and consideration, the Development Department recommends Planning Commission makes a recommendation of approval with the following stipulations.

1. The developer prepare a cost estimate for the proposed public improvements in accordance with the City’s approved Fee Recovery Policy and submit the stamped engineer’s estimate to the Development Department for review and acceptance prior to final Council action.
2. The developer shall provide a surety in the form of a performance bond or letter of credit in the amount equal to the approved cost estimate prior to City Council approval.
3. The developer shall deposit the appropriate funds in accordance with the City’s approved Fee Recovery Policy to offset the cost of engineering inspection for the proposed improvement to City Council approval.

Note: In accordance with Grove City’s Development Standards, once the improvements are constructed and accepted the applicant will be required to provide a One Year Maintenance Bond (equal to 10% of the estimated cost of the public improvements).