Meeting Agenda bigdarbyaccord.com

Big Darby Accord Advisory Panel

July 9, 2019 1:30pm Franklin County Courthouse Meeting Room #1, 1st floor, Judicial Services Building 369 South High Street Columbus, Ohio 43215

- 1. Roll Call
- 2. Introduction of Staff
- 3. Approval of minutes from June 11, 2019
- 4. Old Business:

Panel Recommendations

Continued discussion of panel recommendation language development.

5. New Business:

Heritage Estate (Case AP-19-02)

Review regarding a Brown Township application requesting approval for a preliminary subdivision plan at 3855 Alton and Darby Creek Road.

Applicant:	CS Properties
Location:	Brown Township
Address:	3855 Alton and Darby Creek Road (PID # 120-000201, 120-000827)
Acreage:	25.200 +/- acres (gross)
Zoning:	Rural District
Utilities:	Private water and sewer
Request:	Review and approval of subdivision site plan

Panel Secretary Status

Discussion of a City of Columbus proposal to amend the administration of the Panel, to allow the jurisdiction that is accepting a case write its own record of action following a vote by the Panel.

6. Adjourn to August 13, 2019

Minutes

MINUTES OF THE BIG DARBY ACCORD ADVISORY PANEL

Tuesday, June 11, 2019

The Big Darby Accord Advisory Panel convened in the Franklin County Courthouse, 1st floor, Meeting Room #1, Columbus, Ohio 43215 on Tuesday, June 11, 2019.

Present were: John Bryner Sheree Gossett-Johnson Steve Gordon Ashley Hoye Margaret Malone Anthony Sasson John Tetzloff

Franklin County Economic Development and Planning Department members: Matt Brown, Planning Administrator

City of Columbus Department of Development members: Marc Rostan, Senior Planner

Mr. Hoye opened the meeting at 1:30pm. Mr. Rostan called the roll.

Dr. Gordon motioned to approve the minutes of the May 14, 2019 meeting. Ms. Gossett-Johnson seconded. The motion carried by a vote of six-to-zero.

Mr. Rostan presented a revised application of case AP-19-01, 5960 W. Broad Street. Changes to the application were highlighted, including a reduction in single family units from 96 to 94, a reduction in preserved open space from 11 to 10.6 acres, the addition of 50 foot buffers around wetlands, an increase in stormwater retention basins from four to five, the addition of shading along streams and perimeters of retention basins, and a calculated groundwater recharge rate that is projected to be 7 percent lower post-development. He explained staff's recommendation of approval with the condition the applicant pursue off-site open space land allocation, based on changes to the application that responded to panel and city feedback but also addressing the need to mitigate a lower groundwater recharge rate.

Mr. Jeff Brown, Mr. Bernie Pippin, Mr. Tom Warner, and Mr. David Storck, representing the applicants, presented more information on the revised application. Mr. Pippin highlighted changes to the site

Minutes

design, such as re-orientation of some single family lots and the addition of native plantings and internal walking trails. Mr. Warner addressed the groundwater recharge issue, saying the site would need to set aside about 12.5 acres to meet requirements for mitigation. The applicant has been in contact with the Ohio EPA and Metro Parks, and said Metro Parks has land available within the Hellbranch Ditch HUC for mitigation.

Mr. Tetzloff asked about the stormwater depression just north of the site that flows into the northwest corner. Mr. Storck said what is there is not built per plan, but is likely active to some degree. The applicant's intent is to redirect the water.

Mr. Tetzloff said it would be nice if some of the water coming from the north could infiltrate in the woods. Mr. Warner said that is effectively what is happening now, and the presence of trenches is to direct overland flow that does not infiltrate and offer some water quality principles.

Mr. Sasson stated he did not really support using the natural area as storm water management.

Ms. Gossett-Johnson asked for more information on who's been talked to and what will be addressed in mitigation. Mr. Warner said the applicant has spoken to Ms. Marshall Cooper at the Ohio EPA and John Watts at Metro Parks about next steps. Mr. Storck said there are areas in Prairie Oaks Metro Park set aside for land back transfers. Details are still being finalized, but Mr. Warner said based on discussions with the Ohio EPA there was agreement that it was a good opportunity to pursue mitigation efforts.

Ms. Malone asked if improvements would be made to the land, if it's already in a park. Mr. Warner said there's a dollar value attached to the mitigation on land that was formerly farmed. The row crop condition will be converted to meadow grass, which is meant to help promote groundwater recharge.

Ms. Gossett-Johnson asked when negotiations with Metro Parks would be finished, and if the panel would be able to see final plans. Mr. Warner said the applicant cannot secure the NPDES permit without it anyway, but could follow up once finished. Mr. Rostan added the City would need to know the final status as well, as part of the applicant going through a rezoning.

Mr. Tetzloff asked about the density, as the infiltration calculation counts as 4 units per acre when the total density is 6.8 units per acre. Mr. Warner clarified the density applies to units in the area that would flow into the Big Darby Watershed, which does not include the multifamily subarea.

Mr. Sasson asked about the preservation of oak trees in the northwest quadrant, and if they would be removed. Mr. Warner said the applicant would look into the situation. Mr. Rostan said the City Department of Recreation and Parks did not mention the trees when presented with the application in May.

Dr. Gordon motioned for the panel to approve the application with the staff recommendation. Mr. Bryner seconded. The motion carried by a vote of six-to-one.

Mr. Hoye asked if there was any new business.

Mr. Tetzloff said he had met with Columbus Councilmember Elizabeth Brown's office yesterday (6/10/19) regarding conservation open space as follow-up from the Sugar Farms case in December 2018. The Accord Panel adopted a definition of conservation open space in January 2018, and Mr. Rostan is to follow up with this definition to the office.

Dr. Gordon asked for an update on ideas for developing recommendations around topics that are illdefined in the plan, noting he only received notes from Mr. Sasson. He asked to send topics to him and he will compile for future guidelines to suggest.

Mitigation was discussed as a potential topic for recommendation, in light of the application presented earlier. Mr. Matt Brown suggested it may make sense for a panel member to understand requirements for the Ohio EPA's stormwater permit, as a baseline. Mr. Tetzloff asked if a cash contribution to satisfy mitigation and a permit would be a more desirable outcome. Dr. Gordon said while a good idea in principle, it may sound similar to a transfer of development rights, which is not legal in Ohio.

Ms. Heather Doherty, of the Ohio Department of Natural Resources, suggested setting up an in-lieu fee program to allow money to be collected from different sites for land purchases, but was not sure what authority was needed to establish that.

Mr. Sasson detailed some of the documents for recommendations he sent to the panel. Mr. Tetzloff asked what the process is to move forward on topics, and if putting items on the agenda as they're added is sufficient. Mr. Matt Brown recommended that course of action, with possibly a person passionate about a particular topic writing summary language.

Mr. Matt Brown asked if the panel wanted to discuss proposed changes to the Scenic Rivers program in the Governor's biennial budget proposal. The Darby Scenic Rivers advisory council mentioned it as a possible topic of discussion for the panel, to encourage member jurisdictions to express support for the proposal. Mr. Tetzloff motioned that the panel recommend to participating jurisdictions they make an expression of support the Governor's proposal for the Scenic Rivers program. Dr. Gordon seconded. The resolution passed by voice vote.

There being no business to come before the Big Darby Accord Advisory Panel, the hearing was adjourned at 3:01 p.m.

Big Darby Accord Advisory Panel

Development Review Checklist To be completed by Agency Staff Revised 10/1/08

Section A: General Information

Parcel IDs(s) 120-000201 & 120-000827
Total Acreage: Gross 25.2 acres
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Columbus

Grove City

Harrisburg

Hilliard

Jurisdiction

Brown Township
Norwich Township
Pleasant Township
Prairie Township
Washington Township

Agency Staff Information – Primary Conta		
Name		
Brad Fisher		
Jurisdiction / Agency Name		
Franklin County – Franklin County EDP		
Address		
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FSL Suite 10		
Columbus, OH 43215		
0010111003, 011 402 10		
Phone #	Fax #	
614-525-4684	614-525-7155	
Email		
bxfisher@franklincountyohio.gov		

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	Harrisburg		Harrisb	purg
	Hilliard		Hilliard	
	Prairie Township			

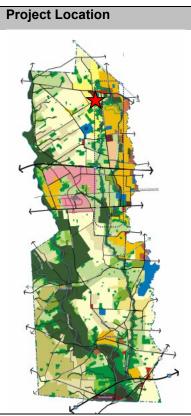
Tracking Information

Accord Panel Case # AP-19-02

Jurisdiction Case #

705-PP

Meeting Dates			
Review Body	Date		
Staff Review:	6/13/2019		
Accord Panel:	7/09/2019		
Jurisdiction Commission	7/10/2019 – PC		



Section B: Background

Project Description

The subject property is located on the west side of Alton Darby Creek Road, just south of Davis Road in Brown Township. The total lot size is 25.2-acres and includes two (2) existing lots. One of which is developed with a single-family home, the other is an active agricultural lot. The single-family home will be included in the proposed subdivision.

The request is to develop a six (6) lot single-family subdivision. The subdivision will include a new public road that extends off of Alton Darby Creek Road that will be located within 60 feet of right-of-way, one (1) reserve and the homes will be served by private water and wastewater. Proposed lot sizes range from 2.778-5.127-acres in size. All Rural zoning development standards have been met.

	Background Information
Lot history	·
Residential Lot	Developed with a single-family home and accessory building in 1900.
Ag Lot	Historically used as agricultural and includes an accessory building that was built in 1990.

Section C: Assessment and Evaluation

Conservation Assessment

The site contains no tiered land or wooded areas. A 12 foot wide easement will be provided to allow a future trail connection to the Heritage Preserve subdivision and trail system to the west.

Streams and Wetlands Assessment

No wetlands have been identified on the site per the National Wetland Inventory Map. Hamilton Run extends through lot 1, the proposed roadway and Reserve "A". A riparian setback associated with the stream extends 100 feet on either side of the stream and is identified on the plat.

Stormwater Best Management Practices Assessment

The site will use detention swales that include an underdrain overflow feature on both sides off the proposed street. An existing 12 inch drainage tile will be improved. An existing 36 inch stormwater pipe and drainage tile will be connected to a proposed strormwater structure on the north side of the road, south of Reserve "A". All stormwater infrastructure will comply with the Franklin County Stormwater Drainage Manual.

Alternative Wastewater Systems Assessment

Private wastewater systems were approved by the Franklin County Public Health Department on June 24, 2019

Revenue Assessment

The applicant indicated that they do not plan on participating in the Big Darby Revenue Program. No additional information was provided.

In 2009 Franklin County authorized a revenue program identifying tools for revenue generation and the allowable uses of revenue. The revenue program calls for a \$2,500 developer contribution per residential unit constructed. This would be due at the time of applying for a building permit.

Resolution 0271-09 – Big Darby Accord Revenue Agreement

Section D: Overall Assessment and Staff Analysis

Overall Assessment

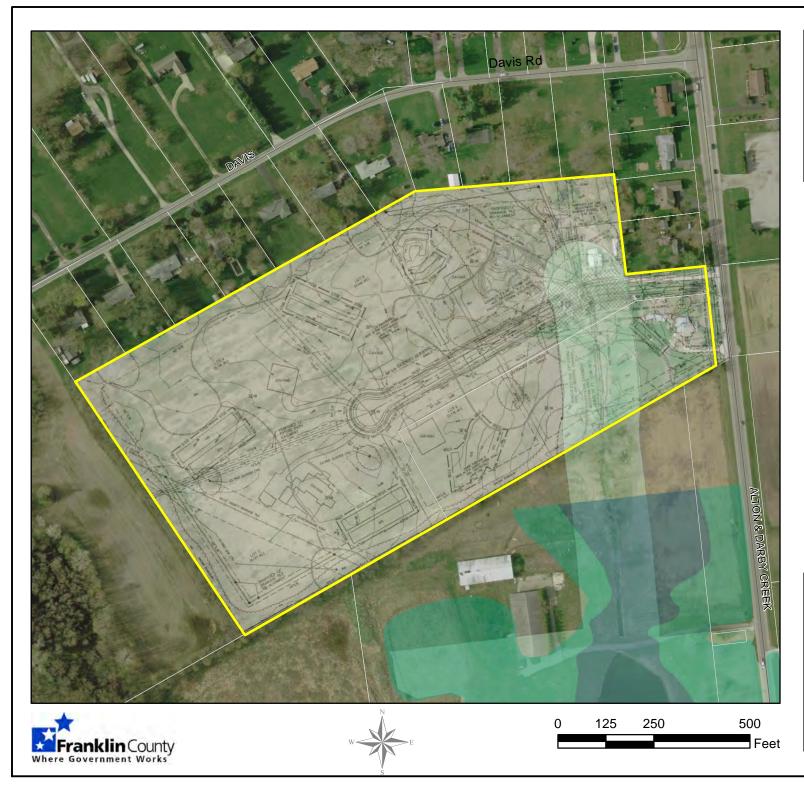
The Big Darby Accord Watershed Master Plan, adopted in 2006, includes two maps to guide development: a Proposed General Land Use Map and a Conservation Strategy Map. The Proposed General Land Use Map recommends the area for Conservation Development with 50 percent open space based on existing Rural zoning density. The Conservation Strategy Map shows the site as outside of tiered areas.

The proposal does not provide 50 percent dedicated openspace, however, the applicant is developing in accordance with their by-right Rural zoning.

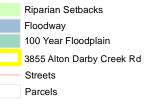
The area to the west of the site in the City of Hilliard has already been rezoned for a much higher net density than what has been proposed for this site.

Staff Analysis					
Requirement	Yes	No	NA	Analysis	
Existing conditions site map is complete				Site map submitted.	
Conceptual site plan is complete				Development Plan submitted.	
Site data table is complete and accurately calculated				Site data table is identified on Sheet 1.	
Assessments	Pass	Fail	Explanation - Items incomplete, steps required to correct, etc.		
Conservation assessment			The	The site contains no tiered land or wooded areas.	
Streams and wetlands assessment			1 stream, only development proposed within the stream area is a permitted street and stormwater detention swales.		
Stormwater management assessment			Need to be determined by the FCDE.		
Alternative wastewater assessment			Septic systems for all 6 lots approved by Public Health.		
Revenue assessment		The applicant will be required to participate in the Big Darby Revenue Program.			
Staff analysis overall assessment	rall assessment		perce	proposal does not comply with the Plan's recommended 50 ent dedicated openspace, however, the proposal complies the site's by-right zoning.	

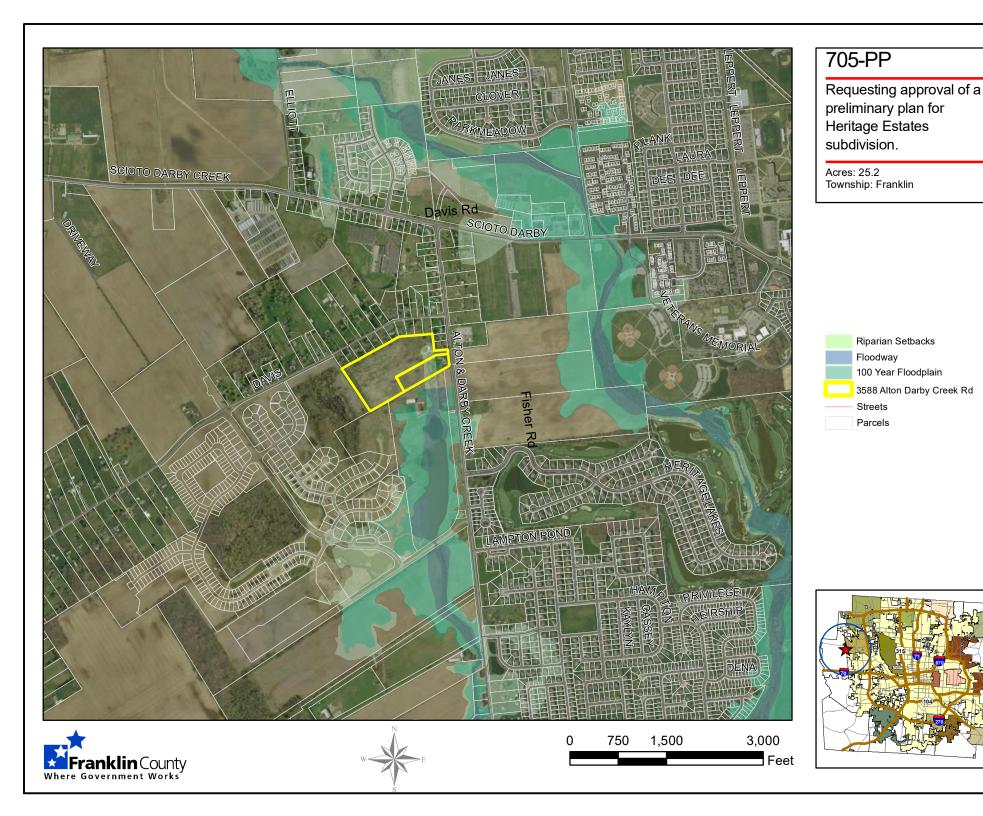
Staff	Recommendation
Staff re	commends:
	✓Approval
	☑with conditions (see below)
Reaso	ns / Conditions:
1. 2. 3. 4. 5.	The applicant will be required to participate in the Big Darby Revenue Program. The applicant will be required to meet all Ohio EPA Standards as stated in the Big Darby Creek Watershed Construction Permit. The applicant will be required to place the stormwater infrastructure (detention swales) under the Ditch Petition Process for future maintenance. A maintenance easement must be dedicated to the Franklin County Engineer's Office over Hamilton Ditch measuring 25 feet from the top of bank on each side. The existing/proposed drainage tile must be held within an easement. There needs to be a "no tree zone" identified on the Development Plan and Plat that measures 80 feet wide over the drainage tile and pipes.
Brad	cklist prepared by: <u>I Fisher</u> <u>Planner</u> <u>7/03/2019</u> cy Staff Member Title Date



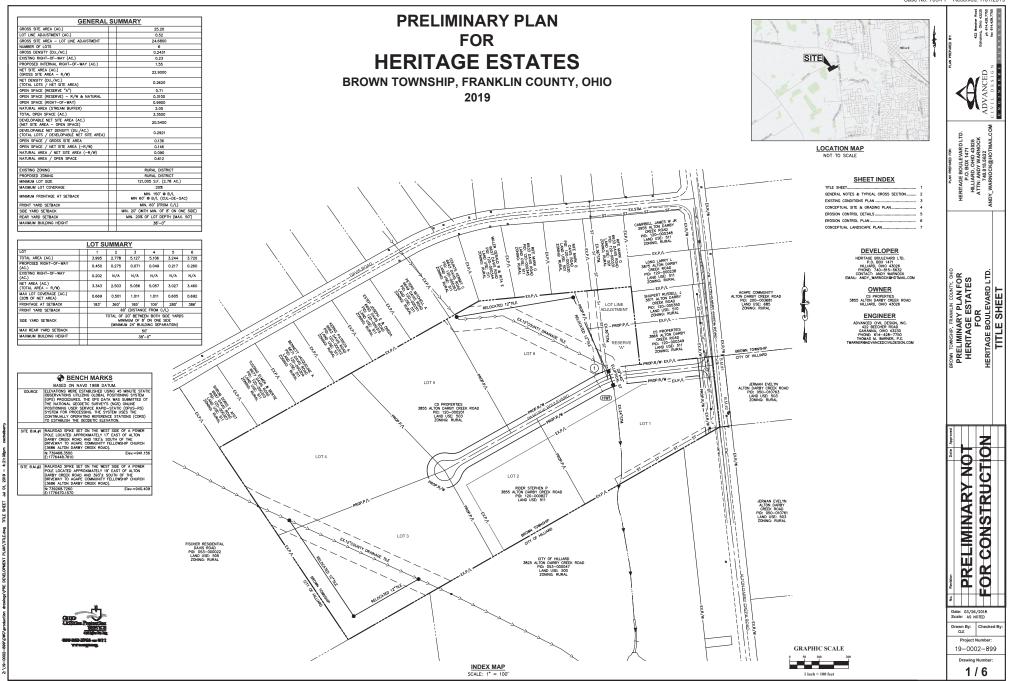
705-PP Requesting approval of a preliminary plan for Heritage Estates subdivision. Acres: 25.2 Township: Franklin







Case No: 705-PP Received: 7/01/2019



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GENERAL NOTES

THE REQUIREMENTS OF O.D.O.T. (2016) C.& M. SPECIFICATIONS & FRANKLIN COUNTY, INCLUDING ALL SUPPLEMENTS THERETO IN FORCE ON DATE OF CONTRACT SHALL GOVERN ALL MATERIALS AND INFORMANSIP MOVIDED IN THE INFORVEMENTS SHOWN ON THESE FLANS EXCEPT AS SUCH SPECIFICATIONS ARE MODIFED BY THE FOLLOWING SPECIFICATIONS OR BY THE CONSTRUCTION DETAILS SET FORTH HERES

ALL PERTINENT STANDARD CONSTRUCTION DRAWINGS ARE AVAILABLE UPON REQUEST AT THE OFFICE OF ODDT & AQUA OHIO. (FOR WATERMAIN CONSTRUCTION)

THE CONTRACTOR AND SUBCONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR ALL FEDERAL, STATE AND LOCAL SAFETY RECOMPLEXENTS TOOCTHERE WITH EXERCISING PRECAUTIONS AT ALL TIMES FOR THE PROTECTION OF PRESONS (INCLUDING ENLOYCESS) AND ROPERTY. IT IS AND THE SOLE RESPONSIBILITY OF THE CONTRACTOR AND SUBCONTRACTOR TO INTIATE MAINTAN AND SUPERVISE ALL SAFETY RECOMPLEXITS, PRECAUTIONS AND PROGRAMS IN COMPLEXION WITH THIS WORK.

ALL ITEMS OF WORK CALLED FOR ON THE PLANS FOR WHICH NO SPECIFIC METHOD OF PAYMENT IS PROVIDED SHALL BE PERFORMED BY THE CONTRACTOR AND THE COST OF SAME SHALL BE INCLUDED IN THE PRICE FOR THE VARIOUS RELATED ITEMS.

ALL FIELD TILE BROKEN DURING EXCAVATION SHALL BE REPLACED TO ITS ORIGINAL CONDITION OR CONNECTED TO THE STORM SEWER SYSTEM AS DIRECTED BY THE ENGINEER.

THE CONTRACTOR SHALL DISPOSE OF ALL SURPLUS STREET EXCAVATION ON THE PROJECT SITE WHERE AND AS DIRECTED BY THE OWNER.

IN THE EVENT EXCAVATION FOR THE STREET IS FROM O" TO 6" BELOW THAT CALLED FOR ON THE PLANS THE CONTRACTOR SHALL REPLACE THIS EXCESS EXCAVATED MATERIAL WITH COMPACTED 304 AGGREGATE AS DIRECTED AND AT NO EVTRA COST TO THE OWNER.

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FRANKLIN COUNTY ENGINEER'S MONUMENTATION - THE CONTRACTOR SHALL CONTACT THE FRANKLIN COUNTY ENGINEER'S OFFICE, SURVEY DEPARTMENT AT (614-525-2469) TWO WORKING DAYS BEFORE DISTURBING ANY FRANKLIN COUNTY GEODETIC MONUMENTS (VERTICAL AND/OR HORIZONTAL) FOR REFERENCE AND REPLACEMENT.

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UTILITY TRENCH BACKFILL REQUIREMENTS

BACKFILL OF UTILITY TRENCHES SHALL CONFORM TO THE FOLLOWING SPECIFICATIONS:

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LANDSCAPE AREAS - UTILITY TRENCHES WITHIN AREAS DESIGNATED AS PERMANENT OPEN SPACE SHALL BE BACKFILLED AND COMPACTED TO A DRY UNIT WEIGHT OF NO LESS THAN 95% OF THE MAXIMUM DRY UNIT WEIGHT XS DETERMINED BY ASTA DOBB.

AS-BUILT RECORD INFORMATION REQUIREMENT

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PROHIBITED CONSTRUCTION ACTIVITIES

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GENERAL NOTES CONT'D

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THE CONTRACTOR SHALL OBTAIN AN OEPA PERMIT AND NOI AS PER NPDES REQUIREMENTS INCLUDING ANY OFFSITE DUMPING OR BORROW AREAS. IT IS THE CONTRACTOR'S RESPONSIBILITY TO NOTEY HIS SUBCONTRACTORS OF THE CORE REQUIREMENTS. FURNISH COMES OF THE DOLUMENTS TO FCEO 7. ALL MANHOLE STRUCTURES ARE TO BE INSPECTED AND APPROVED BY FRANKLIN COUNTY

∆=89'33'17" R=35.00' ArcL=54.71' ChB=N38'55'24"E ChD=49.30'

∆=89'01'10" R=35.00' ArcL=54.38' ChB=N51'47'22"W ChD=49.07'

HERITAGE BOULEVARD

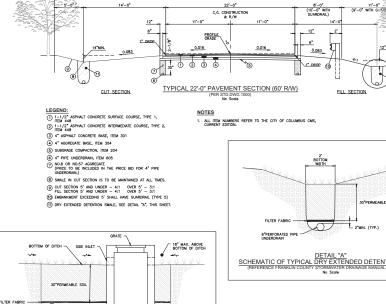
RBY

CREEK ROAD

50

HERITAGE BOULEVARD CUL-DE-SAC DETAIL

Sealer 1" - 20



0 0

60'-0"



R/W



30"PERMEABLE SOIL



12" MN.

6

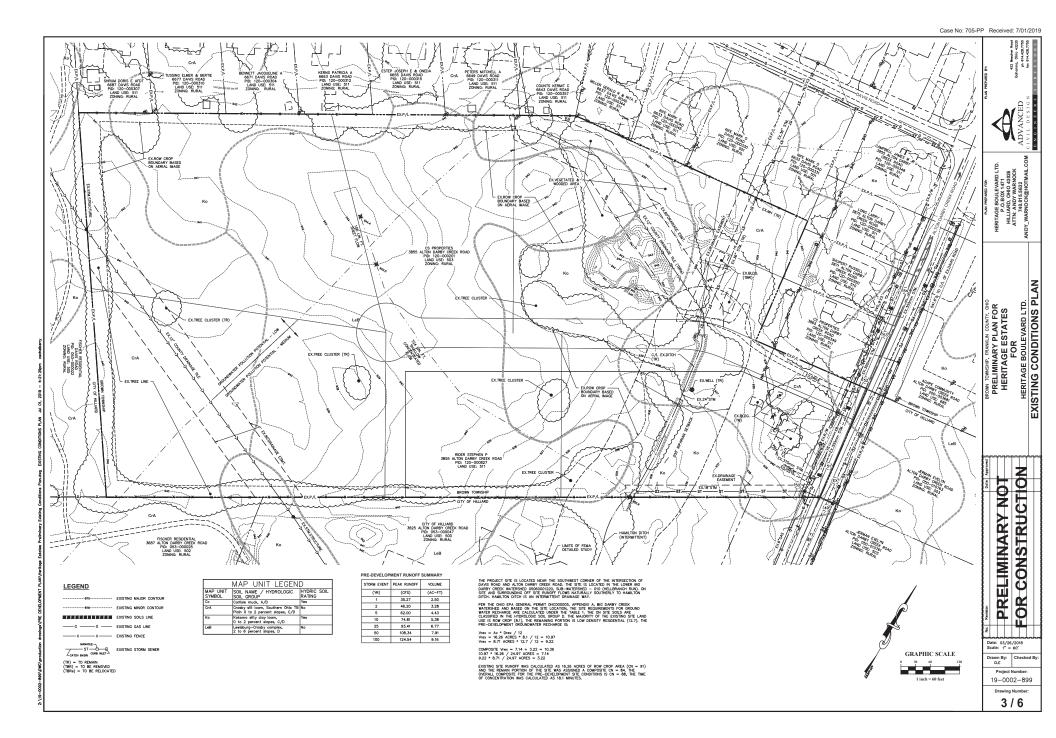
(SEE LAND PLAN FOR ADDITIONAL

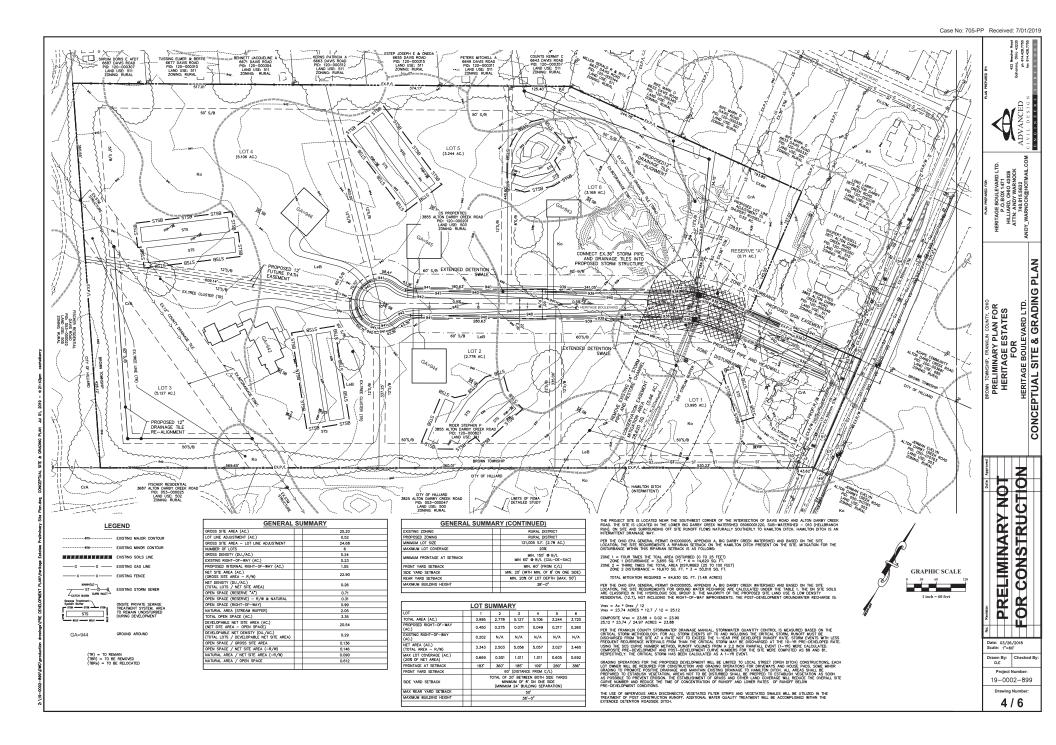
SEE DETAIL "A" BELOW

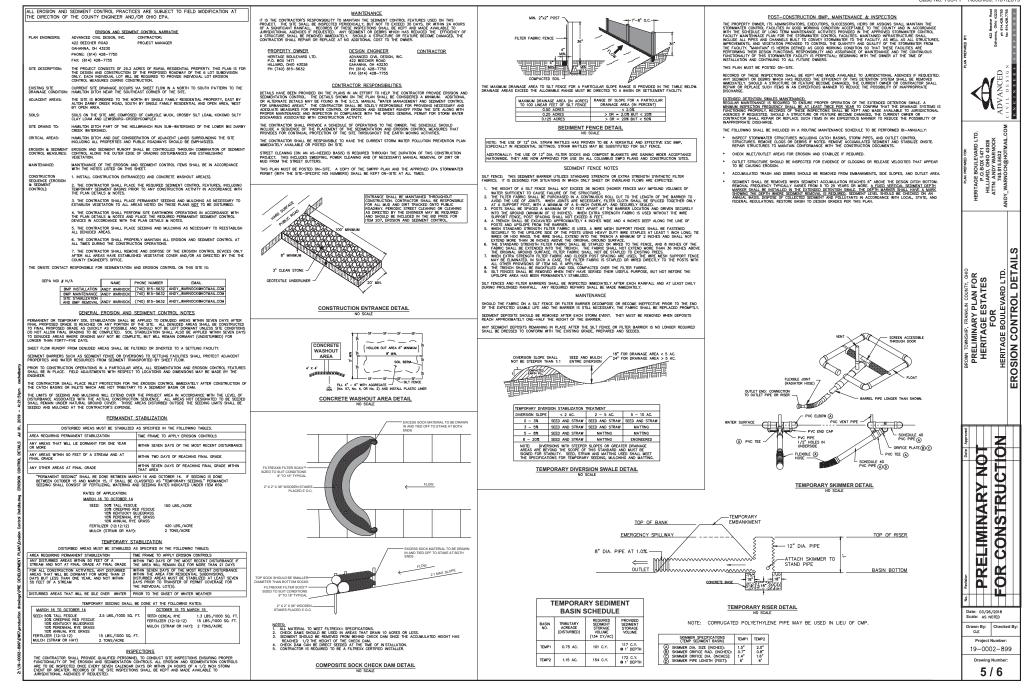


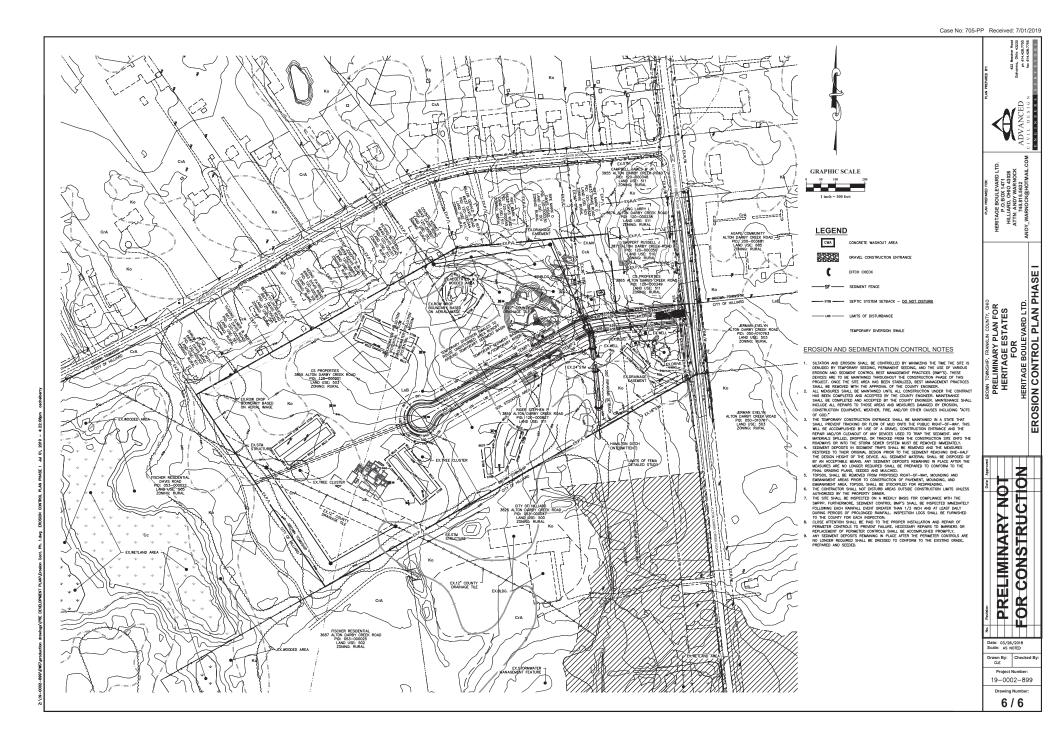
LOT 5 HERIT ∆=39'31'04" R=70.00' ArcL=48.28' ChB=N80'20'10"E ChD=47.33' 66.81 =39'31'04" R=70.00' ArcL=48.28' ChB=S40'49'(ChD=47.33' A=2", \$',2'07" R=.", \$',0' ArcL-158.24' ChB=S29'25'22"E ChD=54.00' LOT 2 LOT 3















DEPARTMENT OF DEVELOPMENT

Date: July 2, 2019

- **To:** Big Darby Accord Advisory Panel members and support staff
- **CC:** Mark Dravillas, Acting Planning Administrator Christopher Lohr, Planning Manager
- From: Marc Rostan, Senior Planner
- **Re:** Big Darby Accord Advisory Panel Secretary role

Since 2014, the City of Columbus staff planner for the Big Darby Accord Advisory Panel (BDAAP) has served as Secretary of the Panel, holding responsibility for maintaining all records of proceedings. City of Columbus staff have served in this role as a designee of Franklin County staff, as allowed for by the BDAAP bylaws.

The City of Columbus is suggesting changes to the Secretary role that would more evenly distribute the administrative duties of the Panel among its member jurisdictions, based upon caseload. The proposed changes to this role include:

- Authorizing member jurisdictions receiving an application to write their respective Records of Action and meeting minutes.
 - In the event Columbus and another jurisdiction present cases at the same meeting, Columbus will produce meeting minutes. Each jurisdiction would write a Record of Action of their respective case(s).
 - In the event two or more non-Columbus jurisdictions present cases at the same meeting, one jurisdiction will write meeting minutes according to their respective staff capacities at that time. Each jurisdiction would write a Record of Action of their respective case(s).

To check validity, it is also proposed that participating jurisdictions are copied on finalized Records of Action. The City of Columbus will continue to issue quorum calls and post agendas for future panel meetings to the City of Columbus website. Franklin County will continue to post materials to the Big Darby Accord website (https://bigdarbyaccord.org/).

It is the opinion of staff that this proposal is consistent with section C(7) of the Big Darby Accord Advisory Panel bylaws, which currently state:

The Franklin County staff or its designee shall serve as Secretary of the Panel. The Secretary shall be responsible for maintaining a record of proceedings. (2/10/09)