

**STAFF REPORT**

**CASE:** ZC08-2017

**APPLICANT:** Guttman Development Group

**LOCATION:** 4990 Wilmington Pike

**ZONED:** B-2PUD (Business-Planned Unit Development District)

**REQUEST:** A Major Change to an Approved Preliminary Development Plan for proposed Senior/Assisted Living Facility

**DATE:** December 5, 2017

**DESCRIPTION OF REQUEST**

**Existing Zoning District:** The subject site is the part of the existing Rollandia Golf Center (not including the Magic Castle entertainment center area or the area zoned PUD R and proposed for a multi-family development). The subject site was rezoned from A-1 (Agricultural) to B-PUD (Business-Planned Unit Development) District on October 17, 2016.

**Applicant Proposal:** The applicant is requesting approval of a Major Change to an Approved Preliminary Development Plan for the PUD B-2 District approved for the Rollandia property containing 9.77 acres. The approved plan called for the construction of a proposed senior/assisted living facility containing 123 independent living units, 57 assisted living units and 20 memory care units with the flexibility to add up to 20 additional units with the approved building footprint. The applicant has refined the proposed building and the site layout has been modified as a result. 121 independent living units, 83 assisted living units and 16 memory care units are proposed (for a total of 220 units). The applicant is proposing a reduction from four stories to three stories at the building's northwest corner and is proposing a revised layout of the one-story memory care portion. Parking has been modified in the northwest corner in response to changes to the building there, as well as along the drive in front of the building (parking is proposed along the entire frontage of Public Road A, where there was a gap before in front of the building).

**Property Location:** The subject parcel is located on the north side of Brown Road approximately 700' east of Wilmington Pike.

**Existing Land Use:**

The subject property is part of a parcel that is currently home to a family entertainment center, a golf course, a driving range and a maintenance building (located at the northeast corner of the property with frontage on Belfast Drive). The subject parcel is bordered on the north (Madison's Grant in the City of Kettering) and east (Brown's Run in Sugarcreek Township) by single-family homes on lots ranging from 8,000 to 12,000 SF.

The parcel adjacent to the northeast corner of subject parcel (also in the City of Kettering) is undeveloped and farmed. Southeast of the subject parcel is the Quail Run Racquet Club. Land located to the west of the subject parcel (Rolandia Acres in the City of Kettering) is developed single-family residential. Land located to the south of the subject parcel (Cornerstone in the City of Centerville) is planned for commercial and some residential development. The proposed senior/assisted living site will sit on 9.773 acres, rezoned to B-PUD in 2016, and is completely surrounded by the proposed multi-family development rezoned to PUD-R in 2016.

### **Zoning of Adjacent Parcels:**

Madison's Grant to the north in the City of Kettering is zoned R-2 (medium density residential). Rolandia Acres to the west in the City of Kettering is also zoned residential. Cornerstone to the south in the City of Centerville is zoned B-PD (Business Planned Development) for much of its mutual frontage with the subject parcel and R-PD (Residential Planned Development) at the eastern end. Quail Run to the east is located in the A-1 (Agricultural) District. Brown's Run to the east is located in the R-1B (Suburban Residential-Moderate) District.

### **Subject Parcel:**



### **History of Previous Action:**

On October 17, 2016 a map amendment was approved for the 42.2 acres comprising the Rollandia Golf Center (excluding the family entertainment center known as the "Magic Castle"). 32.5 acres were rezoned from A-1 (Agricultural) District to PUD-R (Residential Planned Unit Development) District and 9.8 acres were rezoned from A-1 (Agricultural) District to B-PUD (Business Planned Unit Development) District. Also approved was the preliminary plan for a proposed multi-family development and a

proposed senior/assisted living site (with no specific identified plan), subject to the following conditions:

1. Final design shall be subject to approval of the Greene County Engineer's Office.
2. Final design shall be subject to approval of the Greene County Department of Sanitary Engineering.
3. The development shall comply with the recommendations of the Soil and Water Conservation District.
4. Final design shall be subject to approval of Sugarcreek Township Fire Department.
5. A revised Preliminary Development Plan shall be submitted for the senior/assisted living site once a user has been identified and a plan developed.
6. The percentage of stone utilized will be evaluated by the developer and approved during the Final Development Plan stage.
7. Prior to approval of the Final Development Plan, the applicant and Sugarcreek Township shall enter into a predevelopment agreement outlining the developer's responsibilities and Sugarcreek Township's responsibilities with respect to improvements deemed necessary to Brown Road by the Greene County Engineer.
8. Only fixtures certified by the International Dark Sky Association as dark sky friendly or equivalent shall be utilized for lighting proposed within the development. Fixture details shall be included with the submission of the photometric plan at the time the Final Development Plan is submitted for approval.
9. The landscaping plan submitted for approval with the Final Development Plan shall be consistent with the requirements of Article 10 and should emphasize screening of the adjacent developed residential uses to the north, east and west. Particular attention should be paid to the northern end of the parking courts for Buildings 14, 16 and 17.
10. Approval of the design of that gate at the emergency access entrance with Belfast will occur at the Final Development Plan stage.
11. The applicant must meet all applicable requirements of Section 7.07 of the Sugarcreek Township Zoning Resolution dealing with private streets.
12. Minimum floor area for single-family dwellings (should the alternate single-family plan move forward) shall be 1,800 SF.
13. The use of vinyl siding is approved subject to review of thickness and architectural details.
14. The multi-tenant ground mounted monument sign proposed at the corner of Wilmington Pike and Brown Road is approved at a height of 14' (12' sign with 2' base) per the submitted sign plan.

15. The multi-tenant ground mounted monument sign proposed at the development entrance is approved at a height of 10' (8' sign with 2' base) per the submitted sign plan.
16. The senior/assisted living site is approved without limitation on the number of beds; the number of beds within the senior/assisted living site will be reviewed and approved during the revised Preliminary Development Plan stage.
17. The south side of Public Road A (currently identified for 5 twin family sites or 8 single family sites) may be used for senior/assisted living dependent upon final approved layout for the senior/assisted living site.

On August 16, 2017, the Preliminary Plan for the senior/assisted living site was approved by the Sugarcreek Township Board of Trustees subject to the following conditions:

1. Final design shall be subject to approval of the Greene County Engineer's Office.
2. Final design shall be subject to approval of the Greene County Department of Sanitary Engineering.
3. The development shall comply with the recommendations of the Soil and Water Conservation District.
4. Final design shall be subject to approval of Sugarcreek Township Fire Department.
5. Detailed elevations will be presented and reviewed during the Final Development Plan stage. The maximization of natural materials is required. Vinyl siding shall not be permitted as a building material within the senior/assisted living site. Section 7.05 of the Sugarcreek Township Zoning Resolution, Architectural Design Standards, will apply to the senior/assisted living site.
6. Prior to approval of the Final Development Plan, the applicant and Sugarcreek Township shall enter into a predevelopment agreement outlining the developer's responsibilities and Sugarcreek Township's responsibilities with respect to improvements deemed necessary to Brown Road by the Greene County Engineer.
7. Only fixtures certified by the International Dark Sky Association as dark sky friendly shall be utilized for lighting proposed within the development. Fixture details shall be included with the submission of the photometric plan at the time the Final Development Plan is submitted for approval.
8. The landscaping plan submitted for approval with the Final Development Plan shall be consistent with the requirements of Article 10 (modifications to buffer yards required will be noted).
9. Approval of the design of gates, garages and dumpster screening will occur at the Final Development Plan stage.
10. The applicant must meet all applicable requirements of Section 7.07 of the Sugarcreek Township Zoning Resolution dealing with private streets.

11. Signage will be unified throughout the development (including signage associated with the proposed adjacent multi-family site) with details to be approved at the Final Development Plan stage.
12. A 6' pedestrian walkway will be required on the west and south sides of Public Road A. A 4' sidewalk will be required on the opposite side of Public Road A.
13. The approved Preliminary Development Plan, including all conditions of approval, for the adjacent multi-family development stands with the exception of the conditions regarding approved signage, the number of beds approved within the senior/assisted living site (limited to what is now being proposed), the ability to vary the boundaries of the senior/assisted living portion of the plan and the need to file a revised Preliminary Development Plan for the senior/assisted living section.
14. Approval is for 123 independent living units, 57 assisted living units and 20 memory care units with the flexibility to add up to 20 additional units within the approved building footprint.

On October 3, 2017 the Zoning Commission considered a request for approval of a revised Preliminary Development Plan for the multi-family portion of the plan and recommended approval to the Township Trustees. Subsequent to the Zoning Commission's recommendation and prior to consideration by the Township Trustees, the applicant withdrew the request, anticipating additional plan changes as outlined on this submitted plan.

#### **Applicable Articles and Findings of Fact:**

#### **Section 5.05 Section of the Sugarcreek Township Zoning Resolution governs development within the PUD-B District.**

- **Section 5.05 A. notes that the applicant shall request a subtype classification of either PUD B-1 or PUD B-2 based on proposed uses.**
- **Section 5.05 B. 2. states that the permitted uses within the PUD B-2 District shall be the same as the B-2 District.**
  - The subtype B-2 based was approved based on the anticipated use as a senior/assisted living facility. Institutional housing is a permitted use in the B-2 District. Institutional housing is defined as, "Housing for the elderly or infirm in which three or more unrelated individuals may live on a short-term or long-term basis and where both food and care are provided for compensation. Institutional housing includes, but is not limited to elderly housing, nursing homes, assisted living facilities, and hospices. Institutional housing does not include hospitals, medical offices/clinics, or similar institutions devoted primarily to the diagnosis and treatment of the sick or injured." The applicant is proposing a senior/assisted living facility with 121 independent living units, 83

assisted living units and 16 memory care units (for a total of 220 units). The units would be served by centralized dining facilities with an a la carte menu of care/support services.

- **Section 5.05 C. 1. b. states that the building height standards in the B-2 District shall apply to the PUD B-2 District.**
  - The applicant is proposing varied building heights from one-story to four-stories for the proposed senior/assisted living development. Preliminary elevations have been received. The applicant understands that the maximum height permitted within the PUD B-2 District is 60’.
  
- **Section 5.5 C. 2. establishes a maximum lot coverage standard of 80% for the PUD-B Districts.**
  - The applicant is proposing lot coverage of 63.1% (down from the approved 70.8%). This number does not include any areas within the proposed courtyards, so any open areas within them would decrease the lot coverage as stated. **Staff has requested that lot coverage be recalculated, as lot coverage as currently calculated is based on intended property lines, versus existing zoning district lines. Staff would anticipate a small change to the percentage stated.**
  
- **Section 5.05 C. 3. establishes a 20% open space standard for PUD-B Districts, noting that required landscaping, buffering and non-improved areas may count toward this requirement.**
  - The applicant is proposing 36.9% as open space (up from the approved 29.2%). **Staff has requested that open space be recalculated, as open space as currently calculated is based on intended property lines, versus existing zoning district lines. Staff would anticipate a small change to the percentage stated.**
  
- **Section 5.05 C. 4. establishes that when a PUD-B District abuts a residential zoning district, the minimum rear yard setback and minimum side yard setback requirements of the residential district shall be the minimum rear yard setback and minimum side yard setback requirement, respectively, in the PUD-B along the property line that abuts the residential district.**
  
- **Section 5.05 C. 5. establishes a 50’ perimeter setback requirement. No structures or parking shall be permitted in this setback area. The perimeter setback is intended to be a landscaped buffer. When adjacent to an R-1A, R-1B, E or PUD-R District, the side and rear perimeter setback areas shall include buffering as required in Section 10.06 B. 2. and shall meet the buffer design standards of Section 10.06 C. The applicant may request, or the Zoning Commission may recommend and the Trustees may approve, modifications in the width**

**or use of the perimeter setback when unique conditions or interconnectivity warrant such modifications.**

- As background, staff notes that the approved preliminary plan for the adjacent multi-family development provided a 50' perimeter setback to the north and along the majority of the western property line (adjacent to developed residential uses) and a 40' perimeter setback between the lots in Brown's Run to the east and the proposed twin/single family lots (where no perimeter buffer was required). A reduced buffer between the adjacent developed commercial uses (Magic Castle and Quail Run) was provided (a minimum setback of 25' was approved adjacent to the existing Magic Castle improvements lot as was a 40' setback along the majority of the shared property line with Quail Run) in place of the required 50' perimeter setback. It was determined at the time of review and approval of that preliminary development plan that a larger setback from adjacent developed residential uses would be more meaningful than would a larger setback from the adjacent developed commercial uses. The importance of screening and buffering within the perimeter setback area was understood, as was the fact that this screening and buffering would be carefully reviewed during the final development plan stage.
- The approved Preliminary Development Plan for the senior/assisted living site showed a 15' minimum setback from the proposed garages to the shared property line with the multi-family development. With this new plan, that setback has been reduced 2' to 13'. Where the parking area was redesigned in the northwest corner of the subject site, a 0' setback is proposed to the zoning district boundary line. With the proposed townhome redesign, the setback area between the two uses is substantially larger than was originally proposed with the twin family home plan.
- Adjacent to Public Road A, the setback has been reduced from 25' (as approved) to 24' (as proposed).
- A reduction in the 50' required perimeter setback for the proposed senior/assisted living site was previously approved. It was determined that the perimeter setback required is intended as a perimeter setback provided to adjacent properties. As the proposed senior/assisted living site is really internal to the overall proposed development, this perimeter setback as applied warranted consideration for reduction. It was previously discussed that in this case we have the most intensive residential use type (multi-family) adjacent to a lesser intense commercial use type (senior/assisted living).
- A detailed landscaping and screening and buffering plan will be reviewed during the final development plan stage. Screening and buffering details were previously submitted for the senior/assisted living site to aid in review and evaluation of the reduction in perimeter setback proposed. The same treatment is proposed now

and will be reviewed and approved at the final development plan stage.

**5.10 A. establishes the approval criteria for a preliminary development plans as follows:**

- **The PUD application and preliminary development application are consistent with the recommendations of the Sugarcreek Township Long-Range Land Use Plan and the requirements of this Resolution.**
  - Section 7.05 of the Sugarcreek Township Zoning Resolution, Architectural Design Standards, will apply to the proposed development. Compliance will be reviewed during the final development plan stage once detailed building elevations are submitted.
  - A complete design of landscaping has yet to be developed. Landscaping will be evaluated at the time of Final Development Plan review for compliance with the Sugarcreek Township Zoning Resolution requirements. Compliance with Article 10 will be required.
  - The applicant has indicated a concurrence with using dark sky fixtures. A full photometric plan will be provided at the Final Development Plan stage.
  - Per Section 9.04 B. of the Sugarcreek Township Zoning Resolution 1.5 parking spaces per bedroom for institutional housing uses (e.g. nursing homes, adult family homes, assisted living, etc.) would be required. The applicant is proposing 278 parking spaces (30 garage spaces, 248 surface spaces). Per Section 9.04 B., the applicant would be required to provide 409 parking spaces (or 1.5 parking spaces per bedroom less our allowance for a reduction of 10%). **The applicant is proposing 79 one-bedroom units and 4 two-bedroom units identified as assisted living, 8 one-bedroom units (private) and 8 two-bedroom units (semi-private) identified as memory care, and 50 one-bedroom units and 71 two-bedroom units identified as independent living.** The developer is basing their parking ratio on their previous experience developing similar projects (1.5 spaces per unit for independent living units, 0.75 spaces per unit for assisted living units and 0.5 spaces per unit for memory care units). Staff did consult the APA Parking Manual and using an average of the ratios they provided per unit for elderly housing, assisted living staff came up with a requirement for a total of 198 spaces. The 278 spaces provided by the applicant would seem to be more than adequate based on the specific uses proposed.
  - Pursuant to Section 9.04 C. 2. F. i. of the Sugarcreek Township Zoning Resolution in B-PUD Districts a six foot wide pedestrian walkway is required to be installed along all public streets for the full length of the street frontage. It was previously determined

that Public Road A would be a public road in its entirety, and as such a 6' pedestrian walkway will be required on the west side of Public Road A. A 4' sidewalk will be required on the opposite side of Public Road A.

- Pursuant to Section 10.05 of the Sugarcreek Township Zoning Resolution the applicant will be required to provide 5 canopy trees per acre plus at least four shrubs for each 50 feet of outer building perimeter (with at least half of the required shrubs being of an evergreen variety).
  - Pursuant to Section 10.08 of the Sugarcreek Township Zoning Resolution a total of 10 percent of the paved area (not including driveways without access to parking spaces) shall be landscaped pursuant to the township's standards (including plantings at a rate of two trees and four shrubs per 20 parking spaces of fraction thereof). **The applicant has done an evaluation of this requirement and has indicated that the minimum standard has been met. This will be reviewed as part of the landscaping plan review at the time of Final Development Plan approval.**
  - Pursuant to approval of the Preliminary Plan for the senior/assisted living project, signage is required to be unified throughout the development (including signage associated with this multi-family site) with details to be approved at the Final Development Plan stage. The applicant is showing one sign at the corner of Wilmington Pike and Brown Road (adjacent to the Magic Castle site) intended as major development sign, one sign east of the entrance into the multi-family site to serve the multi-family site and one sign in the median of proposed Public Road A to serve the senior/assisted living site/twin family homes (the applicant is also proposing fourth identification sign for the senior/assisted living site at its entrance off proposed Public Road A on the senior/assisted living site). The applicant would like to have their proposed sign locations approved now with sign details to be reviewed and approved during the final development plan phase.
- **The internal streets and primary and secondary roads that are proposed properly interconnect with the surrounding existing road network. A traffic impact study may be required and reviewed by the Greene County Engineer's Office. Cross access easements or stubbed streets to adjacent parcels may be required to facilitate better traffic flow.**
- Private streets within the development will be subject to the requirements of Section 7.07 of the Sugarcreek Township Zoning Resolution. Staff notes that some of the requirements of Section 7.07 are related to *lots* developed off a private street. As the land in this development will be in common ownership, some requirements will not apply. For example, Section 7.07 D. requires a maintenance agreement between all lots served by the private street. As the land will be in common ownership, this requirement

is not applicable. The Fire Department would like to be consulted about unit identification/ address placement to ensure adequate visibility.

- A traffic light is scheduled to be installed at the Brown Road/Wilmington Pike intersection.
- Two accesses into the development site are proposed (with the northern most entrance point being for emergency vehicles only). Three gates are proposed, one north and one south of the development entrance, as well as a gate at the emergency access entrance. Approval of the design of the gates will be a final development plan review item as will approval by the Fire Department.
- A traffic impact study was completed last year. Dedication of additional right-of-way on Brown Road (for a total of 30 feet from centerline), the amount requested by staff (Brown Road is a township road) has been provided.

The GCEO has reviewed the revised plan and provided the following comments:

- The boulevard on the public road that extends out to the ROW may want to be shortened. We do allow them to extend all the way to the ROW line, however, in our experience, the ones that do create an issue for both construction traffic and moving trucks, etc. when entering/exiting.
  - On the construction drawings, we would like to see proposed flow patterns for stormwater and an erosion control plan. Drainage calculations should also be submitted. Also, an NPDES permit should be filed for the site.
- **The site will be accessible from public roads that are generally adequate to carry the traffic that will be imposed upon them by the proposed development and the streets and driveways on the site will be adequate to serve the residents or occupants of the proposed development.**
    - See comments above.
  - **The proposed development will not impose an undue burden on public services and facilities such as fire and police protection, the transportation network, the school system, and the water and sewer services.**

The Fire Department was provided a copy of the plan and has provided comments. Comments have been provided to the applicant.

- **The minimum common open space areas have been designated and shall be duly transferred to a legally established homeowners or property owners association, where applicable, or have been addressed in a form established in this article.**
  - All identified open space areas will be owned and maintained by the applicant.
- **The location and arrangement of residential, nonresidential, and accessory structures, parking areas, walks, pedestrian ways, lighting and appurtenant facilities shall be compatible with the surrounding land uses. Any part of a PUD not used for residential and accessory structures or access ways shall be landscaped or otherwise improved and identified with proposed uses unless specified as part of an open space land in accordance with this article as approved by the BZC.**
  - At the time of submission of the final development plan, the applicant will be required to submit detailed landscaping plans.
- **The preliminary development application has been transmitted to, and comments have been received from, all other agencies and departments charged with responsibility of review.**
  - The Preliminary Development Plan has been provided to the Sugarcreek Township Fire Department, the Greene County Engineer's Office, the Greene County Department of Sanitary Engineering and the Greene Soil and Water Conservation District.
    - Sanitary Engineering previously noted the need to extend water from Roscommon Way to water to be installed on Public Road A.

### **Staff Comments:**

The approval process for Planned Unit Developments is two-part. The Map Amendment and Preliminary Development plan are approved first and then the more detailed Final Development plan is submitted for review and approval. Public Hearings with notice with both the Zoning Commission and Board of Township Trustees are part of each process. In this case, the applicant is seeking approval of a revised Preliminary Development Plan for the senior/assisted living site to reflect refinements to the previously approved plan. The applicant will still follow the same process for final development plan approval for both the senior/assisted living portion of the plan as well as the multi-family portion of the plan.

Staff recommends the following as conditions of approval relative to the Preliminary Development Plan should the Township Trustees move to approve the applicant's requests:

1. Final design shall be subject to approval of the Greene County Engineer's Office.
2. Final design shall be subject to approval of the Greene County Department of Sanitary Engineering.

3. The development shall comply with the recommendations of the Soil and Water Conservation District.
4. Final design shall be subject to approval of Sugarcreek Township Fire Department.
5. Detailed elevations will be presented and reviewed during the Final Development Plan stage. The maximization of natural materials is required. Vinyl siding shall not be permitted as a building material within the senior/assisted living site. Section 7.05 of the Sugarcreek Township Zoning Resolution, Architectural Design Standards, will apply to the senior/assisted living site.
6. Only fixtures certified by the International Dark Sky Association as dark sky friendly shall be utilized for lighting proposed within the development. Fixture details shall be included with the submission of the photometric plan at the time the Final Development Plan is submitted for approval.
7. The landscaping plan submitted for approval with the Final Development Plan shall be consistent with the requirements of Article 10 (modifications to buffer yards required will be noted).
8. Approval of the design of gates, garages and dumpster screening will occur at the Final Development Plan stage.
9. The applicant must meet all applicable requirements of Section 7.07 of the Sugarcreek Township Zoning Resolution dealing with private streets.
10. Signage will be unified throughout the development (including signage associated with the proposed adjacent multi-family site) with details to be approved at the Final Development Plan stage. Sign locations as depicted on the proposed plan are approved.
11. A 6' pedestrian walkway will be required on the west side of Public Road A. A 4' sidewalk will be required on the opposite side of Public Road A.
12. Trustee Resolution 2016.10.17.02 and the corresponding approved Preliminary Development Plan for the PUD-R portion of the subject site shall govern development within the PUD-R portion of the subject site with the exception of the conditions regarding approved signage, the number of beds approved within the senior/assisted living site (limited to what is now being proposed), the ability to vary the boundaries of the senior/assisted living portion of the plan and the need to file a revised Preliminary Development Plan for the senior/assisted living section. Any modifications approved via the Major Change Process to the PUD-R portion of the subject site subsequent to this approval shall become controlling.
13. The total number permitted is 220.

Staff has discussed, at length, the classification of Public Road A with the applicant. At this point, given that final details regarding the proposed twin family units are undefined (i.e. whether they will be owner occupied or rental units), classification of this roadway will be deferred and will become part of a forthcoming development agreement and not part of this zoning process.

---

Cara K. Tilford, AICP  
Director of Planning and Zoning