

Violet Township Board of Trustees

November 6, 2013

Public Hearing: Case Number 01-ZC-2013: Amendments to the Violet Township Zoning Code Section 3D – Planned 33 Corridor Overlay District (PCOD)

Case Number 01-ZC-2013

Mr. Myers called the Public Hearing to order at 8:00 p.m.

Mr. Dunlap asked to recuse himself from the proceedings as he owns property in the area. Mr. Myers granted Mr. Dunlap's request for recusal and Mr. Dunlap left the meeting room.

Ms. Sarko explained the Trustees will be considering a motion adopted by the Township Zoning Commission which is proposed as an amendment Township Zoning Resolution, which if adopted, create the Planned 33 Corridor Overlay District (PCOD) and add Section 3D to the Zoning Code and also provide definitions for the PCOD which will be incorporated into Section XI of the Township Zoning Code.

This PCOD area is defined and is applicable only to the areas shown on the PCOD map included with the amendments. This amendment establishes a minimum tract size of 10 acres; establishes permitted uses, requires open space; and specifies prohibited uses.

The amendment defines the review a process and procedures for approval of a development plan; requires a pre-application with the County and Township officials, application and development plan ;Trustees actions; basis for approval, approval period for the development plan; , extensions of times modifications of the development plan; fees, and divergences - variances from development standards; and a set of definitions.

This amendment establishes design standards and minimum development standards. The design standards are general standards regarding access, setbacks, perimeter areas, buildings, building size, tract coverage, signage, landscaping, parking areas, open space, flood plains. The minimum development standards are also established and they are more specific. They mimic the CEDA Development Standards.; they speak no only the setbacks but also specific criteria for architectural standards, lighting, landscaping and parking.

The PCOD is an overlay district. If the proposed amendment is adopted - the properties within this established area of the PCOD have the overlay "floated" above them. Ms. Sarko showed the area where the PCOD would be located and further explained that it was the same area as the JEDD, however it did contain a few more parcels and did exclude platted subdivisions such as Jefferson Woods and Jefferson Farms.

Any property owner or developer who wants to use that zoning classification (within the PCOD area) can submit a development plan which includes the contents required by the adopted PCOD to the Trustees for approval. If the development plans meets all the criteria established by the PCOD, and it is approved by the Trustees then the zoning would be affixed to that property. They would have 5 years to develop the property, and record the plat.

The basis for approval is very specific: 1.If the proposed development is consistent in all aspects with the purpose, criteria, intent, and standards of the Zoning Code and whether any divergence is warranted by the design and amenities in the Development Plan; 2. If the proposed plan meets all of the design features required in this Code; 3. If the proposed development is in keeping with the existing land use character and physical development potential of the area; 4. If the proposed development will be compatible in use and

appearance with surrounding land uses; 5. If the proposed development will be adequately served by essential public facilities and services, including without limitation roads, walkways and bike paths, police and fire protection, drainage structures, potable water, and centralized sanitary sewers or other approved sewage disposal systems; 6. If the proposed development promotes greater efficiency in providing public and utility services and encouraging innovation in the planning and building of all types of development; 7. If the proposed development can be made accessible through existing Township roadways or roadways and lane improvements actually being constructed and opened prior to the opening of the PCOD without creating unreasonable traffic congestion in the immediate vicinity of the proposed development or elsewhere in the Township; 8. If the proposed development is compatible with any adjacent residential areas and is designed in such a way as to minimize any unreasonable adverse impact on existing residential areas of the Township; 9. Such other considerations which may be deemed relevant by the Board of Trustees.

After five years have lapsed and no construction or plat has been recorded and no extension has been requested or granted the development plan will expire and they will have to file a new development plan.

Mr. Peter Griggs of Loveland and Brosius, 50 West Broad St., Columbus, Township legal counsel, was also present.

Ms. Sarko noted Fairfield County Regional Planning Commission considered this amendment to the Zoning Code during September 3, 2013 meeting and recommended approval of the text amendment. She noted did have some comments and the Township Zoning Commission did incorporate most those recommendations into the amendment and approved the modification of the amendment.

The Zoning Commission held public hearings beginning August 20th and September 17th, 2013. At the conclusion of the public hearing, they made a recommendation to recommend approval with modifications that were recommended by RPC.

Mr. Myers asked if all of the (8) recommendations from Regional Planning were incorporated into the text. Ms. Sarko said the Zoning Commission, in their recommendation did incorporate those. Ms. Sarko said the only one they did not address was sexually oriented businesses as they did not feel this was the appropriate forum to address this type of business.

Ms. Sarko noted for the record there was an error in the document. The CEDA development standards are being modified to allow a wall monument sign not greater than one hundred twenty-five feet. The amendment has the requirement of one hundred fifty square feet for a wall mounted sign. She said that it needed to be changed to one hundred twenty-five (125) square feet (Section 3D-06(9)(a)).

Mr. Butcher said Ms. Sarko referenced access and he was not certain this was even an issue. He asked if the Township's Thoroughfare Plan referenced within this document anywhere or he could see it still stay 'silent; and still be applicable. He noted we do have a thoroughfare plan and the CEDA is different because Canal covers most of that. These are township roads and he would have some discretion on access and he did not know if it would make sense when this is pulled down to have those guidelines available for people to look at. Ms. Sarko said one of Regional Planning's recommendations was is the township going to specifically require any form of traffic impact/assessments to be as part of the development plan or is it being handled in section 3D-04(C)(18). Ms. Sarko said she discussed this with Mr. Butcher that the Thoroughfare Plan can require a traffic impact study. Mr. Butcher asked if it were referenced or discussed in the document. Ms. Sarko asked Mr. Griggs if it needed to be. Mr. Griggs said it was not specifically addressed in the document but there is a lot of wiggle room and with the decision and factors the Board has to consider as well as the other

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requirements of the development plan, the Township can require them to conform to our plan. Mr. Weltlich asked if it be perfectly correct to address this when the development plan is submitted. Mr. Griggs said you would probably sit down at the pre-application meeting and have the Thoroughfare Plan available. Mr. Griggs felt very comfortable with the language in there that it was broad enough and the Board has a lot of 'wiggle' room when making a decision. Mr. Butcher said he 'misspoke' he meant to say Access Management Plan and not Thoroughfare Plan, for the record. Mr. Griggs said the same rational applies. Mr. Weltlich feels we want to be as flexible as possible. Ms. Sarko added that in Section 3D-04(C)(18) states that in the development plan contents engineering feasibility studies of any anticipated problems which may arise due to the proposed development as required by the Board of Trustees so they do have the ability to acquire a traffic impact study for any proposed development.

Mr. Yapple said in the past the Trustees have usually closed the hearing and then made the decisions for most cases at the next meeting. He said they can close the hearing and adopt the resolution if they wanted to do so. Mr. Weltlich said the resolution is prepared and has the right language so let us get it done.

Mr. Weltlich made a motion to close the public hearing for Case number 01-ZC-2013 and return to the Regular Trustee meeting at 8:23 p.m. Mr. Myers seconded the motion. Roll call vote: Mr. Weltlich, yes; Mr. Myers, yes. Motion passes 2-0 and the Public Hearing was closed.

Respectfully submitted,

Christopher H. Smith, Fiscal Officer

Joniann Goldberg, Admin. Assistant

Approved By:

Terry J. Dunlap, Sr., Trustee

Date

Harry W. Myers, Jr., Trustee

Gary P. Weltlich, Trustee