

Violet Township Board of Trustees

January 4, 2017

Public Hearing – Case Number 03-ZC-2016 – The Enclave at Meadowmoore

Mr. Dunlap made a motion to recess the regular meeting at 8:00 p.m. and enter into the Public Hearing for Case Number 03-ZC-2016. Mr. Monhollen seconded the motion. Roll call vote: Mr. Dunlap, yes; Mr. Monhollen, yes; Mr. Myers, yes. Motion carries 3-0.

Others present: Greg Butcher, Township Engineer; John Eisel, Director of Operations; Mike Little, Fire Chief; Kelly Sarko, Zoning Inspector and Jennifer Huber, Township Legal Counsel.

Application filed by Donley Homes c/o Mike Donley, 7600 Farmsbury Drive, Reynoldsburg, Ohio to rezone property owned by Homewood, 2700 East Dublin Granville Road, Columbus, Ohio. This application proposes to amend the Violet Township Zoning Resolution by amending the Violet Township Zoning Map to rezone 32.2 ± acres located on the west side of Ault Road, south of Fox Run Court, Parcel Number 0360092000 from the R-1, Single Family Residential District to the PD, Planned Residential District in order to accommodate a 116 unit condominium development.

Ms. Sarko reported that the project is located on the west side of Ault Road, south of Fox Run West, east and north of Hickory Lakes. On the east side of the property there are three lots, two of which contain homes. These lots are zoned R-1, Single Family Residential. On the opposite side of Ault Road is Fox Run Estates which is zoned R-2, Single Family Residential.

The proposed development is a single family, detached condominiums with 116 units with 12.6 acres or 39% open space. There will be an landscaped boulevard entry from Ault Road. A second, emergency access has been provided across the street from Fox Run Estates. All the streets in the subdivision will be private streets maintained by the Homeowners Association.

Ms. Sarko explained the building envelope for a Condominium unit is 42 feet wide by 70 feet deep. No bay windows or chimneys may extend beyond the building envelope. Each lot is required to have a two car garage. There are also provisions for patios and usage of the common areas.

The development text emphasized square footage for the home sizes and over the course of revisions and she would ask that that be included in the documentation.

A sample street scape was provided as well as conceptual floor plans and elevations.

Exterior paint colors are required to be neutral in color or earth tones.

The units as well as the clubhouse will have the dimensional shingles. Each unit will have unit landscaping consisting of at least a shade tree and an ornamental tree. The unit landscaping is maintained by the Homeowners Association.

Setbacks are varied. Generally, building envelopes are not to be closer than 20' to the edge of the private street. On Ault Road between plots number 1 and 98, the units closest to Ault Road will be setback a minimum of 55 feet from the Ault Road right-of-way.

Fences are permitted within the spaces between the yard areas between the units as well as to screen a patio. All fences are installed by the developer.

A divergence will be required to allow a 50-foot perimeter buffer. The code requires a 100' buffer in order for the lots not to meet the adjacent lot area and setback requirements. The divergence request is located at the end of the development text.

A riparian corridor has been provided along the stream, the width of this corridor is 105 feet in width.

There is a potential wetland at the northeast corner of the site in open space 'P' and it has not been determined it is wetland. If so determined to be, a buffer will be provided within that open space as required by the Zoning Code.

A clubhouse will be across from the main entry along with community gardens. A pavilion will be installed in Open Space "M" and there is seating area in Open Space "O".

There are three storm water basins for the site.

Within Open Space 'H' is a dog park which will be a fenced area and there are parking spaces for the Dog Park area. Additionally, there are other off street parking locations throughout the development.

5-foot paths have been provided throughout the development will connect the development to the Pickerington High School North Campus.

All of amenities and improvements will be maintained by the Condo/Homeowners Association.

The applicants have proposed a gross density of 3.59 units per acre.

Lt. Belcher of the Fire Department has reviewed this proposal and they widened the street to accommodate fire apparatus.

The applicants have requested two divergences. One for the density the other for the required landscaped buffer.

Ms. Sarko reported The Violet Township Land Use Plan has designated this area as a Single Family Residential. The Land Use Plan defines this designation as: "Single family housing at densities comparable to or lower than surrounding residential development are recommended. Single family housing is an appropriate infill density in the vicinity of existing residential subdivisions, and in areas where residential land uses are most appropriate and non-residential uses are not desired. Open Spaces should constitute as much as 40 percent of usable subdivision land".

Fairfield County RPC considered this application during its August 2, 2016 meeting. RPC accepted staff recommendation of modification for the proposed rezoning of the 32.33 acres on Ault Road. RPC Staff Recommendation had the following comments:

1. Regional Planning Commission Staff believes that the proposed land use is consistent with both the county's and township's future land use plan however, staff has concerns about the density of the development as proposed.
2. RPC Staff would recommend that the development plan be modified to reduce the housing density of the project. The developer may want to cluster the units on the west side of the property (near Hickory Lakes) and reduce the number of units to the east (near Ault Road) and to the north (Fox Run West). The developer should also better distribute the open space and ensure it is usable space.
3. RPC Staff would like the proposed development to be sent to the Active Transportation Subcommittee for review to ensure that the development is compliant with the County's active transportation plan and is suitable for the proposed development of the region.
4. The township has identified several issues that need to be addressed with the Development Plan/Text. Staff recommends that the developer work with the township to modify the Development Plan/Text.

The Violet Township Zoning Commission recommended approval of the application with modifications after a public hearing over the course of several nights.

Linda Menerey with EMH&T said she and Mr. Donley had initially met with Ms. Sarko and Mr. Butcher in June 2016. She said the original concept had 126 units. They were given some feedback and they went to work and met with the Zoning Commission with 122 units.

Ms. Menerey explained the trend right now is empty nester, individuals moving into a detached building. She showed the four different footprints that fit within the building envelope, to demonstrate diversity within the proposed development.

Mr. Dunlap asked about on street parking. Ms. Menary said there was no on street parking. She said there will be 34 off-street spaces dispersed throughout the development. Additionally, each unit will have two spaces in the garage and two in the driveway. Mr. Dunlap asked who would enforce the no parking requirement. Ms. Menerey said the Condo Association enforces the parking on the street and does not feel it is an issue. Mr. Dunlap asked if there would be a sign at the entrance stating it was a private road and they would be entering onto private property. Ms. Menary said they had not considered that and did not think it would be a problem.

Referring to the Zoning Commission's August meeting minutes, there was a question about widening the road or turn lanes. He said Mr. Donley's comment were "in the development further north it wasn't required there so therefore, it wouldn't be required here." Mr. Dunlap wanted to know when they would be doing a traffic study. Mr. Donley said EMH&T has started it but it is not complete. Mr. Dunlap said that could create a problem so that information is needed.

Mr. Dunlap noted the Township is looking at grants for the widening of Ault Road which would include a sidewalk and a path along the road. He asked Mr. Donley if he would be willing to dedicate additional right-of-way. Mr. Donley said yes. Mr. Dunlap asked if it was the required 40 feet would they give the Township an extra 5 feet. Ms. Menary said they would and it should not create an issue. Mr. Dunlap asked if they would be willing to give the Township whatever is necessary if the road is widened. Ms. Menary said if it was 100' from centerline that would be a problem but 40' from centerline is not a problem. The 39% green space is more than what is required.

Mr. Monhollen asked what the expected timeframe would be to get results of the pending traffic study. Mr. Donley said part of that was school related but he assumes early this month.

Mr. Myers wanted to know what happens after the traffic study. Mr. Butcher explained the recommendations are based upon the data. The recommendations are reviewed by the County and the Township. Mr. Myers asked if the traffic study said turn lanes are required, would the developer be responsible for those turn lanes. Mr. Donley said yes.

Mr. Myers asked what the square footage of each unit was. Mr. Donley said they vary from 1600 to roughly 2400 square feet (this is shown on page 3 of the development text). Two bedrooms on the first floor and a bonus room on the second. It was noted the units would have no basements.

Mr. Myers asked where storm water will go. Ms. Menerey said there was an outlet in the southeast corner and they outlet to the roadside ditch.

Mr. Dunlap said that as he understands the water that goes down to Hickory Lakes cannot be any greater than what is going in there now. Ms. Menary said this was correct. She said they have to hold it, and release it at the same rate as pre-developed rate.

Referring to Drawing A-8, between units 102 and 103, Mr. Myers said they show 30 feet and the reason for that distance. Ms. Menary said it was picking up drainage along the rear. Mr. Myers also noted the adjacent property is higher than this site.

Mr. Dunlap said in reading through the various minutes from the zoning meetings there were some concern about boundary neighbors to the north of Ault Road in regards to barbed wire fence, regular fence, taking out brush, leaving trees and wondered if they had met with each of these residents to try to resolve those issues. Mr. Donley said they did talk about that at length but no he has not talked to each individual as there was no consensus. Mr. Donley said his plan is to leave the fence line, clean it up to the property line on his side of it and then it is green space from there.

Mr. Myers referred to A-7 and asked why there were two units that did not have a number on them. Ms. Menerey said they were 23 and 38 and they were probably just omitted by mistake. She said they have proposed 116 units and they were previously at 122 units.

Mr. Dunlap said in the zoning meetings there was discussion in regards to 55 and over versus empty nesters and they were looking at changing something in the text to make it

more toward the empty nester. Mr. Donley said it should be referred to the empty nester.

Mr. Myers asked if sewer lines would be going down the road towards Refugee. Mr. Donley said sewer line is one on southwest corner and one on southeast corner. They both come through Hickory Lakes. Mr. Dunlap wanted to make sure the Hickory Lakes would be able to tap into that and have that usage. Mr. Donley said they would.

Mr. Myers asked what the square footage of the clubhouse was. Mr. Donley said it had not been finalized.

Mr. Myers asked about the Dog Park. Ms. Menary said the thought was they would have split rail fence with wire to wire mesh to prevent smaller dogs from getting out. She said it was a fenced in area and there is nothing that keeps someone from walking their dog anywhere else.

Mr. Dunlap asked if there was anything in the deed restrictions as to number of pets and/or size. Connie Klema, attorney explained the deed restrictions included in the packets talk about animals and sizes and rules and that type of thing and noted the Association Board has the right to determine this. No livestock or fowl is permitted. She said there are requirements for common areas. She said there are rights to limit and the right to fine. She said that no chickens or livestock are permitted.

Mr. Dunlap asked at what point does the Developer turn over the Association to the homeowners for all the maintenance and care. Ms. Klema said unlike a Homeowners Association, the condominium control has to be turned over after so many years and this is a regulation of the ORC. This is a condo association and not a homeowners association.

Mr. Myers asked about the phasing and Mr. Dunlap referred to a comment that had something to do with where the sewer would start and it had something to do with where the sewer was going to come in. Mr. Donley said they would do the man hole off of Ault Road for Phase 1 then move back to the southwest corner.

Mr. Monhollen asked if the traffic study will take into account future development. He asked if there was a scenario where they look at this and recommend a turn lane for the Enclave and wondered if it were a possibility for a second traffic study where they could look back. Mr. Donley said he believes they look at the Enclave to see how it impacts current conditions.

Mr. Monhollen also asked what type of fencing they would be using in between the units. Mr. Donley said white vinyl.

Ms. Sarko said they talked about limited common space is the space between the units. Ms. Menerey said there would be the option to fence either side of the common area. If it is fenced and improved with a patio and landscaping then that area would become limited common area and it would be the responsibility of that particular unit owner to maintain it. If nothing happened in that space then it would be common area and it would be maintained by the Association.

Mr. Dunlap referred to the entryway and the site triangle on the drawing. He asked if the triangle was clear to the edge of pavement. Ms. Menary said it was.

Mr. Dunlap asked when they would know what size clubhouse they were going to build. Mr. Donley said it would be a maximum of 2000 square feet.

Mr. Dunlap asked if the picture of the pavillion was exactly what they were going to build. Mr. Donley said no. Mr. Dunlap said this was misleading. Ms. Menerey said it read "potential character drawing".

Mr. Butcher wanted to comment about storm water. Without basements, he said there won't be much fill and asked if they had additional room to expand the ponds if they necessary. Mr. Donley said he did not know. Mr. Butcher said the water table in that area is high and is concerned about the ability to expand the ponds.

Kerry Pierce, 12857 Fox Run Court, Pickerington, Ohio said she had met with Mr. Donley but her main concern is the density. She would like to see Mr. Donley decrease the density even farther beyond 116. She wants it to be nice and open and consistent with what is in the surrounding area. She said she is concerned about the buffer being

decreased to 50 feet when the zoning code calls for a 100-foot buffer. Ms. Pierce said another concern is the term "empty nester" and noted the discussion about the term. She said if they want it to be senior living it should be stated that it is senior living and that without the limitation to senior living this would be a concern to the school district. Mrs. Pierce comments that Meadowmoore Reserve will have a proposed sidewalk in front of the subdivision along Ault Road. She suggested they add sidewalks down the entire length of Ault Road.

Regarding the traffic study, she said Ault Road is a dangerous road. The additional traffic from this development this is a potential of 232 potential cars. She said The Reserve will empty onto Ault Road, the Enclave will empty onto Ault Road and she feels this is an equation for disaster and fatality. She recommends they fix Ault Road before they move forward.

Sharon Bucilla, Ault Road, Hickory Lakes, Pickerington, Ohio is also concerned about sidewalks. She said is concerned about the overflow of the water. Mr. Dunlap said a lot of the water that currently runs off the flat ground will go into the storm drains under the road and be retained. Mr. Myers agreed this does work.

Ms Bucilla also asked about the sewer. What happens if she decides to develop her property and how will that limit any type of development. Mr. Donley said he would gladly talk with her at length about that. Mr. Dunlap said this is a logistic issue that the developer and the county will have to work out.

Lee Parker, 12869 Fox Run Court, Pickerington, Ohio feels the township is not prepared structure wise to handle this (development).

Mr. Dunlap wanted to be assured that the Association will plow and maintain their own roads, and we don't plow or anything. Mr. Donley said this was correct. The water and sewer will be maintained by the County. Inside the development the development handles their own lines but the County would come through Hickory Lakes to their property and from there on it is theirs to maintain. Mr. Donley said this was correct. Mr. Dunlap asked if the condo fees would be sufficient to handle building maintenance and storm water, pavement, regular water and sewage. Mr. Donley said this was correct. Mr. Donley said they would commit to using the Township trash hauler. Mr. Eisel said that would be a contract between the builder or association and the hauler.

Ms. Pierce asked if there is any discussion about a light at S.R. 204 and Ault Road. Mr. Butcher said the Township has engaged to do a study from Pickerington Road to S.R. 204 and look at the whole corridor. He said S.R. 204 is ODOT's jurisdiction and it would be up to them to make a determination for a light. He said he has indicated for the state to look at Wagram, Ault corridor.

Mr. Dunlap made a motion to continue the public hearing until February 1, 2017 at 8:00 p.m. at the Violet Township Administrative Offices. Seconded by Mr. Monhollen. Roll call vote: Mr. Dunlap, yes, Mr. Monhollen, yes; Mr. Myers, yes. Motion carries 3-0.

Mr. Dunlap made a motion to return to the regularly scheduled trustee meeting at 9:33 p.m. Seconded by Mr. Myers. Roll call vote: Mr. Dunlap, yes, Mr. Myers, yes; Mr. Monhollen, yes. Motion carries 3-0.

Respectfully Submitted,

Brian Sauer, Fiscal Officer

Joniann Goldberg, Administrative Assistant

Approved by:

Terry J. Dunlap, Sr., Trustee

Darrin Monhollen, Trustee

Date: _____

Harry W. Myers, Jr., Trustee