

Violet Township Board of Trustees

February 15, 2017

Public Hearing

Case Number 03-ZC-2016 – The Enclave at Meadowmoore (PD)

Mr. Dunlap made a motion at 8:00 p.m. to recess the regular Violet Township Trustee meeting and reopen the Public Hearing that was continued for Case Number 03-ZC-2016. Seconded by Mr. Myers. Roll call vote: Mr. Dunlap, yes; Mr. Myers, yes; Mr. Monhollen, yes. Motion carries.

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.

Case Number 03-ZC-2016

An 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 explained Mr. Butcher has been working with Mr. Donley regarding agreements for the Ault Road improvements and he is able to provide additional details on that. Language for the Development Text regarding the drainage and storm water management plans that will be reviewed by Fairfield County Soil and Water was provided to the applicant. We have not received copies of the revised development text showing those references. It was noted for the record that the applicant had sent it to Ms. Huber today and we have not had the opportunity to review it.

Mr. Butcher reported he has been meeting with Mike Donley and his counsel for the last few weeks and they do have an agreement that is mutually acceptable. Mr. Butcher explained the agreement is between Donley Homes Inc. and the Board of Violet Township Trustees. There was discussion of what the development consisted of. The purpose relates to the zoning of the development to a planned district. They talked about the traffic access study that was performed and its recommendation of improvements. It also talks about the developer's willingness to deposit \$35,000.00 with the Board of Trustees for future road improvements for Ault Road. It also discusses the 750 lineal feet of sidewalk on the left side of Ault Road. The developer has indicated he would deposit \$20,000.00 with the Board for construction of that sidewalk that the Township desires to utilize this for leverage of additional funding for sidewalk north of this development as well. There are options to deposit the money in a lump sum payment or in (4) installment payments. There is timing of those deposits. Discussion of the public improvements are provided for which are road and sidewalk improvements. There is language that is consistent with legal conditions that we typically ask for in an agreement.

Mr. Dunlap asked that Ms. Sarko and Mr. Butcher review all the text.

Mike Donley of 7600 Farmsbury Drive, Reynoldsburg, Ohio 43068 reiterated what Mr. Butcher said. He also said they have addressed the revised development text. Ms. Huber said she did receive it but she has not had a chance to look at it yet as she was out of the office.

Connie Klema, P.O. Box 991 Pataskala, Ohio 43062, Attorney for Mike Donley, said the text was basically written by Ms. Huber and herself. Ms. Klema read into the record what the text would say: 'Pursuant to ORC Section 510-021 a planned unit development shall further the purpose of promoting the public welfare encouraging the efficient use of land and resources, promoting greater efficiency providing public utilities services and encouraging innovation in the planning of building all types of development. Within a planned unit development the township zoning regulations where applicable, may not be uniform but may vary in order to accommodate a unified development and to promote

the public health, safety and morals. Donley Homes, Inc. is the applicant/developer of this zoning amendment for the planned residential district known as the 'Enclave at Meadowmoore'. The Enclave is located on Ault Road in Violet Township. The findings of the traffic access study completed with this PD and made part of hereof state that at the planned site the entrance on Ault Road there are no warranted improvements and acceptable level of services predicted through the arising year. No related improvements are recommended. There is no off-site improvement recommended at the remaining study area intersection as well. This is page 5 of the *Conclusions and Recommendations*. Although the Enclave does not require off-site road improvements the applicant/developer is cognizant of the traffic increases that will result from Ault Road as developments and population decrease. As a means to promote the public health and safety and in the spirit of the Revised Code Section 510.021 the applicant/developer commits to the deposit of \$55,000.00 with the Board of Trustees of Violet Township, Fairfield County, Ohio in accordance with the 'the Agreement between Donley Homes, Inc. and Violet Township Board of Trustees', a payment for public improvement relating to the Enclave at Meadowmoore Development, for future road improvements on Ault Road between the intersections of Achievement Way NW and Fox Run Court south, northwest and for future sidewalk construction on the west side of Ault Road the funds shall be paid in accordance with that agreement. The applicant/developer agrees to submit stormwater management plans for review by Fairfield Soil and Water Conservation District and will comply with all recommendations and/or corrections etc. by Fairfield County Soil and Water Conservation District regarding Stormwater Management Facilities, detention basins, outlets, discharges, etc. and such facilities, etc. will be installed in accordance with construction drawings for Stormwater Management Facilities approved by Fairfield County Soil and Water Conservation District. The applicant/developer has chosen not to include the property as part of the drainage maintenance district. The applicant/developer further acknowledges and agrees and accepts that after construction of the stormwater management facilities for the site all repairs and replacements and continued maintenance to keep and/or bring such facilities into compliance with Fairfield County Soil and Water Conservation District. Recommendations are required in all applicable government regulations are the sole responsibility of the applicant/developer and/or the Enclave at Meadowmoore Condominium Association. The applicant/developer at the Enclave at Meadowmoore Condominium Association shall indemnify or hold harmless The Township and County and all claims and demands for repair, replacement and/or maintenance of such facilities.

Mr. Myers asked Mr. Donley if he had said the Community Center would be 4,000 square feet. Mr. Donley said they increased it to a maximum of 3,000 square feet.

Sharon Bucilla of Hickory Lakes at 12495 Ault Road, Pickerington, Ohio asked if the stormwater runoff had been addressed. Ms. Sarko said it was addressed in the development text and Mr. Donley is agreeing to have the stormwater plan reviewed by Soil and Water Conservation District. If there is a recommendation to change the drawings, those changes will be made and will be installed per the approved drawings. Mrs. Bucilla asked about any repairs to her property and Ms. Sarko said that would be a civil matter between the developer, the Condo Association and Mrs. Bucilla.

Carrie Pierce of 12857 Fox Run Court, Pickerington, Ohio said she was still concerned about density. She would like to see a compromise to decrease the density. Developing a turn lane will help. Lastly, they still have no accountability by the Condo Association that these homes will be empty nesters or people older than 55 and not have children. Without that accountability we will have no idea who will live there. She feels they need to go to the attorney and get these laws put in place.

Mr. Dunlap made a motion to close the public hearing at 8:20 pm. Seconded by Mr. Myers. Roll call vote: Mr. Dunlap, yes, Mr. Myers, yes; Mr. Monhollen, yes. Motion carries 3-0.

Mr. Dunlap made a motion to return to the regularly scheduled trustee meeting at 8:20 pm. Seconded by Mr. Monhollen. Roll call vote: Mr. Dunlap, yes, Mr. Monhollen, yes; Mr. Myers, 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

Harry W. Myers, Jr., Trustee

Date: _____