

Violet Township Board of Trustees

October 2, 2019

Public Hearing – Final Plat Review; Heron Crossing Section 4, Part 1

Mr. Dunlap made a motion to recess the Regular Trustee meeting and go into the scheduled public hearing for the Final Plat Review of Heron Crossing Section 4, Part 1 Case No. 04-ZC-2019 Mr. Monhollen seconded the motion. Roll call vote: Mr. Dunlap, yes; Mr. Monhollen, yes, Mrs. Wilde, yes. Motion carries 3-0.

Ms. Sarko explained the purpose of this public hearing was to review the final plat as required by the Township Zoning Resolution which requires the plat be approved by the Township Trustees to determine if it is in accordance and consistent with the approved development plan relating to that part of the tract. This plat is consistent with Heron Crossing development text. Regional planning has reviewed the portion of the plat. Ms. Sarko is happy with our portion of the plat. Josh Barkan was present to answer any questions.

Mr. Barkan of 3 Easton Oval, Columbus, Ohio said there were 44 lots after this 18.

Jim Jarsabek of 6621 Kennington Sq. S., Pickerington, Ohio was present. Mr. Jarsabek wanted to talk about how this might affect his residence as well as other residents in Huntington Hills. He has a small stream and drainage ditch that runs through the back of his property. In addition to the drainage ditch and stream it affects about 45 other homeowners in their subdivision which is about 10% of the homes in Huntington Hills. When heavy rains come through the water can get very swift. He personally feels very strongly about this and the aesthetics. He said his property value will go down. He has lost a substantial amount of his property due to soil erosion through the years. He feels like the water coming through Huntington Hills is worse than it has ever been. The water backs up into the yards. He has had trees wash out and so have his neighbors. He believes there are what Heron Crossing calls retention ponds. He had photos from the July 6 storm showing waters flowing over the banks over that existing stream, covering the sidewalk and going through the drains and there was no retention. Mr. Dunlap asked him if the water was going over the bank of the old original pond. Mr. Jarsabek said yes. Mr. Dunlap said that was not a retention pond. Mr. Jarsabek said on the diagrams on all 6 of these they call them 'prop ponds'. Mr. Jarsabek said the water coming off the driveways, sidewalk and roads is directed into a storm sewer and it goes into these ponds. His understanding is that there is a rule that a new subdivision cannot discharge any more water into a system prior to existence of that subdivision and he doesn't know how that is determined. It is his opinion this is a small drainage ditch that runs through Huntington Hills and was never intended to handle a dedicated or consecrated water runoff. He asked why the water couldn't have been diverted into Sycamore Creek. Mr. Dunlap said the Army Corp of Engineers will not allow you to change water directions. He is hoping something Heron Crossing can do and also wondering if the Violet Township can help them with the erosion of their property.

Mrs. Mattei said the subdivision regulations at the County level do say that when a property develops they cannot release it at a greater rate than what it was prior to development. They run drainage calculations and engineer modeling and those reports are on file. Mrs. Mattei said she is sure the Soil and Water District and the County Engineers office could meet with them to talk about the drainage.

Mr. Dunlap said that as far as the township goes and when Mr. Jaresek speaks about our guys working in the front yard; that is in the road right of way which is adjacent to the pavement. We cannot go back on private property and do any work.

Mr. Monhollen said he has unfortunately had a similar conversation with Soil and Water and what he heard was as different neighborhoods are being built there are different safeguards. The thing they need to take into consideration is that we have had heavy rainfalls the last 2 years. Mr. Monhollen encouraged them to take advantage of speaking to Soil and Water and the County Engineer's office.

Gary Untch of 11318 Meadowcroft St., Pickerington, Ohio was present. Mr. Untch said he wants to make sure they get something going as far as helping with this problem.

Steven Abram of 11670 Shadybrook Dr., Pickerington, Ohio was present. His concern is it seems like some of these up streams gets more water, you put in asphalt roads and the water has to go somewhere. A lot of people have lost their backyards. He would

like to see the township form a study group and look at the impact of the neighbors downstream. He wants to know why the people building the subdivision won't do something to help them as they are impacting these residents.

Josh Barkan of MI Homes, 3 Easton Oval, Columbus, Ohio said they have been monitoring those streams on and off and with that said if there is an issue that they caused or there is a problem; they will stand behind it. He also said he would be happy to facilitate conversation with their engineers to have a one on one with the Soil and Water Conversation District and the County.

Al Morgan of 11796 Shadybrook Drive, Pickerington, Ohio was present. Mr. Morgan has watched the plus 10% of water volume flows over the last 7 years he has lived in Huntington Hills. He asked if they can disclose the information on the volume and disclose the information on the research they did on measuring the volume. He wants more specifics.

John Kramer of 11774 Shadybrook Drive, Pickerington, Ohio was present. Mr. Kramer said there is a safety issue that nobody mentioned. The water undercutting trees is a safety issue as the tree will fall. He also asked if we have approached the Army Corp of Engineers and are they capable of changing anything. Mrs. Mattei said you are typically not allowed to break the watershed. She again said she was open to have conversations with the County and Soil and Water.

Jim Jarsabek of 6621 Kennington Sq. S., Pickerington, Ohio said he forgot to bring up that he is happy that Josh brought up possibly getting some dialog going.

Steve Herb of 8612 N. Spring Ct., Pickerington, Ohio was present. Mr. Herb said he is a 'newbie'. He was fascinated because he is not hearing any discussion about the impact of rooftops to the school system. He asked how you consider the impact of the number of children that a development is going to place on the school system. As a father of six now grown children and he and his wife moved to Granville where they were extremely tough on developers. He asked how we make sure we don't flood the schools with rooftops. Mrs. Mattei said no. 1 is they do provide information to the school district so that they can adequately plan for the development that is associated with it and the other thing is that the demographics are changing and what we are seeing is there is more influx of younger population without the families and just the general trends over the Columbus region and the nation. That is taken into consideration. Mr. Herb asked if that meant the school system gets to vote. Mrs. Mattei said they don't get to vote but we provide them with the information as the subdivisions are presented so they have the ability to plan for trends that they are seeing as far as the number of students per house.

Jeff Ball of 12706 Pickerington Road, Pickerington, Ohio was present. Mr. Ball wanted to know what has been assessed by the Trustees. He has always been opposed to the higher density. He wanted to know what has been done to address this. They are talking about adding a few hundred more cars a day on the roads that have existed in the same state they have been in since the 1960's. How is change in density that they are asking for now is it going to impact everything. Ms. Sarko said the next public hearing will be for the density change and is for a re-zoning. This public hearing is to record a final plat.

Mrs. Mattei said the other residents concerns with drainage are directly related to Heron Crossing being discussed at this time. This final plat is the last phase of that subdivision. She explained the next public hearing is for a new development for a new development plan with densities going from the existing zoning to the proposed zoning. She said they could address his comments at that meeting.

Mr. Dunlap asked Mr. Barkan to explain more on how the retention ponds work. Mr. Dunlap also mentioned the fact that Mr. Barkan said he and his Engineers would be willing to meet with the residents in regards to the water going downstream. Mr. Dunlap asked if he would also include Soil and Water and the County Engineer. Mr. Barkan said he would be happy to.

Steven Abram of 11670 Shadybrook Dr., Pickerington spoke again and said he felt they should meet first before bringing in the final approval.

Al Morgan of 11796 Shadybrook Dr., Pickerington spoke again and thanked the Trustees and Mr. Barkan for setting up a meeting with the residents.

At the request of the applicant, Mr. Dunlap made a motion at 8:51 p.m. to continue the public hearing on the Final Plat Review; Heron Crossing Section 4, Part 1, Case No. 04-ZC-2019 to be re-scheduled to the next Regular scheduled Trustee meeting on October 16, 2019 at 8:00 p.m. and after their meeting with the residents. Seconded by Mr. Monhollen. Roll call vote: Mr. Dunlap, yes; Mr. Monhollen, yes; Mrs. Wilde, yes. Motion carries 3-0.

Public Hearing – Case No. 04-ZC-2019

Mr. Dunlap made a motion to open the public hearing for an application for Case No. 04-ZC-2019 filed by M/I Homes of Central Ohio to rezone 61+ acres on the east Side of Pickerington Road from the R-2 District to Planned Residential District in order to accommodate a 137-lot single family subdivision as well as approval of one or more divergences from the provisions of the Violet Township Zoning Resolution. Mr. Monhollen seconded the motion. Roll call vote: Mr. Dunlap, yes; Mr. Monhollen, yes; Mrs. Wilde, yes.

Ms. Sarko explained this property consists of 61 acres on the east side of Pickerington Road. The property is zoned R-2 single family residential. It is currently used for agricultural purposes. The applicants are requesting to turn this property to a PD to accommodate 137 lots in a single family subdivision with 40% open space which includes a 10.3 acre reserve in the center of the development which will have trails, fitness equipment, playground and shelter house. The net density of the proposed development is 2.6 per acre with a gross density of 2.25 per acre. The proposed development is located west of Heron Crossing so it will join and stub in to the existing Heron Crossing. There will be outlets on Pickerington Road as well as stub streets to the south to Mrs. Hesch's property which fronts upon Refugee Road.

The minimum lot width for homes is 50' of the front line for 89 lots and the remainder of the lot has a 55' width. The lots are 130' deep which is consistent with the original Heron Crossing. The minimum home sizes are similar to Heron Crossing. A ranch is 1500 square feet and a 2-story is 1800 square feet minimum. Their architecture is 4 sided architecture which is explained in the Development Text. They will provide landscaping in various areas as shown on various exhibits in the application. Along Pickerington Road there will be mounding with deciduous and evergreen trees. Along the northern boundary of the site the applicant will preserve existing vegetation and will be adding deciduous and evergreen trees. This is to buffer the existing house from the proposed neighborhood. The existing tree row along east perimeter will be maintained as feasible.

Street trees will be provided outside the public right of way. A model home will be constructed prior to completion of public improvements. They have requested several divergences. They are asking for a density of 2.68 units per acre net. The Zoning Code requires a maximum of 2. There are 4 retention basins. In order for the drainage to be included in the open space they need to be improved with a public path or trail system. They do need to include a divergence for that.

If there has been a property that has been previously developed, they have to meet a number of requirements or they have to have a 100' buffer. between those two developments.

Regional Planning Commission considered this application during their June 4 meeting. The commission accepted staff recommendation for approval. They stated that development as proposed appears to be similar in nature to the existing Heron Crossing Subdivision and will comply with the County future Land Use Plan recommendation. RP staff recommended approval of the proposed development subject to the subdivision regulations committee. Comments were listed in that packet.

The Township Zoning Commission after their public hearing on June 18, July 16 and August 20th they recommended approval of Case Number 04-ZC-2019 including the requests for divergence.

David Hodge, Attorney with Underhill and Hodge, 8000 Walton Parkway, New Albany, Ohio was present. Occasionally he is the attorney for M/I Homes (including this evening). He explained they went through all the proper zoning approvals and public hearings. He wanted to talk about the storm water issue. He said there were regulations in place. They are under a strict obligation, to at minimum, comply with those regulations, if not exceed them. He said they are seeing more and more local

governments creating tax increments on these districts. This leverages the excess tax money that is going to come in and it provides funds for regional infrastructure improvements. The taxes go back to your township to provide resources to the Township. Mr. Dunlap asked when they changed the law and allowed townships to do TIFFS without the counties approval. Mr. Hodge said he would think that if the Trustees approve those TIFFS then he does not think the county has discretion. Mrs. Mattei said the TIFF can be approved by the Township. One thing she would caution with that (especially with residential development) is that the Township does not have an income tax. We are diverting property tax that is our sole source of income to the infrastructure. We are looking at long term solutions that include things such as Community Authorities to help generate the revenue and that could be coupled with TIFF if we wanted it to or they can be used alone. These tools could help to create some regional infrastructure. There are long term strategies that are being looked at but a TIFF alone (especially for residential development) she would not recommend. Mr. Dunlap added it takes away from the Fire Department, from Senior Citizens and MRDD.

Mr. Hodge said M/I's one community in Pickerington school district and is in Violet Township and is Heron Crossing. Over the last 3 years they have been consistent in averaging about \$340,000. They are really proud and excited about this community.

Mr. Dunlap asked which way the water ran. Mr. Hodges said some of it comes down through the creek on Mr. Ricketts property to the south and some of it will also come this way which is south and west so not of that water will go through the current Heron Crossing drainage system. Mr. Hodge said he believed that was correct. So it only goes to the west, to the south and down through the school.

Mr. Hodge mentioned that one of the meetings they had with Kelly they talked about what was going on at the south of the property.

Mr. Dunlap asked about green space and wondered if they have to have walking paths on those areas that are in a retention pond or they cannot be considered part of the green space and asked if that was correct. Ms. Sarko said that was correct. Mr. Dunlap asked if when the ponds are full does that make it a safety issue. Ms. Sarko said the issue at hand is: there is no paths connecting those right now but they will be at the sidewalks. She said they are required to be an approved walking trails or paths. There is no trail on the retention pond.

Mr. Dunlap asked if there has been a traffic study for the intersection coming out onto Pickerington Road. Mr. Hodge said yes they were working on that. There will ultimately be a turn lane and whatever the County requires. He said anything they have to do in terms of public roadway improvement to mitigate the impact of this development will be done at M/I's cost. Mrs. Mattei said she believed the preliminary comments for the traffic study were sent out in mid-September.

Jeff Ball of 12706 Pickerington Road, Pickerington, Ohio was present. He said it sounds like 'rob Peter to pay Paul'. He said there is definitely an economic impact that these developments bring and he thinks it needs to be looked into because he hasn't seen anything other than a turn lane on the original Heron Crossing. He said the residents are depending on the Trustees to make sure the residents are protected and wants to know what the Trustees have come up with to alleviate the extra traffic. He said he likes this plan but it does bring an economic and development impact to the area. He wants to make sure that before this is passed that the Trustees are doing their due diligence in representing the resident's best interest in the traffic concern.

Mrs. Mattei pointed out that this is 'cluster' development so it is basically the same density but clustering on half the site. In this case it is 40% instead of 50% open space, so it is a little bit more clustered than the original Heron Crossing. Allowing that larger open space to happen instead of individual lots having larger setbacks. Mr Ball asked how these lot sizes compared to the original Heron Crossing lots. Mrs. Mattei said they are a little smaller. Mr. Ball is opposed to allowing them to reduce the lot size, allowing them to get more houses on per acre. He said this does not have to happen. Mrs. Mattei said there is an overall vision that MORPC has helped us plan for the Refugee Road/Pickerington Road area based on the Insight 2050 reports that indicate that there will be a million new people in the Columbus Region by 2050. She said the younger population is looking for these smaller lots that they don't have to maintain and we are planning for that demand, which is to increase the density as we move through the corridor and absolutely plan for the road and drainage and everything else that comes with that. Mr. Ball said they don't have to keep allowing these developers to come in and shrink the lot sizes down more and more. Mr. Dunlap asked if he had voiced his

opinion to the Zoning Commission when they had their public hearings. Mr. Ball said he didn't know about them as he is not an adjoining property owner. He said the Trustees are keeping the direction in Violet Township going smaller and smaller properties. Mrs. Mattei said this is part of an overall plan that extends along the Refugee Road corridor where it proposes a mixed use community so it will not be just single family residential lots. That plan called for mixed use, retail office, residential possible. There are densities associated with each of those different types of uses. Mr. Ball said the density of 55' is too small and does not fit the character of the community. He would ask that the Trustees reconsider.

Sharon Bucilla of 12646 Milnor Road, Pickerington Road was present. She wanted to know which roads are there exits and asked if Ault Road would be coming out. Ms. Sarko pointed to the access points to the subdivision along Pickerington Road.

Tom Collins of 12216 Prairie View, Pickerington, Ohio was present. Mr. Collins said that several times earlier M/I had said they would make any changes based off the minimum standards from the Township or the County. He lives in Heron Crossing and he says he has no doubt they will stick to the minimum standards. He says this is not consistent with Heron Crossing as it is a smaller lot size. He asked if there was any information on the side yard setbacks. Ms. Sarko said the front is 30' and it will be platted. The side yard setback will be 5' minimum, however window wells, eaves, cantilevers, fireplaces may encroach 12" into the required minimum setback. A corner lot is the same as the front so it would be 30'. The rear is 35' except if you have a morning room constructed by a project developer. You are allowed uncovered decks, fire places, stoops and steps.

Mark Miller of 12790 Pickerington Road, Pickerington, Ohio was present. Mr. Miller said he was puzzled about the traffic on Pickerington Road. He is concerned where this new development will come out will there be turning lanes and will there be a new speed limit on the road. What is going to happen. Mr. Dunlap said that is a county road the County Engineer sets the speed limit and he is the one that determines the turn lanes and all that. Mr. Miller feels the Trustees should not vote on this until M/I goes to the County and gets suitable changes in place for this. His second item was about the constant construction noise. He wanted to know what the rules were. Ms. Sarko said they cannot start before a certain time on Sunday. Ms. Huber provided the hours outlined in the noise ordinance. He asked who to contact if he hears noise outside those times. Ms. Sarko said the County Sheriff.

Steven Abram of 11670 Shadybrook Drive, Pickerington, Ohio asked if the Trustees had seen this watershed map he received from Nikki Drake in 2015. The Trustees told him it would be best to ask his questions at the meeting they will have with Soil and Water and the County Engineers office.

Mr. Barkan said M/I is one of the biggest builders in town and this is the way building is going. Mr. Dunlap asked if the plan could accommodate 63' lots. Mr. Barkan said most of the lots in Heron right now are 70' wide so they could lose 2 lots. If they bumped everything up an additional 3' and 8' they would lose a lot of open space. Mrs. Mattei said it would take away from the clustering and spread the lots over the entire piece of land.

Mr. Dunlap made a motion to continue the public hearing until the next Trustee meeting on October 16, 2019 at 8:00 p.m. at the Violet Township Administrative Offices. Seconded by Mr. Monhollen. Roll call vote: Mr. Dunlap, yes; Mr. Monhollen, yes; Mrs. Wilde, yes. Motion carries 3-0.

Mr. Dunlap made a motion to close the public hearing and return to the regularly scheduled Trustee meeting at 9:38 p.m. Seconded by Mrs. Wilde. Roll call vote: Mr. Dunlap, yes; Mrs. Wilde, 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

Melissa Wilde, Trustee

Date: _____