

## **Violet Township Board of Trustees**

September 20, 2017

### **Public Hearing : Case Number 05-ZC-2017 Springcreek Planned District Modification**

**Mr. Dunlap made a motion to open the Public Hearing for Case Number 05-ZC-2017. Mr. Monhollen seconded the motion. Roll call vote: Mr. Dunlap, yes; Mr. Monhollen, yes; Mr. Myers, yes. Motion carries 3-0.**

**Case Number 05-ZC-2017:** an application filed by Ricketts Co. LPA, 50 Hill Road South, Pickerington for 62± acres within the Springcreek Planned Residential District owned by Ricketts Family Fairfield Holdings Ltd, 340 Hill Road North, Pickerington. Pursuant to Violet Township Zoning Resolution Section 3V3-01(F), this application seeks to modify the approved Development Plan (layout) and Development Text for the portion of Springcreek located within unincorporated Violet Township. The proposed modifications include modification of the approved street configuration; setbacks, etc.

Ms. Sarko explained this was zoned in 1996. The site included a combination of residential uses - both single family and multi-family as well as two commercial areas: south of Refugee Road and west of Pickerington Road. A majority of the single family development was annexed in March of 2005 from Violet Township to the City of Pickerington. Shortly after the preliminary plan was approved and development began and after the platting of Section 1 it was determined that Springcreek Development be reconfigured to prevent cut through traffic between Pickerington and Refugee Roads. This plan proposes to reduce cut through traffic and making the traffic from Refugee Road to Pickerington Road north circuitous.

In addition to Township approval of the Development Plan, Fairfield County Regional Planning will have to be approve the revised Preliminary Plan. Part of this hearing is to review the Preliminary Plan and modifications. It will be a combined process between the County, Regional Planning Commission and the Township.

In addition to the layout/road configuration, the following has changed: a variety of lot widths; reduction of three lots; additional open space being provided via three Reserve areas; The road configuration and the lot variations have changed. The number of lots will be reduced by three lots; increase in size of the Rickett Commercial Tract; Supplemental Development Text which includes additional permitted uses for the Ricketts Commercial Tract.

Rick Ricketts, 50 Hill Road South, Pickerington (business address) and 8312 Cameron Court, (residence) spoke on behalf of the property owner. Mr. Ricketts said he continues to work with staff on a lot of the details. He said this is a project that was originally approved 21 years ago. There a lot of things, including a potential Community Authority, that when they look at potentially intertwining those things, they need to look at deed restrictions and other other details with township staff.

Mr. Ricketts also indicated another important facet to consider are issues or concerns by the public; they want the opportunity to meet with those individuals

and while they may not agree on everything they will try to address what they can.

Mr. Ricketts introduced Steve Peck with Pulte Homes and his son, Dillon Ricketts.

Mr. Ricketts explained Springcreek was originally approved in 1996. Referring to the drawings, he displayed the areas that have already been developed by Pulte. This area was largely owned by the Hein family. The Hein family and the Ricketts family went together on this project. Springcreek was the first phase of the project; then Pulte began developing east of Milnor Road. Separately there was the development of the Storage One Facility on Refugee Road. Then the Peyton Ridge subdivision was planned. This was all approved back in 1996.

He noted every five years a development needs to go through a renewal process in terms of Regional Planning and then thereafter you go through an annual extension process. Mr. Ricketts provided comparison development details of original versus the new plan. Traffic calming was the most significant change because it was that which led to all the various issues that they needed to try to redraft. Largely, the change relates to the traffic calming and efforts to reduce the potential for cut-thru traffic.

The second significant factor changing this project was a request by South Central Power which occurred 6 months ago. At some point in time, South Central Power may want to widen the power distribution line that goes across the property. They currently only have a 20 foot easement. They said they would like to have a 50 foot area for an easement. This required a realignment of all of the lots along that area to try to be able to meet the request of South Central Power, which was done as a part of the final revisions that went through Regional Planning.

The third, significant issue that relates to changes is the concept of a multi-use path and the ability to have people be able to travel via bike or walking, across properties. This is something that has become popular in almost every other location and has been supported in Violet Township. Violet Township has worked with the Donley's and others in their new projects to try to make sure that at least all new projects were providing a pathway for people to be able to get to the next area and then be able to connect all these and provide a good pathway system across Violet Township. He said this concept has been incorporated into this plan and that did affect some of the layout of lots.

Mr. Ricketts said the deed restrictions were originally filed back in 1996. When Pulte annexed what they currently had developed, they used a different set of deed restrictions. Pulte has indicated that they would like to use the same deed restrictions that they have used for the other two parts of Springcreek so they are consistent. That is something they are working with Violet Township staff on. The Ricketts family does have some concerns just to make sure they are tight enough to satisfy their requirements in terms of even the fact that they own a lot of adjoining property and want to make sure this plan is developed as they anticipate it's going to be developed. Both staff and Ricketts family are working through those deed restrictions. It will take at least until the next meeting to get all those issues resolved to staffs satisfaction.

With regards to outbuildings; originally in Springcreek outbuildings were allowed. They are allowed in Peyton Ridge and that is not going to be the case in the balance of Springcreek. Under the deed restrictions and the text modifications that Pulte has provided, there will be no outbuildings. This is something that

should be beneficial to Violet Township and staff to have a clear guideline on administering when building permits come in.

Pulte does not want to have any fences in any of Springcreek with the exception of two items. The first is when they are required around the pool for safety. The other is effectively a very nice fence along the commercial area (Ricketts Commercial Tract) that adjoins them to the east.

Minimum square footage of homes has not changed. The lot width in certain instances has changed but they are all not less than 75 feet at the building line. While there may be adjustments in the lots, there is no change in the minimum width of the lots. Lot depth has not changed. Regarding setbacks, one of the things Pulte has requested is a three car garage that has become something that is very marketable and desired in most cases. In a 75 foot wide lot, using a building pad that is affectively 60 feet which is Pulte's standard footprint they are using a third car garage and they requested that the side setback be reduced down to 5 feet. Mr. Ricketts wanted to clarify that this is not really indicative of what the side setbacks are going to be because if you have a lot that is wider than 75 feet then the side setback may be 5 feet but you are going to have more setback on the other side and it says you are going to have a larger setback on the opposite side.

Mr. Ricketts said that in Springcreek they had what they thought was a very creative idea in 1996, which apparently has turned out to be a failure from an administrative perspective. They had a 'sliding setback', whereas you could reduce a setback on one side but then you had to make it a little bit larger on the other side and that required a great deal of problems in terms of the administrative review of whether or not the standards were being met and it also caused a problem to the homebuilder because if they had two lots where the garages were going to be on basically the same side of the house then it created some issues. Upon reflection, he thinks staff favors the elimination of that provision but he will let them speak to that.

For side setbacks on the street side, the existing plan was 15 feet and staff said they would rather have 25 feet. Pulte said that was ok and so the side setbacks on road changed to 25 feet. Rear setbacks stay the same at 45 feet. The minimum and maximum height of the homes stays at 14 feet minimum 35 feet tall as the maximum height.

Mr. Ricketts said the green space that exists is now going to be more usable. Part of that is by virtue of the fact that the floodplain, since 1996 has been changed and so there is a larger area next to the creek that affectively is considered to be in a floodplain and cannot be built upon. As a result, they have pushed some of those lots back. There is detention and there is a little bit better ability to use that space.

He noted that the major functional green space on the property is really right next to the Ebright property or right behind them and the Ebright's have been working with the Ricketts family for many years on this project. One of the things they went to them about was the multi-use path. It was going to go out the 60 feet strip. When Mr. Ricketts approached the Ebright's about it Mr. Ebright preferred it not go past his garage and he asked if they would move the walking path to put it on the back of the adjoining property that they owned and avoid taking it between two of their properties. Mr. Ricketts said yes but they would have to give them an easement and they said that was fine. So the multi-use path is currently intended to go so that it does not in any way impede the Ebright's

property. The 60 foot strip that runs out that is still owned by the Ricketts family would in fact be the location of that path.

Regarding usable commercial acreage. Effectively what has happened is that row of lots that existed alongside the main road have been eliminated and the new road proposal enhances the sightline issues and the separation issues. Regional Planning and the Fairfield County Engineer have designed to come down and be at the lower part of the property. That has resulted in their being a bit larger commercial area. Affectively, the original acreage was 8.25 and now will be 10 acres but that is confusing because the church bought 3 acres of the original commercial when they expanded to the north. Thus, the commercial area is being expanded by 4 acres.

As to the commercial text, when they did the original zoning all the people along Milnor Road had concerns about the commercial restrictions. There was a list of very extensive list of restrictions to include hours of operation, no gas stations, no bars unless it was a part of a restaurant, and those were all negotiated as a part of that process. He did not recall if it was intended that those were to apply to the Ricketts commercial parcel. There is ambiguity in what was in the minutes and in the text. They have agreed that they will apply in the context of moving the plan forward. These need to be cleaned up prior to the time that we get to the next meeting.

There was also originally approval for a mini storage facility on that site and since 1996 mini storage facility in Violet Township we have added our own section for storage facilities and it is more restrictive than what was originally approved. Mr. Ricketts has agreed to add a number of those restrictions as a part of the text to provide primarily buffering protection and lighting protection to anyone that would be an adjoining property owner.

The other thing they have changed in the commercial text is a request for an allowance a permitted use being for an assisted care facility.

Mr. Dunlap referred to lots 334, 333, 337 and 336 that are split between the Township and the City and asked what the intention was for those four – to annex them into the City or for them to be configured and remain in the township. Mr. Ricketts said they indicated to Regional Planning the lots would be annexed to the City of Pickerington based on a belief that a detachment would not be granted from the City of Pickerington. Therefore, the logical thing from their perspective was to agree to annex the lots that are partially in the City of Pickerington. That is included in the revised supplemental text that Mr. Ricketts has been working with township staff on. Mr. Ricketts has not heard back from City officials on this proposal.

Mr. Dunlap said we worked well to develop this and get all the restriction in 1996 and then it was annexed into the City of Pickerington. Mr. Dunlap asked what his intent was in annexing the property under discussion tonight to the City of Pickerington. Steve Peck of 4900 Tuttle Crossing Blvd. said the intent is to not annex and to keep the project as it is zoned. Mr. Dunlap asked if he would commit not to annex, other than those 4 lots. Mr. Peck said that would be fine.

Mr. Myers asked about the commercial property and storage units. He asked what section that would be. Mr. Ricketts said the entire tract would be a permitted use but it would be contemplated that the corner would more likely be used for use other than storage. This is where the new road would meet. So common sense would say they will put the storage unit up by the church. Mr. Myers asked if he would need sewer service for the storage units. Mr. Ricketts

said he would not. Mr. Myers said the Ricketts family sold that property to the church and he has been told by the church that they have a sewage problem. He asked if Mr. Ricketts would consider granting an easement across one of those lots (121, or 122) for them to tie in to the sewer. Mr. Ricketts said it would seem there would be enough side setback to be able to do that but he feels he needs to address this with Pulte and have their engineers look at this as well as the county. Mr. Ricketts said this may be more expensive than what the church wants to spend but there is no questions that the Ricketts family will provide a way for them to tie into sanitary that only is on the Ricketts tract. Mr. Myers said it appears that where their system is the shortest route for them would be back to the west.

Regarding the path and the Ebright property on Milnor Road, Mr. Myers asked where would option 2 be. Mr. Ricketts said Option 2 will extend across the back and come out there. On the large plan that is what is shown. The sewer will connect almost in Jeff Ebright's front yard.

Mr. Myers also asked about the Community Authority option. Mr. Ricketts said they have had discussion with Pulte about whether or not they would be open to participation in a Community Authority and the next step is having a meeting with Violet Township to talk about the details of this. The Ricketts are willing to commit to participate in a Community Authority for the commercial part and they need to see if we can incorporate the Pulte residential part to make it a good Violet Township project.

Ken Sluss, 11555 Pickerington Road said he lives 100 feet from the proposed entrance from Pickerington Road. He had concerns about screening with especially car lights as they have car lights now from the cul-de-sac. He would like some large trees planted. He also has some concerns about what this commercial use is. Can they be assured of when this will happen and what it is going to be? He also has concerns about when the Ricketts property across the road from them is going to be developed and what will go in there. He said it seems like there is a lot of uncertainty and ambiguity in all of this. Mr. Myers said with commercial property there are certain uses that the Township does allow and he can be provided a list of those permitted uses. Mr. Myers said he can't tell him anything about across the road as they have not heard anything about this. Mr. Sluss said the light pollution of that area has been dramatically increased; not just the schools and Kroger and hates to see more coming. Also he was concerned about the distances; the walking path, the street and how deep is the green space.

Mr. Ricketts said he will get with Mr. Sluss and get him more detail. Also he said staff has been concerned about is making sure the buffering meets the requirements and staff will address any buffering issues.

Ms. Sarko asked if Mr. Butcher and Mr. Ricketts would discuss the conversations with the City of Pickerington regarding shared maintenance of several streets that will have sections located with unincorporated Violet Township and also within the City of Pickerington. Mr. Ricketts said there is a concern that if you are a homeowner in Springcreek, you need to know if your services are coming from the Township or the City. The same thing holds true with snow removal. The request was to try to determine that there can be some kind of an agreement worked out and he hopes to report more at the next meeting. Mr. Ricketts stated Pickerington officials would like to receive a proposal regarding street maintenance.

**Mr. Dunlap made a motion to continue Case Number 05-ZC-2017 until the next regularly scheduled Trustee meeting of October 4, 2017 at 8:00 p.m. at the Violet Township offices. Mr. Monhollen seconded the motion. Roll call vote: Mr. Dunlap, yes; Mr. Monhollen, yes; Mr. Myers, yes. Motion carries. 3-0.**

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Brian C. Sauer, Fiscal Officer

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Joniann Goldberg, Administrative Assistant

Approved by:

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Terry J. Dunlap, Sr., Trustee

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Darrin Monhollen, Trustee

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Harry W. Myers, Jr., Trustee

Date: \_\_\_\_\_