

RECORD OF PROCEEDINGS
Violet Township Zoning Commission

December 17, 2019

Mr. Biancamano called the meeting to order at 7:58 p.m. and roll was called.

Members present: Mr. Decker, Mr. Bussom, Mr. Rowell, Mr. Biancamano. Also present was Kelly Sarko, Zoning Inspector and Jennifer Huber, Township Legal Counsel.

Mr. Biancamano stated the first order of business would be Case Number 05-ZC-2019. Mr. Decker recused himself from the proceedings as his firm has an ongoing relationship with Rockford Homes.

Mr. Biancamano noted that the stopping point of the meeting would be 9:45 p.m.

Tom Hart, Attorney for Rockford Homes, Bob Yoakum, and Cory Theuerkauf from Rockford represented the applicant. Mr. Hart said they have an updated site plan that they presented during their neighborhood meeting on December 2. He said they have received a lot of feedback and they have listened and made some positive changes based on the feedback. Mr. Hart said they also had a meeting with the Pickerington Local School District and gave them the updated site plan. They are in the process of exchanging information with them.

Corey Theuerkauf stated that they are presenting a revised plan that reduces the total number of lots by 95. They reduced the gross density down to 1.96 and increased open space to over 50 acres. The new design has a similar entry but fewer lots. They have the pond for a dramatic effect along Toll Gate, and introduced more curves in the roads.. They increased the lot sizes to 65 feet versus 52 feet and 62 feet versus the original plan. They dispersed the open space throughout the community to try to eliminate clustering. They enhanced the buffers to eliminate the impact on the neighbors to the south with a 100-foot setback, some mounding with evergreen and deciduous trees.

The site plan revision impacted the overall economy of the project. The 65-foot wide lots with the current development standards will be in the \$350,000 price range. They are proposing a 7½-foot side yard setback, 25-foot front, 25-rear that would provide a building pad able to service a 3-car garage.

Mr. Hart explained one of the main purposes of any zoning code is to protect property value and at the same time to allow landowners to pursue the highest, the best use of their own property through re-zoning. At the neighborhood meeting, there were many questions about value, about Rockford and the price points in relation to the community. Mr. Hart distributed a handout.

Mr. Hart said that their proposed price points will fit the character of this area. They reviewed data from the Fairfield County Auditor, the BIA of Central Ohio, the Columbus Board of Realtors multi-listing service and the BINNS report.

On the basis of this review, they found that the average fair market value for properties around the site is \$269,500. The average square footage of the homes is 2,400 square feet. From 2015 through 2019, Violet Township has permitted an average, 61 new single-family homes per year over the last 4 years. Census data says there is an average of 2.9 people per household in the Township, which equals about 177 new people from single-family home permit activity on an annual average for the last 4 to 5 years. The population of Violet Township is around 41,000. New permits for single-family homes in the Township represent about .43% of total population.

Mr. Hart said that this data supports Rockford's desire to sell homes between \$325 and \$400 at the site. The market in our region and in the Township is significantly slower and has slowed down dramatically. It is very limited above \$500,000.00 in the marketplace. Rockford Homes fits the market with an average price point of \$393,000 across all central Ohio.

He said they have heard a lot about increased population, traffic and school overcrowding. He said looking at these numbers and the census data, the growth rate by any measure is not what some people have suggested it would be. The build out at Toll Gate, would add about 780 people over a five to six year period and that number is a very small fraction of the existing populations of the Township.

Mr. Biancamano asked the applicants to go into more detail with the new plan and explain what they did. Mr. Theuerkauf explained the changes and said the bulk of the loss of the lots is based on side yards because in the original plan they had clusters in the center of the project that were 52 feet wide. The lots are now 65-feet wide. The main roadway has pretty much stayed the same and they got rid of the conventional lots that backed up to one another with a denser pod in the center.

They added a cul-de-sac. The lower portion of the site stayed the same except they lost open space in that area in an effort to provide the adjacent property owners additional setback and screening. The overall concept changed to provide a more curvilinear design versus a conventional intersection.

Mr. Bussom asked Mr. Theuerkauf to explain what open space they are leaving and what ground is wetlands. Mr. Theuerkauf identified wetlands on the drawing. He said they are under the threshold for nationwide permitting impacts as of right now. Mr. Bussom asked how much ground is associated with wetlands in terms of acres. Mr. Theuerkauf said 2 acres in the overall project.

Mr. Rowell said at the last meeting there was a lot of talk about proximity of edge of lots to the setbacks and mentioned that most of the lot decrease came from increasing the

size of the lots. He asked him to take them through slowly what the size of the lots were before versus the size of the lots now and what the setbacks are now; front, back and side versus what they were before. Mr. Theuerkauf said the original plan consisted of lot sizes that were 52 feet wide and 62 feet wide. The original setbacks were the same for both lot widths; 5 feet minimum, 10 feet combined. The 25-foot building line setback and 25-foot rear yard setback. They have increased the lot size to 65 feet. They have increased the setback to 7.5 feet per side for a total of 15 feet and kept the same building front and rear yard setbacks of 25 feet.

Mike Howes, 12300 Toll Gate Road, Pickerington said he looked at the corridor between 204 and Refugee Road and identified 62 parcels of land with houses, churches or vacant land. He said of all those lots, he could not find a single lot containing less than one acre. He said most were at least 1.5 acres, or 2 or more acres. He said there are 57 houses between 204 and Refugee Road which encompasses somewhere between 500 to 600 acres of land. He said they are proposing to take 138 acres and put 269 houses, which will increase the density of the houses in the Toll Gate Corridor by 4.75. He feels this is an exponential increase beyond reason. He said an acre of land is 43,560 square feet and they are proposing to build homes on 6,500 square feet. He feels it is so out of character to what we have in this neighborhood and he does not see this to be acceptable.

Robert Carbonara, 6080 Blacklick Eastern Road, Pickerington said his concern was safety. He knows the Commission is taxed with making sure that any structures that are built within the community are safe, healthy and attractive within the community. He is concerned with Toll Gate Road as it is very narrow and it does not even have a white line in the middle of it. There are many accidents at the intersection of 204 and Toll Gate. He does not think the area can support any more people, cars and activity.

Dan Baird, 11783 Covington Court, Pickerington said traffic on Refugee and Toll Gate Road is his main concern and there have been times when Toll Gate Road is impassable. He said that Huntington Hills is across the street from the school but no one walks to school. There is school traffic in the morning and the bus traffic in the evening. He noted semi-trucks on Toll Gate Road heading toward Amazon. He said when they first moved in 10 years ago, the traffic light and the school were not there.

He said according to Google, the purpose of the Zoning Department is to protect property values and protect the character of the community. He said this is not characteristic of this neighborhood. He inquired about the number of bedrooms in the homes and how many garages and questioned where all of the cars will park. He said he is all for new homes but at least make it the same size lots as the existing homes.

Drew Potter, 6983 Pin Oak Drive said this community was built by the locals and built by the rules and the rules are being changed. He said that no one comes to the country for a small lot.

Holly Fisher, 12393 Parliament Drive, said the houses will directly impact people on her street in Liberty Township. She said there are already having water issues. She is hoping they will fix her yard, or her road or help her family because her basement floods. She wants to know what Violet Township will gain other than more houses and more taxes. There is too much in too small of a space.

Gene Venetta, 12751 Toll Gate Road, said he is concerned where the entrance is as it is right across from his driveway. He said this does not fit.

Dan Zoretic, 6125 Mamie Drive, wanted to address surface water drainage. Referring to the September 6 version of the Development Text, he said it says, "Existing drainage generally flows from the northeast to the southwest from the northern parcel and from the north to the southeast and southwest on the southern parcel". This is the north corner of Mamie Drive. He said the map shows all the retention ponds on the west side and to the south but if the water moves from the northeast to the southeast on the north corridor there is no way to really pick up that water unless it is going to be subsurface drainage or storm sewers, which are expensive. He said the Woolever property drains from north to south. There are no storm sewers and the residents have open ditches or it just drains across the surface. He said there is a tile behind 6185 Mamie that is not shown on the map. He said this is a great development but it does not fit in Violet Township.

William Renner, 11132 Huntington Way, said his only concern is the size of the lots and said it reminds him of the Farmcreek Development between Tussing and Refugee. He said this area is different from Violet Township but you will find houses that are close together. He said this does not fit the character of Violet Township. He said it is not only defining the character but also protecting the character of the township. He said the Township is going to grow and we enjoy the benefits of growth. His concern is how close everything is to the road and wondering what this development will be like as it ages.

Scott Moore, 6068 Mamie Drive, said his family has lived here all of his life. He said he addressed a question at the last meeting about the history of the property and the fact that the land was given to the Wyandotte and the Dakota Indians for a period of time prior to them being forced onto reservations. Rockford Homes said they had an archeological survey done. He asked who did this survey. He said Wyler Services. He said the Ohio Historical Society has no knowledge of an archaeological survey. He said they will get into grave sites. He feels this is a desecration of the beauty of the land that his family bought into. They did not buy to be surrounded by subdivisions. They bought their property for the serenity and the peace that came along with being in that area. He feels this has no place anywhere near Toll Gate Road. He said unless you, live in the area, you cannot understand the impact the development will have.

Jim Cotugno said he lives in Baltimore and he has done the development in Violet Meadows. He said he likes the project but it is not in the right area. He said his family has

a farm nearby they would like to develop. There are only a few farms left and once they are gone, they are gone.

Mr. Biancamano asked Mr. Hart to explain what the developer will do to mitigate any adverse effects on the neighbors.

Mr. Hart explained the basic law is the Clean Water Act, which is administered by the County Engineer. Storm water regulations will require storm sewers that capture all the water coming off any hard surface, slow the water down, take it to a required pond that settles any kinds of pollutants and then slowly releases the water into the receiving stream at a much slower rate than happens today. They have done preliminary engineering and are required to do the final engineering once zoning is approved.

Mr. Theuerkauf showed where storm water would flow to which basins. Mr. Theuerkauf said there might be a need for another pond in the north central area.

Mr. Bussom asked if they had conducted a traffic study. Mr. Theuerkauf said they have initiated a Traffic Engineer and they have submitted a MOU through Regional Planning. He said they have put it on hold because they wanted to see how their lots came out, as it will impact the overall study. They will start the study once they have identified the number of lots.

Mr. Biancamano asked about size of homes, bedrooms, garages. Mr. Yoakum said their typical product mix would be the 4-bedroom, 2½ bath, 2-story mixed in with ranches. He said ranches are typically a small percentage of what they do.

Mr. Biancamano asked what the typical size of a garage would be. Mr. Yoakum said typically you have a 50-foot building pad and 10 feet of that is third car garage if the buyer chooses. The average home has two-car garage and the market dictates whether a buyer chooses a third car garage.

Mr. Biancamano asked about the distance between the houses. Mr. Yoakum said it is a total of 15 feet between each house. Mr. Biancamano said that is different from the current housing pattern in that part of the Township. Mr. Theuerkauf said that Heron Crossing is similar.

Mr. Biancamano asked if they have prepared an amended Development Text. Mr. Hart said it was still underway based on the feedback from this meeting. Their next steps would be to work through the Development Text with staff and come back in January.

Robert Carbonara, 6080 Blacklick Eastern Road asked who was responsible for widening Toll Gate Road, he noted the road is narrow and was unsure if the road could accommodate traffic from this development. Ms. Sarko said the Developers are responsible for any improvement that Regional Planning and the County Engineer's Office determines is necessary. She noted Toll Gate Road is a township road and the township

is responsible for maintenance. Any lane improvements, such as a deceleration lane left-turn lane, the Developer is responsible for installation. Mr. Carbonara asked about other lanes. Ms. Sarko said the traffic study determines what is required, and then they (the Developers) are who have to install it.

Mr. Carbonara asked how the study is done. Ms. Sarko said the Developer and the County Engineer's Office and Regional Planning Commission meet with the Developer and agree upon a finite set of points the study needs to encumber, the time periods, the parameters of study. Mr. Carbonara thinks this is out of character with the Township.

Teri Thacker, 13207 Toll Gate Road said she moved here for the land and to be with her family. She said they already have potholes in front of their house and the road was just paved this summer. She agrees with everyone that this is out of character. She said no houses.

Jackie Neilon, 13295 Toll Gate Road said she feels the request is incomplete. Referencing the Violet Township Land Use Plan, she read part of the Vision Statement "Violet Township will, to the extent compatible with other goals, seek to maintain its rural character. The Township's residential developments will feature attractive and useful open spaces, and the Township's natural and historic features will be preserved." She said the proposed development is not compatible with the existing development in the area.

Ms. Neilon said Rockford described their target homeowner as a millennial. They said they enjoys the outdoors, has an active lifestyle, want to be connected to things and places. Rockford was going to provide a park type environment for them. She said the amenities mentioned in the previous design were removed. She said the Toll Gate Road is not close to any of these things. She said that trends come and go. She said not to provide something new if something has to be taken away and feels the rural character of Toll Gate road will be taken away.

Cathy Jerbic, 12599 Toll Gate Road, Pickerington was present. Ms. Jerbic said she raised the issue of wells during the neighborhood meeting with Rockford Homes. She said a well is her water supply and there are many homes surrounding this area that have well water. She said Soil and Water could not assure her that construction would not have an impact on her well.

She asked the board how they could recommend this without knowing the impact of traffic. She wanted to know what process the Zoning Commission goes through before referring this to the Trustees. Mr. Biancamano said the process is what is occurring now. They would not make a recommendation until they have all the facts and until they can responsibly make a recommendation to the Trustees that this complies with the law and is in the best interest of the community.

Ms. Jerbic said she heard the developers say tonight that they would not do a final traffic study until there was zoning approval. Ms. Sarko said they had initiated it but said it was on hold until they got a firm lot count. Ms. Jerbic asked Mr. Hart when they would have a traffic study to the Zoning Commissioners. Mr. Hart said they would resubmit the traffic study and restart the process with a new lot count. He said they would formally resubmit this with the lot count they presented tonight. That would start the review process but they cannot control when the County reviews the study. They did do an MOU and talked about the scope of the study and detailed that during neighborhood meeting. In terms of when the traffic study would come back, they cannot tell the County Engineer when they need to do this but they are typically responsive. He said his own view is the Zoning Commission deals with land use and the traffic issues are addressed by the County Engineers and is not legally part of a land use decision.

Patrick Johnson, 12653 Parliament Drive in Liberty Township said his property adjoins the property and had a safety concern that has not been expressed. Specifically, he is concerned that Saylor Road seems to be left out of the study. There are two more intersections that he believes need to be discussed – the intersection of Blacklick (Eastern) and Saylor and the intersection of Saylor and Refugee where there is a blind curve on Saylor. He said many people would go down Saylor Road to avoid traffic. He feels this needs to be included in the traffic study. As far as the drainage, he said he has a drainage problem on Parliament and believes they have to address the drainage to the eastern portion of property. He said the development would fit in closer to Pickerington.

Dan Baird, 11783 Covington Court said in Huntington Hills, every lot size is about a half-acre. There are deed restrictions and everyone pays \$55 a month to take care of the green spaces. He said he does not need a traffic study to know that if you put 2.9 people on average of every home you would have about 3 cars and a 2-car garage. He said in Huntington Hills you are not allowed to park in the street for more than 24 hours. You cannot have a boat or trailer, or motor home or a shed. He really hopes this does not happen.

Bob Stewart, 12549 Parliament in Liberty Township said he is a millennial with a 2,400 sq. ft. house with 4-bedroom, 5- car garage on 2 acres and is his own slice of heaven. He showed the location of his property on the drawing. He said it is all forest and he sees every kind of critter you can imagine and is amazing. He hopes they will protect the forest everyone's home values. He thinks looking at a housing development instead of woods really "sucks".

Manraj Bath, 13998 Toll Gate Road said progress cannot be stopped but we have to be responsible about it. One of things they have not talked about was the school issues. He has contacted the (school) Board and spoke to the Superintendent was kind enough to send him a proposal. He said that someone brought up a school impact study. He said we need to look at our responsibility to our children who need education and the schools are bursting at the seams. This new development would be a significant impact on the area. They do not want this to be the precedent.

Ms. Sarko said she would like to meet with the developers before they do their final plan because she has some comments. She said her general comments are removing the cul-de-sac and instead looping it into the road; narrow open spaces behind lots – create more open spaces; the lack of open spaces in certain areas.

Mr. Bussom made a motion to continue the hearing for this application to our next scheduled meeting of January 21, 2020 at 7:30 p.m. at 10190 Blacklick Eastern Road. Mr. Rowell seconded motion. Roll call vote: All voted aye.

Mr. Rowell made a motion to adjourn the meeting. Mr. Bussom seconded the motion. Roll call vote: All voted aye. Meeting adjourned at 9:42 p.m.

Approved:

John Biancamano, Chair

Date: _____

Bob Bussom, Vice Chair

Daniel Rowell, Secretary

Mark Decker, Commission Member