

RECORD OF PROCEEDINGS

Violet Township Zoning Commission

July 21, 2020

Mr. Biancamano called the meeting to order at 7:00 p.m. and roll was called.

Members present: Mr. Bussom, Mrs. Forche, Mr. Hogan and Mr. Biancamano were present. Also present was Kelly Sarko, Zoning Inspector, Jennifer Huber, Township Legal Counsel and Robin Duffy. Mr. Rowell arrived after Roll Call.

Mr. Biancamano welcomed Mr. Hogan and Mrs. Forche to the Commission. He noted that because Mr. Decker has recused himself from consideration of the Rockford application, Mrs. Forche will be a voting member.

Case Number 01-ZC-2020: an application for rezoning filed by Rockford Homes, Inc., 900 Polaris Pkwy, #200, Columbus, Ohio 43240 for property located at 12648-12650 Tollgate Road, consisting of 100.74± acres owned by Mason Family Ltd., LE to Marilyn J. Rostorfer, c/o Kathryn Lors, 2211 Cheltenham Road, Columbus, Ohio, 43220; and 37.96± acres located at 12330 Toll Gate Road, owned by Tollgate Road Ltd., 50 Hill Road S., Pickerington, Ohio, 43147. This application proposes to amend the Violet Township Zoning Resolution by amending the Violet Township Zoning Map to rezone Parcel Numbers 0360088700 and 0360090010, consisting of a total of 138± acres on the east side of Toll Gate Road from the R-2, Single Family Residential District to the PD, Planned Residential District to accommodate a 239-lot, single-family subdivision. This application also requests divergences.

Mr. Biancamano said this was a new application by Rockford Homes and asked Mr. Hart to explain the application.

Mr. Hart introduced Corey Theuerkauf and Bob Yoakum with Rockford Homes.

He explained this is a new application with a different development plan. The application was filed on June 12, 2020. He said the new plan meets the Code requirements and increases open space areas. He said they heard the comments about the density. The new density is 1.99 units (net) per acre. There are 239 lots and 51% open space/70 acres of open space. There is a 100-foot buffer along the north property line.

Corey Theuerkauf, Vice President of Land Development, Rockford Homes presented a PowerPoint and said the plan has gone through several iterations. He provided a brief history of the application. He said an application was filed on September 19th with 364 lots; the plan was modified on January 21, 2020 and the number of lots was reduced to 269. On March 10, 2020, the plan received a recommendation of denial. That plan was presented to the Trustees (and later withdrawn).

Mr. Rowell joined the meeting.

Mr. Theuerkauf explained the differences between the old plan and the new plan. He noted the cul-de-sac in Subarea A was removed, the increase in the buffer area along the north property line to 100 feet, removal of lots which back to Toll Gate Road and the addition of a larger centralized green space.

In Subarea B, they removed a street, and created a central open space, they shifted the eastern road west so the buffer along the east property line is the same as that on the west – 75 feet.

He described the rendering on the view from Toll Gate Road and said there would be undulating mounds with a mix of evergreen and deciduous plantings. The entry feature would have an estate entry with black cross-buck fencing with stone columns.

The Amenities in Subarea A will include a tot lot designed for children 6 to 12 years of age in the northeastern quadrant of the central green, along with benches and plantings, walking path, and a water basin. Subarea B amenities include a seating area, central green; an 8-foot mound along the west property line with plantings and a fence along with multiple preservation zones.

A slide which highlighted the amount of green space verses the lots was presented. Another slide showed that Heron Crossing was approximately 1,500 feet “as the crow flies” from this proposed development.

Mr. Hart described the size of the open spaces and the buffers and noted all are connected with paths. He showed the similarities of the proposed Sycamore Grove with Heron Crossing, Heron Crossing West. He said the intent is to take the open spaces out of private ownership and place them into community control. He noted this is similar to developments in Westerville, Powell, and New Albany. The benefit of all three – proposed Sycamore Grove, Heron Crossing and Heron Crossing West is that they have very large open spaces.

He presented a chart showing the recent PRD approvals. He said it is a different approach to the traditional large lot development. He explained that clustering the homes reduced the development footprint. This is an efficient development and creates better and more open spaces.

Mr. Hart said this development is good for the community. He said the price points will be \$375,000 to \$400,000 which matches or exceeds what is around the development. It will bring in younger buyers and will create a farm system for future buyers by injecting new value into the community.

He said that Sycamore Grove is a density compliant subdivision and that 50% open space is a good precedent. He said the lot standards are justified and are consistent with Heron Crossing and Heron Crossing West. Mr. Hart said development within the Big Darby Creek and Rocky Fork Accords call for 50% open space and this development would meet those requirements. He said that this plan provides for significant buffers for neighbors.

Mr. Theuerkauf noted they had met with Fairfield County Utilities regarding sanitary sewer. He said the sewer will provide relief to Mamie Drive residents. They will provide stubs to the Mamie Drive property lines so that those with failing septic systems can tie into the sanitary sewer. He said the size and depth of the system will be able to serve Toll Gate road and east to Saylor Road.

Regarding the traffic study, they are working with ODOT and the County Engineer to solve problems at the intersection of S.R. 204 and Toll Gate Road.

Mr. Biancamano asked if Ms. Sarko had any comments to offer. Ms. Sarko said she is still in the process of reviewing the development text. She said one of her main concerns is access to the north buffer – Reserve A. Currently, the only way to access the buffer is the entrance to the creek near Lots 3 and 29 and 24. She said there needs to be an access to that area. She said she would like to know the

distance between Lots 74 and 91 and how to prevent people from making their back yards bigger over time.

Maggie Muncie, 6218 Mamie Drive said she disagrees with Mr. Hart's comparison with the two other subdivisions. She said those two other subdivisions are not on a road like Tollgate and she feels Toll Gate Road will not handle what they are proposing.

Ms. Sarko read into the record an email from Cathy Jerbic who lives on Tollgate Road: "Kelly, Please ask the applicant to explain the line-of sight diagrams on Sheets 5 and 6 for both entrances (north and south). What is meant by the decision point in relation to the existing grade as shown?"

"As I've stated before there are dips in Toll Gate Road that hide cars from residents when trying to exit their driveways (residents Venetta, Jerbic and Miller). My driveway is 220 feet south from the crest of the hill at the proposed south entrance. Because there's a hidden driveway sign for my driveway, the posted speed limit is 45 mph. I note Sheets 5 and 6 state a design speed of 60 mph. Is the decision point a reference to drivers negotiating the existing roadway, or a decision point for road improvements? I expressed my concerns on these latest sheets to Todd May, County Engineer's Office in mid-June. Cathy Jerbic"

Mr. Hart read into the record comments from their civil engineer, Mike Reeves regarding Mrs. Jerbic's questions: "The sight distance exhibits are for the proposed entrances and cars making decisions for safe turning gaps when exiting the proposed road. The exhibits are to verify that the cars turning out of the subdivision can see the required distance as determined by ODOT to allow for safe turning movements out of the subdivision. The exhibits are based on cars travelling on Tollgate Road at 60 mph. The decision point is the location that the vehicle stops back from the travel lane (17.8') and the driver's eye height is 3.5' above the existing ground while sitting in their vehicle. The decision point is the point at which drivers exiting the proposed subdivision roadways will stop and make their decision when to turn relative to vehicles travelling at 60 mph on Tollgate Road. It is not related to drivers negotiating the existing roadway". Mr. Hart noted the road engineer used 55 m.p.h. in the traffic study with 5 m.ph. for margin of safety.

Robert Carbonara, 6080 Blacklick Eastern Road said his concern was with infrastructure and that Tollgate Road will not be able to handle all the traffic without some modification. He said the need for modification will become evident years from now when the taxpayers will have to pay for it. He has not seen any engineering studies aside from the one that was done on the previous application which was marginal and he would like to see an engineering assessment of the traffic before any approval is given to this new development. He said there should be a left turn lane for the southbound traffic on Toll Gate coming from 204 and north which is probably where most of the traffic would be coming from. He said Rockford and other developers should pay for this and if it is not done now, then the taxpayers will be stuck with it later.

Matthew Koppitch, Legal Counsel for Mr. Renner, was present and said he would reserve comments for later.

Bob Neilon, 13295 Toll Gate Road said he testified in the previous application and asked if their previous input would be considered in this application. He said none of the issues he raised have been addressed in the new application and almost all of his comments still apply. Mr. Neilon wanted to go over the topics he spoke about before. One was preserving the rural character of Tollgate Road. Another was preserving the property values, despite what Rockford says, he thinks that placing 239

houses next to their large properties is going to impact at least the desirability of their houses. He also addressed the perimeter buffer divergence. It still is in the current plan and he does not see any justification for that. Regarding divergences for lot sizes, he said these lots are among the smallest in Violet Township and it does not seem reasonable to him to place the smallest lots next to the biggest lots. He is not against PD's in general but they must be zoned in the right location. He gave the example: next to other PD's, next to schools, next to undeveloped property, next to R-1 property and where the surrounding property owners agree with it. He said none of these conditions apply to this case. He said the Rockford plan may be appropriate for other locations in Violet Township but he believes this plan is not appropriate for this specific property on Toll Gate Road surrounded on the west, north and east by developed R-2 single family homes. He said they moved to Toll Gate Road for its rural character. He asked the Commission to keep the property R-2 to preserve this sliver of Violet Township.

Jay Pearce, 13260 Tollgate Road had concerns about safety on southbound Toll Gate Road heading to the school uphill at school time. Are they going to do anything about that situation?

Mr. Hart said he did not believe the traffic study looked at the development's close proximity to the school. He said these will be details to be addressed in final engineering. He said ODOT and the County have the study and they are having dialogue with them. He said that if the County determines that the development has any impacts on traffic, the developer has to pay for their mitigation.

Mr. Pierce said he was very hard to understand but from the way he heard it they are not going to do anything about the additional traffic coming from the new addition going into the school.

Mr. Biancamano said he thought what he heard was that ultimately the decisions relating to safety on Tollgate Road will be made by the County Engineer and if the County Engineer decides that any remediation is necessary, the developer will be responsible if they go forward.

Mr. Hart noted they have to bring their final development plan back to the Township.

Mr. Biancamano said that he heard that Ms. Sarko will be working with Mr. Hart on the Development Text.

Mr. Rowell asked if the Commission would consider adopting a motion to approve this application contingent upon addressing issues that may continue to exist with the text. Ms. Sarko thinks there may be additional questions that still need to be answered. Mr. Biancamano said his opinion is that there is still work to be done by Ms. Sarko working on the text and other details. He would like to see the final product before the Commission passes the final motion. Mr. Rowell said he would like to see the issues addressed by the August meeting.

Mr. Biancamano noted that residents can send any comments in writing to the township via email or letter and they will be taken into consideration.

A discussion ensued about the format of the next meeting. It was recommended that the meeting use the same format. Several residents commented about the sound quality for the meeting and a discussion ensued between residents and the Commission. Mr. Biancamano said that he would like to work with Township staff to work out the issues with the technology.

Mr. Bussom made a motion to continue this public hearing to the regularly scheduled meeting on August 18, 2020 at 7:00 p.m. with the format of the meeting to be disclosed prior to the meeting. Mr. Rowell seconded the motion. Roll call vote: Mr. Bussom, yes; Mr. Rowell, yes; Mr. Hogan, yes; Mrs. Forche, yes; Mr. Biancamano, yes. Motion carried.

Mr. Rowell made the motion to adjourn the meeting. Mr. Bussom seconded the motion. Roll call vote: All vote aye to adjourn. Meeting adjourned at 8:26 p.m.

Approved:

John Biancamano, Chair

Date: _____

Bob Bussom, Vice Chair

Kerry Hogan, Commission Member

Daniel Rowell, Secretary

Alison Forche, Alternate Member

Mark Decker, Commission Member