

CONCORD TOWNSHIP BOARD OF TRUSTEES

October 17, 2018

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Call to Order

The Concord Township Board of Trustees met in special session on Wednesday, October 17, 2018 at 6:00 pm at the Concord Township Administrative Building, 6385 Home Road, Delaware, OH 43015. Chairman Bart Johnson called the meeting to order to hear re-zoning application number ZC052018 for the Reserve at Scioto Bluff. The roll was called and attending were Trustees Jason Haney, Joe Garrett, and Bart Johnson. Also present was Fiscal Officer Jill Davis, Fire Chief Todd Cooper, and township legal counsel, Chris Rinehart.

Purpose

The purpose of the meeting was in response to the Notice of Recommendation of Conditional Approval dated September 26, 2018 from the Concord Township Zoning Commission. On September 18, 2018 the Concord Township Zoning Commission held a public hearing to consider re-zoning application ZC052018, filed by Principle Real Estate Development LLC of 9200 Worthington Rd, Suite 150, Westerville, OH 43082. The applicant requested approval for re-zoning and a preliminary development plan referred to as The Reserve at Scioto Bluff, for a planned residential district on 12.02 +/- acres at 5165 Butts Road, Powell, OH 43065, parcel #320-110-02-002-000 owned by Principle Real Estate Development LLC. After hearing all the evidence and testimony the Concord Township Zoning Commission moved to recommend approval of application ZC052018 with the following terms and conditions:

- 1- Development plan text page 7, paragraph 9 "This project will be developed as one phase". Condo declarations and bylaws page 9, article IV improvement descriptions, section 1 "This condominium will be built in phases". The discrepancy needs clarified.
- 2- Legal description needs reviewed and approved by the Delaware County Engineer.
- 3- Documents stating the applicant will extend Columbia Gas service from the intersection of South Section Line and Butts Roads to the proposed The Reserve at River Bluff.
- 4- Document stating agreement between the developer of River Bluff and the applicant regarding coordination between, and availability of, sanitary services for both developments.
- 5- Emergency access, emergency vehicle clearance, hydrant placements, and possible turn around included in the rear of the proposed development needs clarified and approved by the Concord Fire Chief.
- 6- All natural (no vinyl), nonflammable materials, wrapping each house needs clarified and approved by Concord Fire Chief.
- 7- Documentation from Delaware County Engineer regarding a traffic impact study for the proposed development.
- 8- Condo declarations and bylaws page a, first paragraph "The Ravine at Scioto Bluffs Association" needs changed to "The Reserve at Scioto Bluffs Association".
- 9- Clarification for the Trustees whether cluster mailboxes are required.

The re-zoning process begins with an application to the Zoning Inspector, then to Regional Planning, then to the Zoning Commission, then to the Board of Trustees, who will vote by majority to either approve, or deny, or approve with modification.

Mr. Johnson made a matter of record that the following requirements have been satisfied:

- A-the application dated August 20, 2018,
- B-the legal notice,
- C-the attendance sign-in sheet
- D-the notice of conditional approval from Regional Planning, and
- E-the notice of conditional approval from the Zoning Commission with conditions as read.

The swearing in was performed by the court reporter.

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Testimony

Ms. Catherine Cunningham, 65 East State Street, Columbus, Ohio, was the attorney representing Principle Real Estate. The application was recommended by DCRPC, and then by the Zoning Commission with eight conditions. Condition number one regarding phasing was clarified. There will be one phase for construction and development infrastructure, but the condo phasing documents are correct. The application is for a planned residential district, and since the zoning code was updated, divergences have been applied. Objective standards in the code were removed, but the bonuses are still there. The condo style units presented for seniors and empty nesters warrant increased density.

Mr. Todd Faris of Faris Planning and Design, 243 East Fifth Street, Columbus, Ohio, spoke on behalf of Principle Real Estate.

- The project is on the east/west Butts Road, just south of Hyatts Road, adjacent to an approved development with condos, single family homes, and estate lots.
 - This twelve acre parcel was previously owned by the Humphreys, and the plan calls for 30 condo units at a density of 2.5 units per acre.
 - There would be a mix of unit types and number of cars allowed.
 - Architecture is farmhouse style with different base plans
 - Lot has primarily wooded areas; the condos aggregate toward the east to the other previously approved condo units, to preserve natural areas. They will preserve 43% of the site for open space. Open space begins fifteen feet from the home sites.
 - Interior sidewalks within the community, and a multi-use path along Butts Road to tie into other future projects.
 - Unique to the site: heavily treed, two swales with intermittent streams, keep vegetative cover.
 - Pulled houses off the periphery to west to preserve the tree cover.
 - Will restore the fencing along the property frontage, and appear as a bridge entry.
 - “Step higher” condo project
 - Cupola features at entrance structures carried over from farmhouse style
 - There is a secondary ravine area that will include columns and more fencing into the back enclave area, with units and 3-car garages.
 - Buffering will be added east and north where there is none.
 - Streets within the development to look and feel like public streets with curb and gutter to county street specs.
 - Fifteen feet minimum between units, comparable to other townships and cities, and have requested a divergence.
 - All units have natural materials with fully custom options of a base model.
 - Developer wants to bring a unique product to the market and customize a high end unit.
 - Condo association will maintain mowing, mulching, etc.
 - Less impact to traffic and school district with condos, and no reliance on township road maintenance, yet still adds to township tax base.
- Divergences:
- Structural separation from 20’ preferred, to 15’ (or 12’ with overhangs on some units, not all).
 - Density from 1.5 preferred, to 2.5 units per acre. Increased density to keep condos and maintenance fees viable, and for preservation of woods, upgraded architecture, and attention to detail on site.
- Regional Planning and Zoning Commission both recommended with conditions. PK will address the response to conditions, dated October 17, 2018.
- 1-Many conversations were held regarding the turnaround and hydrants. Will address later.
 - 2-Phasing clarification was completed by Ms. Cunningham.
 - 3-Ravine and Reserve name change was made in condo documents.
 - 4-Legal description was approved at the county map room and recorded.

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- 5-There has been correspondence with Columbia Gas - no letter, but would have to contribute to pay for by the developer.
- 6-Letter received from Kelly at Sanitary Engineer's office that the sewer access and capacity are available.
- 7-Development access was approved but a traffic study was not required.
- 8-Other items/drawings brought last meeting but would like put into the record:
 - D5 - entry signage, lighting, officially add to record, also shows mailbox pull offs
 - D3 - sign off on mailbox kiosks only (litter receptacle removed)
 - Site plan concerns - bottom portion reconfigured for hammerhead drive for emergency turnaround, asked if deck or patio can encroach ten feet into the 25' rear setback, moved water detention location due to hammerhead and also re-engineered for different release rate (north retention wet, other two dry due to increased capacity near river).

Skip Eberly, developer, Principle Real Estate, said they were conscious of responses of the residents nearby. They sent letters and met with 90% of the neighbors and received good feedback; people were happy with the clustering of homes and low impact. Most concerns dealt with the existing traffic on Butts Road and installation of a guard rail at Butts Road and Riverside Drive. His partner, Rod, researched the road issues and found the existing homeowner and township can send a letter to ODOT to request a guardrail. Neighbors like the 55+age target and low impact. The developer will maintain the path along the front, and wants to save as many trees as possible. They have to have numbers in a condo development for feasibility and cannot spread out the infrastructure and annual maintenance cost unless have the numbers.

Mr. Johnson asked how a few less condos than proposed versus eighteen single family homes was better for traffic. Mr. Eberly said traffic trips are similar for both based on DCRPC results but the condo traffic is at different times - during "off" peak hours. Comprehensive plan recommends age restriction and guidelines to traffic trips. The development can legally age-restrict eighty percent of the development. Mr. Johnson liked that the development pulled units away from the family housing to the west, and agreed that divergences have been granted before for the well being of township residents, but what applies in this development? Mr. Eberly felt the small site offering a bike path for future linkage and a product that does not exist at this time are both favorable to the township.

The base plan units are 2000 square feet, up to 2700-2800 square feet. The construction contractor has been in business for 30-40 years and has been in the Parade of Homes. The will offer as many custom options as possible.

Ms. Cunningham added the development benefits the township by following what the township's comprehensive plan wants to see as well as being permitted in the zoning code. The product is desired within the township and recognized in the comprehensive plan for higher density. The benefit was identified by the township in the comprehensive plan and fits in harmony with the neighborhood developments.

Victor Melfe, 4483 South Section Line Road, said he moved here from Genoa Township where he saw his taxes increase by double. He feels tax base money without burdening the schools and tax increases is positive for the township. He supports this type of development.

Steve and Marna Basil, 5015 Clark Shaw Road, saw this development hearing on the website and hope it is approved. They have just over six acres which is now too much for them, and have looked for a product just like this here or in Dublin. They would like to stay in the township and this unit would be perfect.

Mr. Haney asked if site elevation plans were available. The developer would like to keep them as low as possible so not as many steps to get in. Discussion was held on

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the changes that occurred to the Epcor development elevations, and do not want that to happen. These units would not be built on slab, but have basements or crawl spaces.

Mr. Johnson said he likes the concept but there may be too many of these developments here now. Long term, it may also be a detriment to the school district. What happens when there is no large baby boomer generation to fill these units in the future? Mr. Eberle answered the product is market driven and the concern is legitimate, but a new generation may want less maintenance, and these will maintain value.

All three Trustees were not happy with that high of density specified in the development plan. Mr. Haney also remarked the separation of units at less than twenty feet was not favorable. Mr. Johnson is adamantly opposed to any density higher than two units per acre. Mr. Eberle said they could get down to 28 condo units, but thereafter the development doesn't make sense and condo fees would increase. He asked if the developer could change to 18 single family homes. A five minute recess was held for the developer and representatives to hold private discussion.

Ms. Cunningham thanked the Board for time to discuss. The developer wishes to table the discussion to have the opportunity to work out the condo development. It is probably not possible, but they will try. If not, the developer would like to come back with a traditional single family development and refile as a new application with the zoning department, and request waive of application fee at that time. Therefore, Mr. Garrett moved and Mr. Haney seconded to continue the meeting for application ZC052018 until October 31, 2018 at 10:00 am. Vote: Haney-yes, Garrett-yes, Johnson-yes.

Should the developer wish to withdraw the original application via notice by letter, and re-submit a new application, Mr. Garrett moved and Mr. Haney seconded to consider this a major change of the application (if the developer chooses not to do the condo development), and to allow re-submittal of a new application (for single family homes) with the application fee waived. Vote: Haney-yes, Garrett-yes, Johnson-yes.

The hearing was recessed at 7:45 pm.

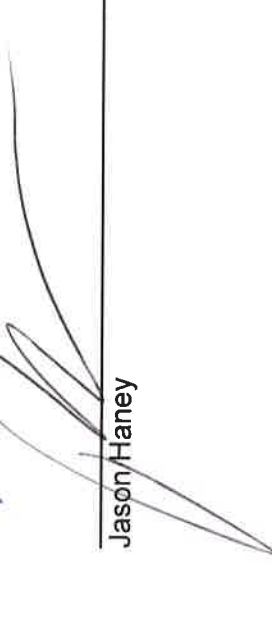
ATTEST


Fiscal Officer, Jill Davis

BOARD OF TRUSTEES


Bart Johnson


Joe Garrett


Jason Haney

Concord Township Trustee Special Meeting

Date: 10/17/18

Rezoning Hearing

Call to Order

Roll Call

Swearing In by Court Reporter

Purpose of Meeting for Rezoning for Application#

Read letter of conditional approval from zoning commission

The process begins with an application to the Zoning Inspector, then it goes to Regional Planning, then to the Zoning Commission, and then to the Board of Trustees who will vote by majority to either approve, or deny, or approve with modification.

I would like to make a matter of record that the following requirements have been satisfied:

A-the application dated 8/20/18

B-the legal notice,

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Testimony by Applicant

Public Comments

Comments from the Board

Vote by Board of Trustees

Motion to Adjourn

**CONCORD TOWNSHIP
TRUSTEE MEETING
ATTENDANCE LIST**

MEETING AGENDA: PRINCIPLE R.E. / BUTTS RD. ZONING-DATE: 10-17-18

NAME (please print)	ADDRESS (please print)	TOWNSHIP
Alicia Cunningham	65 E Stok Street, Suite 1000 Columbus	
RON BEITZEL	529 WINDSOR PIKE ^{SPRINGDALE} DUBLIN OH 43015-3730	
SKIP EBELLY	9200 WASHINGTON RD, SPEND WESTERVILLE, OH	
TODD FARMS	2433 N. 5th St. Columbus OH	
Victor Mike	44183 S Section Line Rd	Concord
STEVE BASIL	5015 CLARK SHAW RD	Concord
NORMAN BRADIL	5015 Clark Shaw Rd	Concord
Angie Foubert	7547 Dublin Rd	Concord

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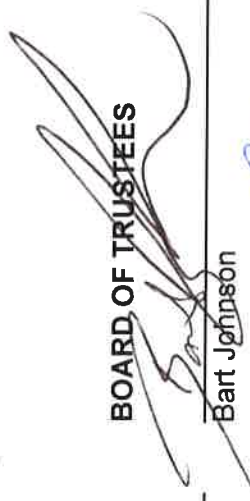
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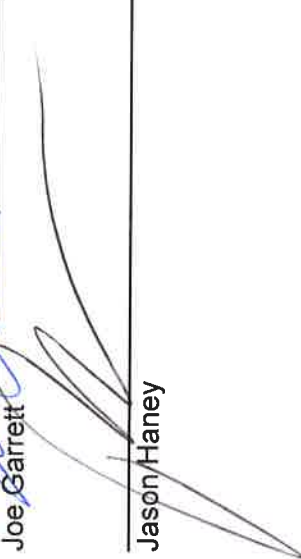
ATTEST


Fiscal Officer, Jill Davis

BOARD OF TRUSTEES


Bart Johnson


Joe Garrett


Jason Haney

Concord Township Trustee Special Meeting

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RON BEITZEL	529 WINDSOR PIKE DUBLIN OH 43015	CONCORD
SKIP BERLIN	9200 WASHINGTON RD. STE. 100 WESTERVILLE, OH	
TODD FARIS	2433 N. 5th St. Columbus	
Victor Melke	4483 S Section Line Rd	Concord
SEVE BASIL	5015 CLARK SHAW RD	Concord
Nancy Bussell	5015 Clark Shaw Rd	Concord
Angie Fowler	7547 Dublin Rd	Concord



**Concord Township
Zoning Department**
Administrative Building
6385 Home Road
Delaware, Ohio 43015
740-881-5338
www.concordtwp.org

NOTICE OF RECOMMENDATION OF CONDITIONAL APPROVAL

September 26, 2018

CONCORD TOWNSHIP TRUSTEES
6385 HOME ROAD
DELAWARE OH 43015

RE: Application ZC052018

Dear CONCORD TOWNSHIP TRUSTEES:

On September 18, 2018, the Concord Township Zoning Commission held a Public Hearing to consider: Application ZC052018, filed by Principle Real Estate Development, LLC of 9200 Worthington Rd, Ste. 150, Westerville, OH 43082. The Applicant is requesting approval for rezoning and a preliminary development plan referred to as The Reserve At Scioto Bluff for Planned Residential District on 12.02+/- acres at 5165 Butts Road, Powell, OH, 43065, Parcel #32011002002000 owned by Principle Real Estate Development, LLC.

After hearing all of the evidence and testimony regarding Application ZC052018 at the hearing, the Concord Township Zoning Commission moved to recommend approval of Application ZC052018 with the following Terms and Conditions;

TERMS AND CONDITIONS OF CONDITIONAL APPROVAL FOR ZC052018

1. Development Plan Text, page 7, paragraph 9 ***"This project will be developed as one phase."*** Condo Declarations and Bylaws, page 9, Article IV Improvement Descriptions, Section 1. ***"The Condominium will be built in phases."*** The discrepancy needs clarified.
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8. Condo Declarations and Bylaws; Bylaws, page a, first paragraph ***"The Ravine at Scioto Bluffs Association"*** needs changed to ***"The Reserve at Scioto Bluffs Association"***.
9. Clarification for the Trustees whether cluster mailboxes are required.

This is to certify that the motion was made and seconded and there was a four to one vote to recommend Conditional Approval to the Trustees. Principle Real Estate Development LLC will be advised of the date of the final public hearing before the Trustees. Per R.C. 519.12, please note that the Trustees shall hold this final public hearing within thirty (30) days of receipt of this recommendation.

Respectfully,

Connie Resanovich, Chair
Board of Zoning Commission
CR/ae