

RECORD OF PROCEEDINGS

CONCORD TOWNSHIP BOARD OF TRUSTEES

January 20, 2021

Page 1

Held _____

20

Call to Order / Swearing In / Purpose

The Concord Township Board of Trustees met in special session on Wednesday, January 20, 2021 at 6:00 p.m. at the Concord Township Administrative Building, 6385 Home Road, Delaware, Ohio 43015. Chairman Bart Johnson called the meeting to order and the roll was called; attending were Trustees Bart Johnson, Joe Garrett, and Jason Haney.

Public attendance was provided via social distancing and teleconference. (In-person attendance list attached.)

Mr. Haney moved and Mr. Johnson seconded to suspend any rules and practices that prohibits this Board from carrying out its statutory responsibility pursuant to Ohio Revised Code Section 519.12 for purposes of consideration of the Board of Zoning Commission's Recommendation on Application ZC012020. Vote: Haney-yes, Garrett-yes, Johnson-yes.

Mr. Haney moved and Mr. Johnson seconded to suspend the rules and practices to permit Trustee Joe Garrett to serve as Chairman for the sole purpose of consideration of the Board of Zoning Commission's Recommendation on Application ZC012020 for the hearing on January 20, 2021. Vote: Haney-yes, Garrett-yes, Johnson-yes.

The meeting was turned over to Trustee Joe Garrett as Chairman for the remainder of meeting.

Due to an opinion from the Ohio Ethics Commission, Trustees Johnson and Haney may not participate in the hearing due to owning land and/or family owning land adjacent to the proposed development. Therefore, Mr. Johnson and Mr. Haney recused themselves from the meeting at 6:03 p.m.

The Swearing In was performed by the Court Reporter.

Trustee Garrett stated the purpose of the meeting: The Concord Township Board of Trustees will hold a special meeting on Wednesday, January 20, 2021 at 6:00 p.m. at the Concord Township Administrative Building, 6385 Home Road, Delaware, Ohio to hear the following case recommended for denial by the Concord Township Zoning Commission: Application ZC012020, filed by Metro Development of 170 Olde Worthington Road, Suite 100, Westerville, OH 43082. The Applicant is requesting approval for rezoning from Farm Residential (FR-1) to Planned Residential District (PRD), and a preliminary development plan referred to as Concord Highlands for a Planned Residential District on 254.436 +/- acres at the following parcels: 7084 Dublin Road, Delaware, OH 43015 Parcel #60021002032000, owned by Brewsters Trillions LLC; and the following parcels owned by Roy and Virginia Farneman, Dublin Road Parcel #60021002026000, Dublin Road Parcel #60021002031000, Concord Road Parcel #60022001020000, and 7379 Concord Road, Delaware, OH 43015 Parcel #60022001019000.

Mr. Garrett admitted into the records as an exhibit the Ohio Ethics Commission Advisory Opinions concerning Trustees Bart Johnson and Jason Haney, that stated each were prohibited from voting, discussing, or deliberating Application ZC012020.

Applicant Testimony

- Joe Thomas of Metro Development, 170 Olde Worthington Road, Suite 100, Westerville, Ohio, began the presentation:
- Metro Development was at the township previously at the Fire Department before the Zoning Commission Board on December 8, 2020, and received a denial. Mr. Thomas wanted to explain all the development details to the Board of Trustees.
 - The process began with original application filing in 2019, first hearing held in 2020, and now it's January 2021.
 - When the development was first reviewed, the existing sewer plan nearby called for a mixed use area and allowable multi-family housing. The original application had higher density, and the Zoning Commission requested additional documentation from the County, School district, and gas service.
 - Mr. Thomas met with Buckeye Valley Local School Superintendent Andy Miller last October to review details.

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Todd Faris of Faris Planning and Design, 243 North Fifth Street, Suite 401, Columbus, Ohio, went through the plan exhibit. He said many changes were made from the original application. Features include:

- The development was created into three zones, with apartments near the treatment plant.
- Reduction of density from 3 to 2.5 units per acre.
- Regional trail system and internal trail sites.
- Internal ~10 acre central park.
- Opened up more green space and pulled units from some property for 2.5 du/ac.
- About 120 multi-family units, about 100 condo units, with balance of single family homes.
- Two access points were provided into the development from Dublin Road per County request.
- Architectural samples were provided for buildings, all natural materials, and increased open area
- Pulled back condos from the roadway and provided significant buffering and mounding.
- Central park includes existing wooded area with gateway and gazebo features.
- Age-targeted condos with a price range of \$350,000-\$600,000 (average about \$450,000) that are customized for each buyer.
- Single family examples were provided showing diverse styles and elevations.
- The multi-family portion includes a clubhouse. The units are two-story, large units, with an attached one-car garage. There are no shared common hallways, and back views have patios and open space. Units are 1,795 (lower level) and 2,084 (upper level) square feet.
- Clubhouse, amenities, and activity area examples were provided.
- Entrances to the development are open space, pond areas, with signage and landscape features.
- Open space plan is 43% of site, or ~108 acres, with two miles of pathways.
- Section examples were provided showing neighboring sight lines and distances.

Joe Thomas concluded the presentation with a document that was prepared for meeting with Buckeye Valley School Superintendent, Mr. Miller. The document includes assumptions and estimates on the development's unit types, number of students, property tax revenue, and cost to the school district. (Assumption values were obtained from previous Olentangy Schools calculations). The summary shows an estimated net positive income to Buckeye Valley Schools of \$598,951 for this mixed-use development.

Mr. Thomas said they took directions from the original Zoning Commission meeting, but at the second meeting the development still was not suitable to the ZC Board. The developers understand the recusal of the two Trustees, but wanted to make sure the Board of Trustees received all the information for the updated development.

Mr. Thomas noted these developments are financially difficult to develop:

- The trunk sewer must be run across the site down to the south property line at ~\$900,000.
- Due to site elevations/gravity, a lift station is required for the east side of the site at ~\$700,000.
- Unloaded driveways in and out cost ~\$1.5 million
- Turn lanes on Dublin Road and Concord Road will cost ~\$1 million and \$650,000.
- When you add in other per unit overhead costs, lowering the density costs even more per unit.
- Road impact at Dublin and Home Roads for a traffic light, which would be funded by this development at about \$180,000 to the County.

Board Questions/Comments

Mr. Garrett was surprised the school document showed that a \$400,000 single family home resulted in the school district losing money.

Zoning Inspector Questions/Comments

Mr. Irvine had no comments.

Legal Counsel Comments/Comments

Mr. Chris Rinehart, Rinehart Legal Services (zoning counsel for Trustees) verified, and the developer affirmed, that between the second Zoning Commission meeting and tonight's meeting that no changes were made to the development plan. He had no comments other than what were already concerns at the Zoning Commission meeting.

RECORD OF PROCEEDINGS

CONCORD TOWNSHIP BOARD OF TRUSTEES

January 20, 2021

Held

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Mr. Eric Penkal, Assistant Prosecuting Attorney, requested the Zoning Commission Board record of proceedings/minutes from their two meetings for this development be incorporated into the record of this meeting.

Public Questions/Comments

Robert Nagode, 7038 Mills Road, felt nothing had changed with the 2.5 units per acre density and traffic control, which were both too much. Mr. Garrett shared the County Engineer dictates the process for resolving the traffic increase, and the township cannot use that as a factor.

Andrea Yagoda, 7598 Concord Road, asked how many acres of the green space were ponds. No data was available. She also verified the roads were not part of the green space calculation. Mrs. Yagoda heard at the first zoning meeting the development will take eighteen years, and heard ten years at the second meeting. Mr. Thomas clarified the development could take up to ten years (worst case scenario) depending on sales, model homes, etc.

Betsy Moffitt, 6453 Dublin Road, questioned with the new development if schools would still lose \$495,000 unless apartments were built? Mr. Thomas said yes. Mrs. Moffitt said at the last zoning meeting, someone mentioned 7,000 cars per day would be going onto Dublin and Concord Roads. Mr. Thomas shared that a traffic study was submitted and approved by Delaware County. The total daily trips in the study were 5,470 cars, with 420 trips within the development during a.m. peak time, and 549 trips within the development during p.m. peak time. He noted this is why the County was requiring them to install turn lanes on both main roads. Mrs. Moffitt felt this amount of cars will jam up everything on the roads, and the school.

Dave Maloney, 6842 Dublin Road, referenced at the last zoning meeting, the developer mentioned phased development. Mr. Thomas explained due to the sewer line construction, development would start along the Dublin Road/east side and then head west toward Concord Road. Since the eastern half of the property is solid rock at 7-10 feet below the clay, all those units need to be built on slab. Mr. Maloney also said when Mr. Thomas met with him, they talked about walking and biking paths. Mr. Thomas confirmed they are committed to putting paths along Dublin Road. Mr. Faris clarified it was not part of the plan to put paths on private property.

Andrea Yagoda asked about blasting of rock during construction, since she heard complaints about their previous blasting along Butts Road. Mr. Thomas said if they have to blast, it would be done within regulations, and they held many conversations with homeowners along Butts Road who were satisfied with the process.

Mrs. Yagoda asked the attorneys since there was a recommendation to deny by the Zoning Commission, what was next? And where does it go from here? Mr. Rinehart answered we cannot speculate what the next step will be, to let the process happen, and the property owner would decide how they wish to proceed. He noted Trustee Garrett would vote tonight.

Linda Issel, 6605 Duffy Road, discussed keeping the rural character of the area, and following the revised comprehensive plan which set the density level. If the township makes an exception to allow this higher density, there would be no precedent and the comprehensive plan would hold no weight. Trustee Garrett explained the comprehensive plan is the guideline for the type of zoning for the area and gets changed about every 5-10 years. The zoning code can be changed at any time and that is where density is set. The last time the comprehensive plan was amended there were fourteen people on the committee. The residents were encouraged to participate.

Jerry Stone, 5688 Elmgee Drive, stated he may be the minority, but he is not completely against multi-family units. But, they haven't solved the density issue for the roads in the area. He felt even at 1.5 units per acre, they will still need road improvements. Mr. Thomas said there still would be turn lanes to mitigate the development traffic, but the County won't change anything until the traffic load is exceeded. Mr. Stone added all of us in the area drive 15 minutes to get anywhere; there are no amenities or infrastructure to support 2.5 units per acre.

Robert Nagode mentioned all the housing will put the school system under strain. Mr. Thomas felt it was the school's responsibility to educate every child no matter where they live. He added

RECORD OF PROCEEDINGS CONCORD TOWNSHIP BOARD OF TRUSTEES

Minutes of

Meeting

GOVERNMENT FORMS & SUPPLIES 844-224-3339 FORM NO. 1D148

Held January 20, 2021

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Buckeye Valley needs to look for resources and expand. The multi-family/apartment units and condos have much lower student projection numbers per house. The apartment rents of \$1,400-\$1,800 per month and activities/amenities are not aimed at school-aged children.

Greta Markowicz, 5114 Butts Road, said she lives across the street from the Butts Road blasting and complimented the developers on the inspections, follow-up, etc. Other than a few rocks in her driveway, there was no damage and they were next door to the blasting. She also mentioned Butts Road is narrow and traffic has increased as a cut-through road, and she has gotten no response from the Engineer's Office about lowering the speed limit. She thanked the township administration for being responsible with development.

Board Discussion

Mr. Garrett moved to adopt the Board of Zoning Commission's recommendation to deny Application ZC012020. A Second shall not be required pursuant to the Motion Adopted to Suspend Rules and Practices. Vote: Garrett-yes (to deny).

Note for the Record: Trustees Bart Johnson and Jason Haney did not participate pursuant to the Ohio Ethics Counsel Advisory Opinion.

The Board of Zoning Commission's recommendation to deny Application ZC012020 stands for lack of a majority of the Board of Trustees to deny or modify. Therefore, Application ZC012020 is denied.

With no further business, Mr. Garrett moved to adjourn. Vote: Garrett-yes.

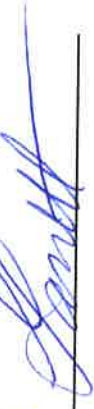
ATTEST


Fiscal Officer, Jill Davis

BOARD OF TRUSTEES

_____ n/a

Bart Johnson



Joe Garrett

_____ n/a

Jason Haney

Concord Township Trustee Meeting
Special Rezoning Meeting

January 20, 2021

Call in (669) 224-3412
Access Code: 701-660-893

Call to order

Roll Call

Motion to Suspend Rules and Motion to Permit Trustee Garrett to Serve as Chair.

Swearing in by Court Reporter

Admission of Exhibits

Applicant testimony

Board Questions

Public testimony

Board Discussion

Vote

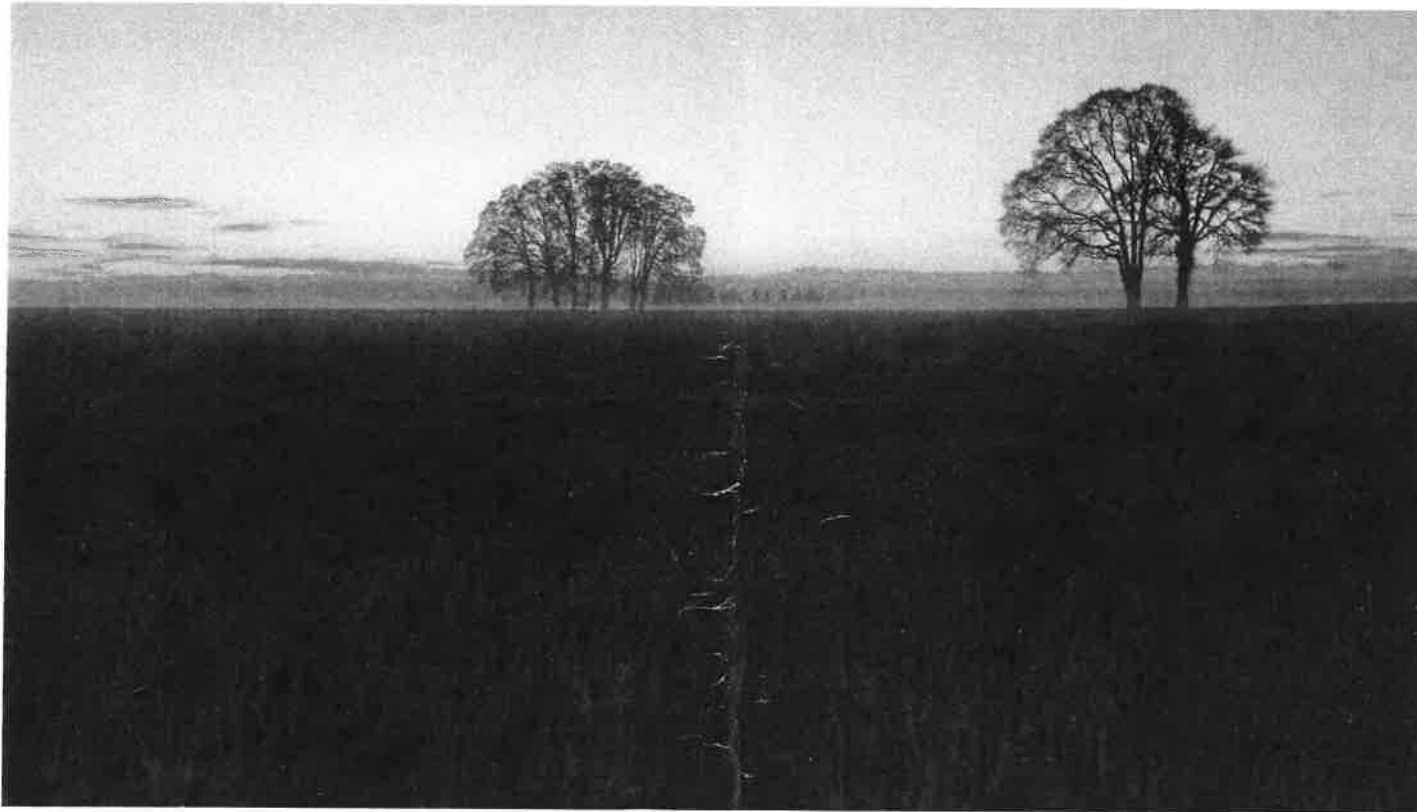
Adjourn

**CONCORD TOWNSHIP
TRUSTEE MEETING
ATTENDANCE LIST**

MEETING AGENDA: Metro Development - Concord Highlands DATE: Jan. 20, 2021

NAME (please print)	ADDRESS (please print)	TOWNSHIP
Diane Maloney	6842 Dublin Rd	Concord
Peter Moffatt	6453 Dufflin R	Concord
CINDY + MARK FISHER	16605 DUFFIN RD	CONCORD
Lynne Marshall	7598 CONCORD W	"
Jerry, Kristi Sygne	5007 Elm	

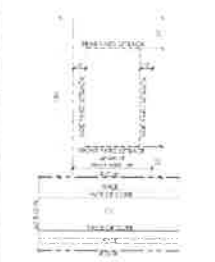
CONCORD HIGHLANDS



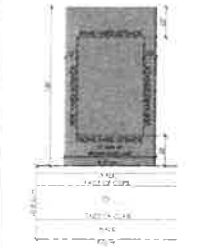
DECEMBER 8, 2020



LOCATION PLAN - N.T.S



1 119' x 130' LOT CONFIGURATION
SCALE: 1"=30'



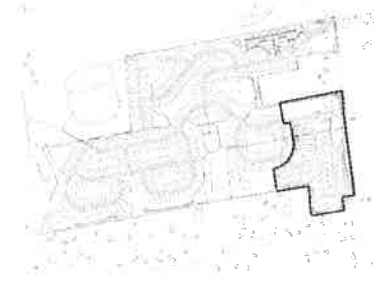
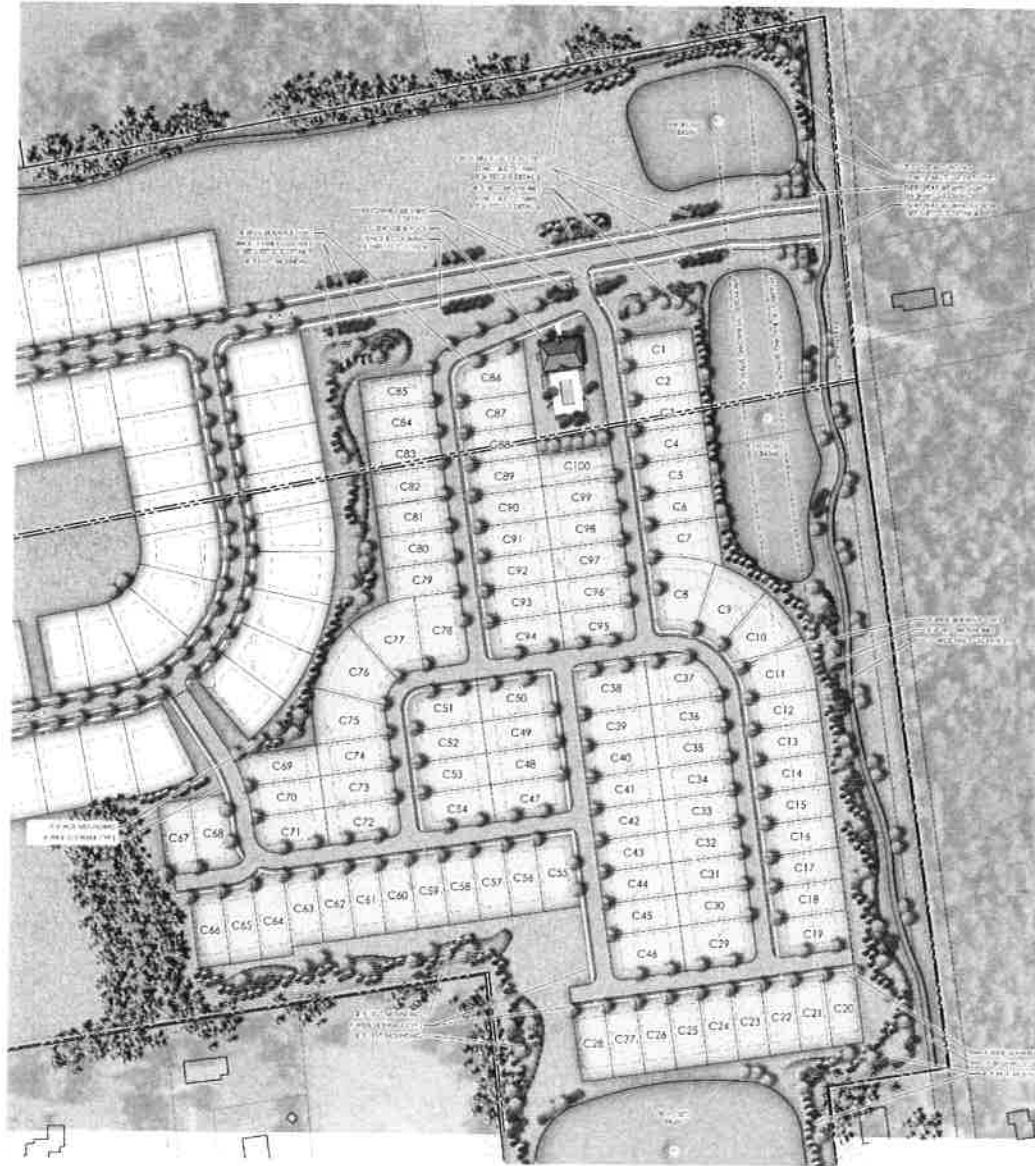
2 75' x 130' LOT CONFIGURATION
SCALE: 1"=30'



SITE DATA

LOT AREA	15,270 SQ. FT.
TOTAL LOTS	104
PHASE 1	104 LOTS
PHASE 2	0 LOTS
PHASE 3	0 LOTS
PHASE 4	0 LOTS
PHASE 5	0 LOTS
PHASE 6	0 LOTS
PHASE 7	0 LOTS
PHASE 8	0 LOTS
PHASE 9	0 LOTS
PHASE 10	0 LOTS
PHASE 11	0 LOTS
PHASE 12	0 LOTS
PHASE 13	0 LOTS
PHASE 14	0 LOTS
PHASE 15	0 LOTS
PHASE 16	0 LOTS
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PHASE 95	0 LOTS
PHASE 96	0 LOTS
PHASE 97	0 LOTS
PHASE 98	0 LOTS
PHASE 99	0 LOTS
PHASE 100	0 LOTS

ILLUSTRATIVE PLAN
CONCORD HIGHLANDS
 PREPARED FOR METRO DEVELOPMENT



① KEY PLAN
SCALE: 1:1000

SITE DATA

TOTAL ACRES	2.00
TOTAL UNITS	100
STORIES	3
60' FLOOR PLANS	0
70' FLOOR PLANS	0
CONDO UNITS	100
OFFICE UNITS	0
COMMERCIAL UNITS	0
RETAIL UNITS	0
INDUSTRIAL UNITS	0
RECREATION UNITS	0
OTHER UNITS	0

NOTHING TO BE SHOWN MAY BE ADDED TO OR ALTERED WITHOUT THE ARCHITECT'S APPROVAL

CONDO ENLARGEMENT PLAN
CONCORD HIGHLANDS
PREPARED FOR METRO DEVELOPMENT
DATE: 10/12

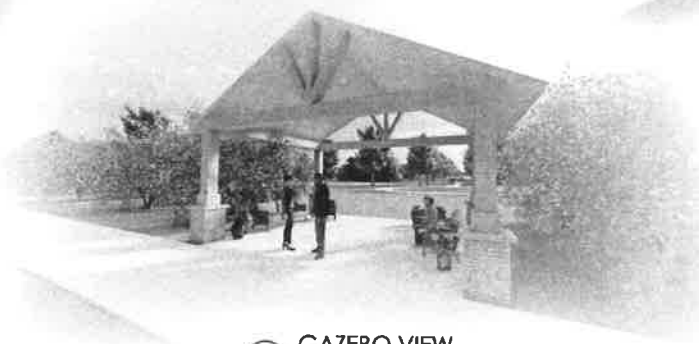
EXHIBIT C-4.2



OVERALL AERIAL



1 ENTRY GATEWAY VIEW



2 GAZEBO VIEW



3 CENTRAL PATHWAY VIEW

PERSPECTIVES

CONCORD HIGHLANDS

PREPARED FOR METRO DEVELOPMENT

DATE 12/7/20

Faris Planning & Design

LAND PLANNING ENGINEERING ARCHITECTURE
2010 W. 10TH ST. SUITE 400
DENVER, CO 80202
www.farisplanning.com

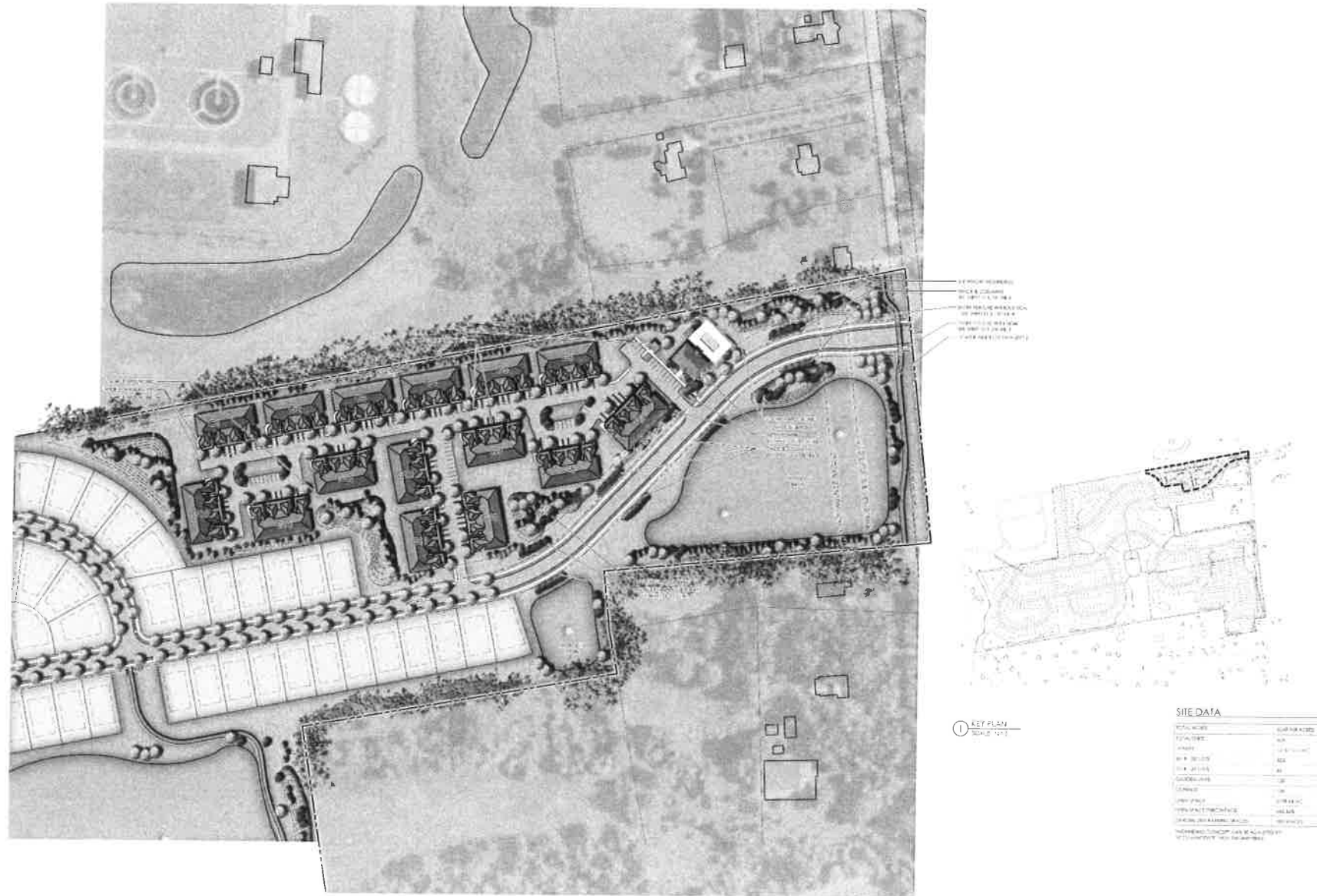








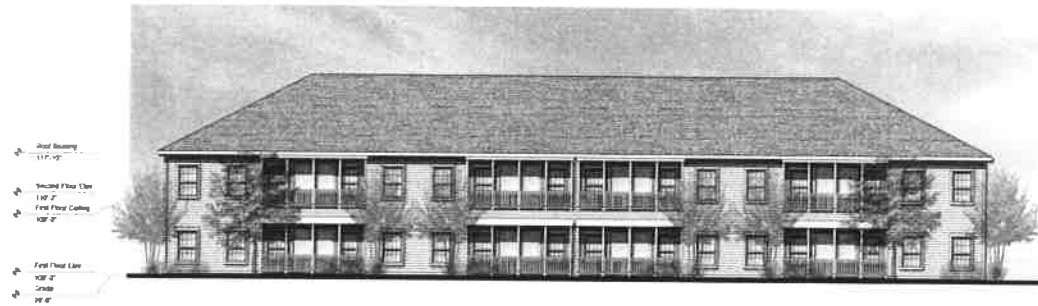




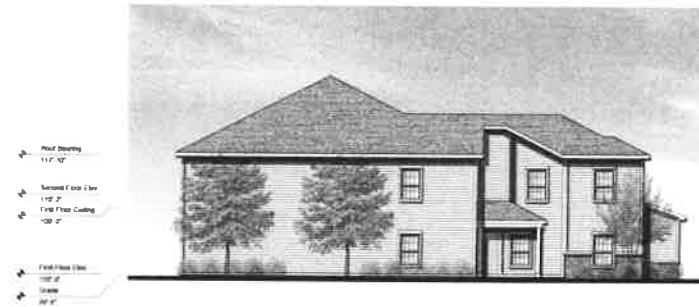
GARDEN UNIT ILLUSTRATIVE PLAN
CONCORD HIGHLANDS
 PREPARED FOR METRO DEVELOPMENT

EXHIBIT C-4.1

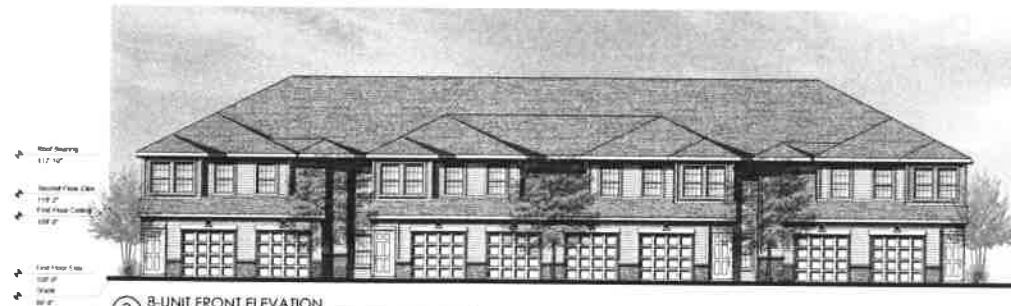




① 3-UNIT REAR ELEVATION
SCALE: 1/8"=1'-0"



② 3-UNIT SIDE ELEVATION
SCALE: 1/8"=1'-0"



③ 3-UNIT FRONT ELEVATION
SCALE: 1/8"=1'-0"

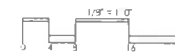
GARDEN UNIT ELEVATIONS

CONCORD HIGHLANDS

PREPARED FOR METRO DEVELOPMENT
DATE: 2/17/20

EXHIBIT F-3

Faris Planning & Design



LAND PLANNING & ARCHITECTURE
24311 5th Street
214.414.4544
Suite 401
COLUMBIA, OH 43211
www.farisplanninganddesign.com

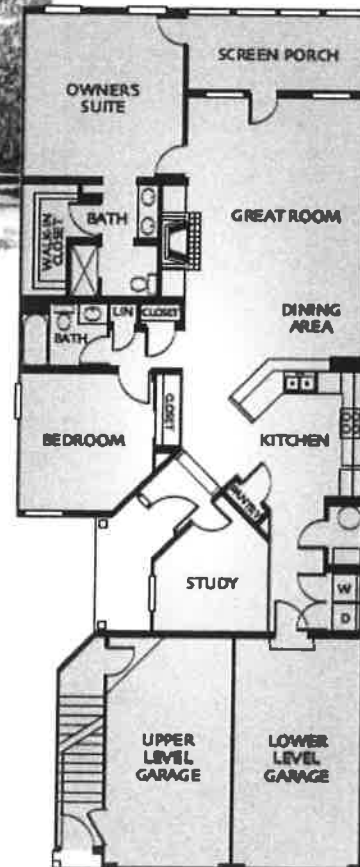


Standard Features

- Lower level plan
- 2 bedroom, 2 full baths
- Owner's suite with private bath and walk-in closet
- Built-in fireplace
- Screened porch
- 1 car garage

1795 square feet

\$ _____





Standard Features

- Upper level plan
- 3 bedroom, 2 full and 1 half baths
- Owner's suite with private bath, cathedral ceilings and walk-in closet
- Built-in fireplace
- Screened porch
- 1 car garage on lower level

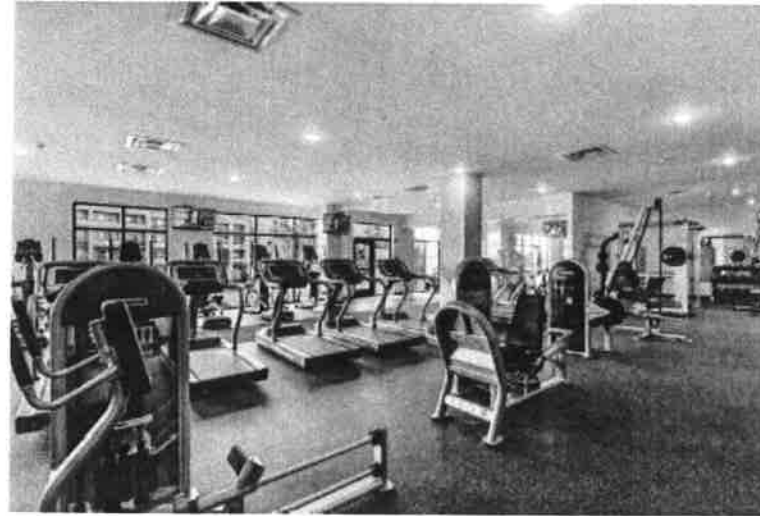
2084 square feet

\$ _____





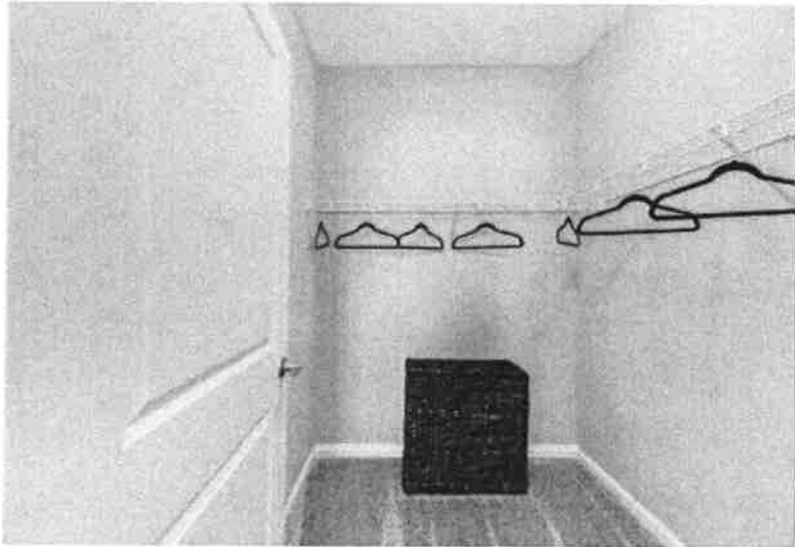
CLUBHOUSE INTERIOR PHOTOS



CLUBHOUSE INTERIOR PHOTOS



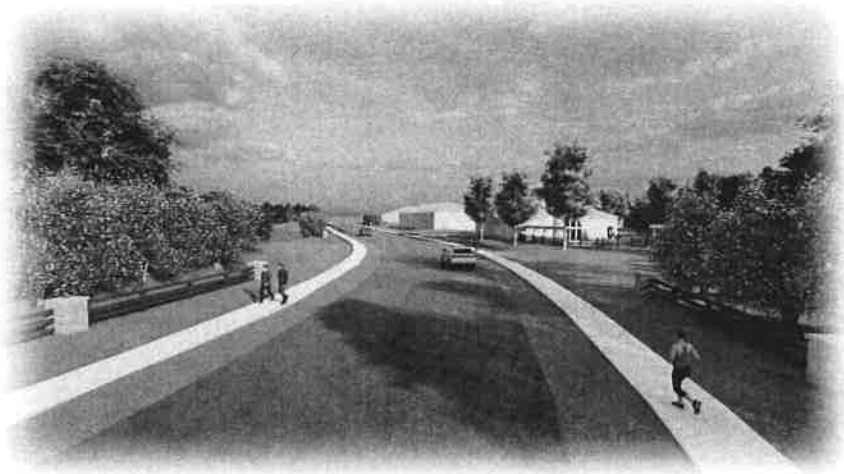




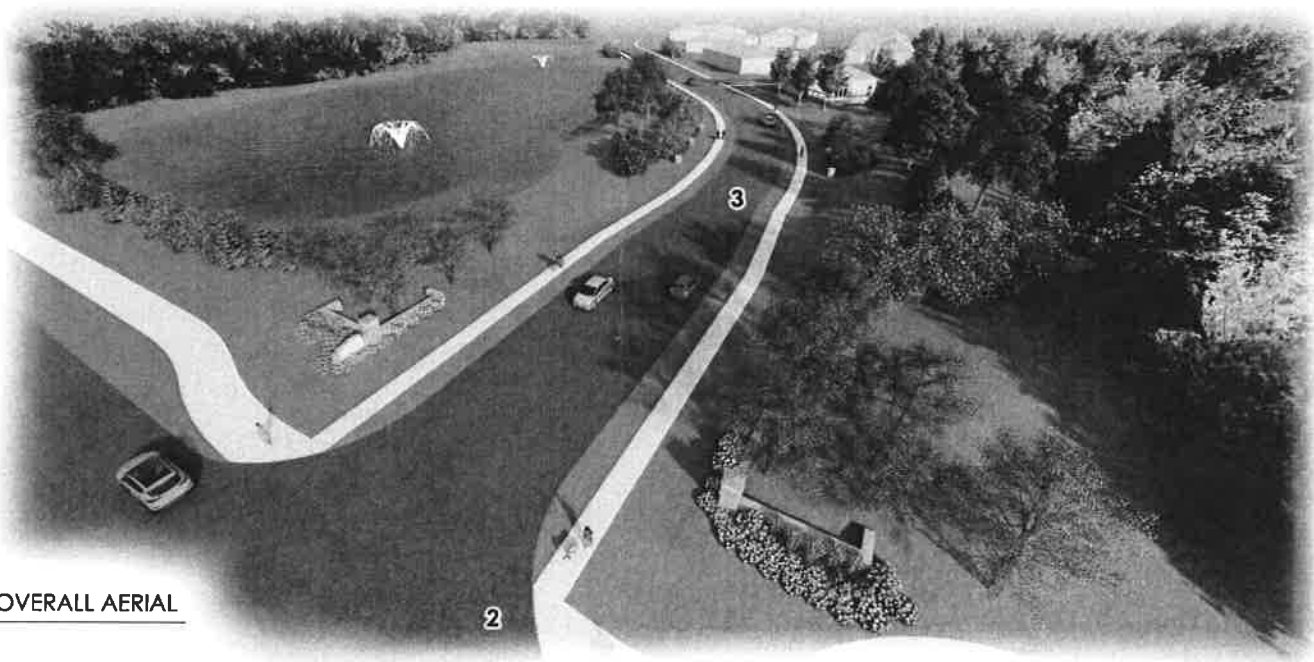




2 ENTRY GATEWAY VIEW



3 ENTRY DRIVE VIEW



1 OVERALL AERIAL

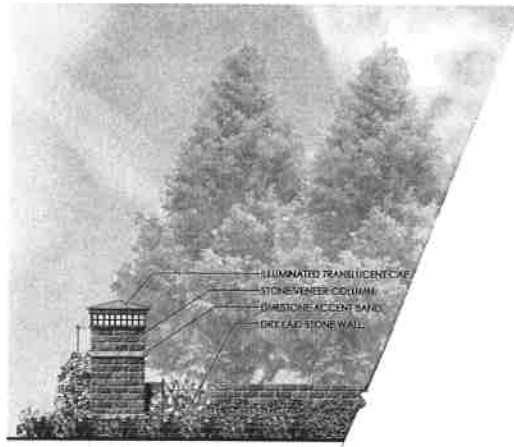
PERSPECTIVES

CONCORD HIGHLANDS

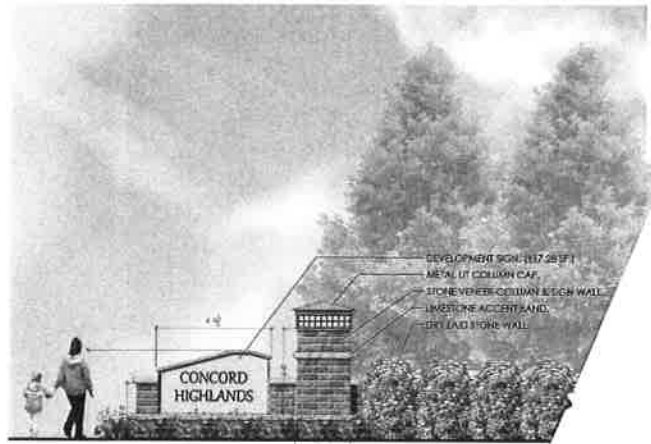
PREPARED FOR METRO DEVELOPMENT
DATE: 12/20/20

Faris Planning & Design

10000 N. 10th Street, Suite 100, Phoenix, AZ 85020
602.954.1100 | www.farisplanning.com



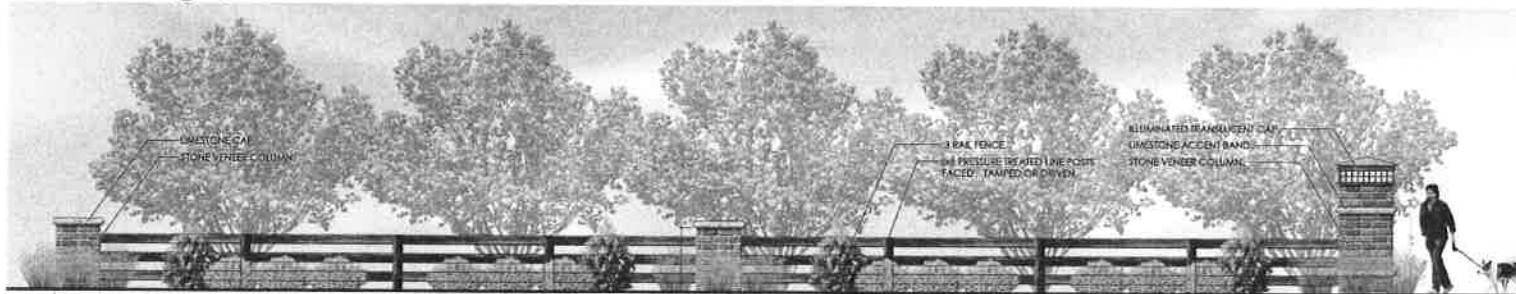
1 ENTRY FEATURE ELEVATION OPPOSITE SIGN
N.T.S.



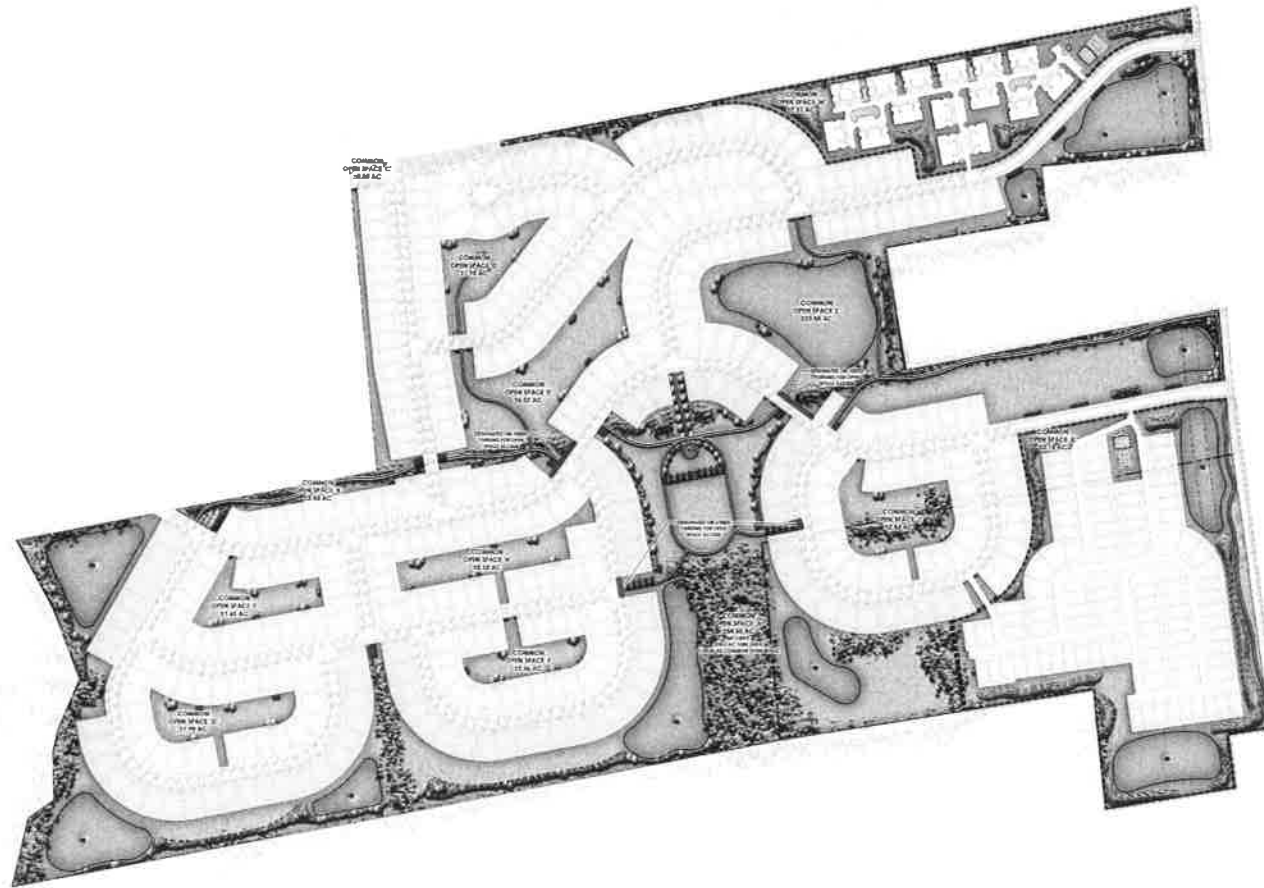
2 ENTRY FEATURE ELEVATION WITH SIGN
N.T.S.



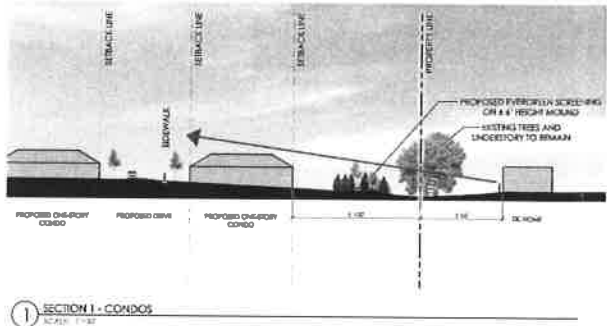
3 OPEN SPACE GATEWAY DETAIL
N.T.S.



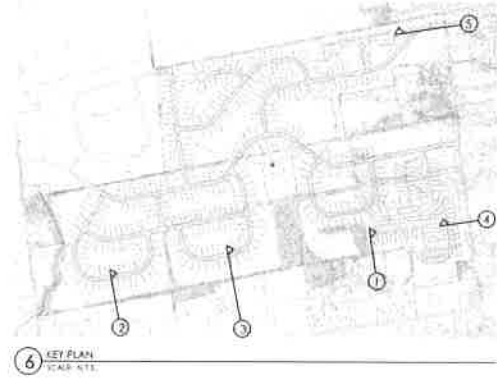
4 SINGLE FAMILY GATEWAY DETAIL
N.T.S.



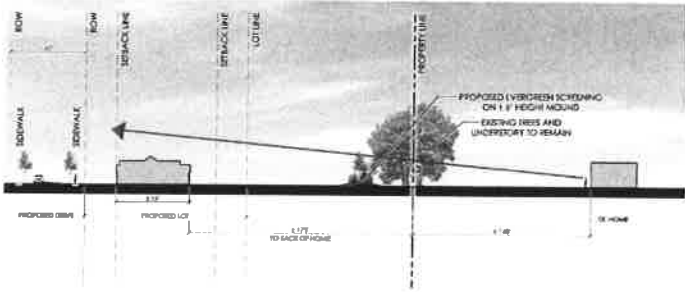
TOTAL OPEN SPACE: ±108.64 ACRES
 (APPROXIMATELY 43.46% OF SITE)
 ±10,915.42 LINEAL FEET OF PATHWAY
 (APPROXIMATELY 2.07 MILES)



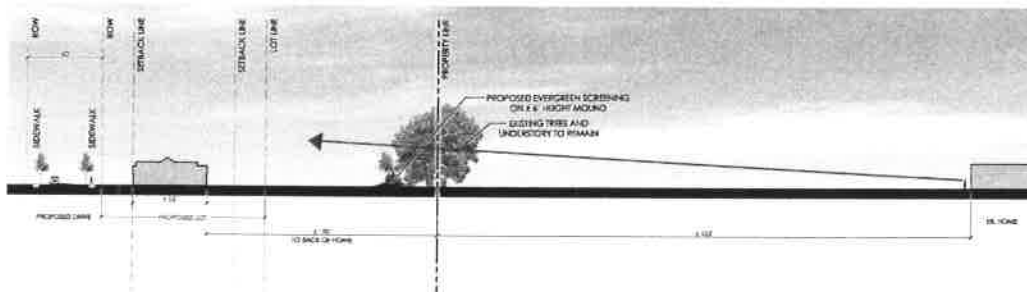
1 SECTION 1 - CONDOS
SCALE: 1/8"=1'-0"



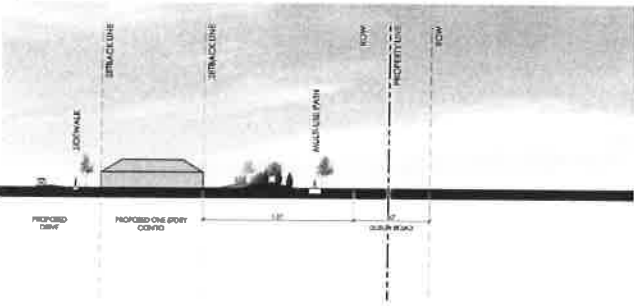
6 KEY PLAN
SCALE: 6"=100'



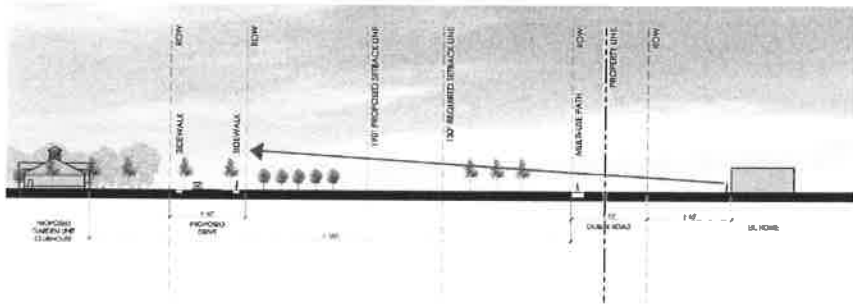
2 SECTION 2 - SINGLE FAMILY
SCALE: 1/8"=1'-0"



3 SECTION 3 - SINGLE FAMILY
SCALE: 1/8"=1'-0"



4 SECTION 4 - CONDOS
SCALE: 1/8"=1'-0"



5 SECTION 5 - GARDEN UNITS
SCALE: 1/8"=1'-0"

SECTIONS
CONCORD HIGHLANDS
PREPARED FOR METRO DEVELOPMENT
JULY 14, 2018

Assumptions:	
# of units (single-family)	504
# of units (multi-family)	120
Assessment rate	35%
Total property tax rate (commercial)	5.2843322%
School property tax rate (commercial)	2.9600164%
Total property tax rate (residential)	4.7206269%
School property tax rate (residential)	2.7600080%
BVLSD students per MF lot	0.08
BVLSD students per single-family lot	0.80
BVLSD cost per student (net of State funding)	\$ 7,590
BVLSD income tax rate	1%
Average income per unit	\$ 100,000
404 single-family homes at \$400,000 per home	\$ 161,600,000
120 garden unit condos at \$240,000 per unit	\$ 28,800,000
100 single-family detached condos at \$425,000 per unit	\$ 42,500,000

Property Tax Revenue:

	404 Single-Family Homes	120 Garden Unit Condos	100 Single-Family Detatched Condos
Total Market Value	\$ 161,600,000	\$ 28,800,000	\$ 42,500,000
Total Assessed Value	\$ 56,560,000	\$ 10,080,000	\$ 14,875,000
Total Property Taxes	\$ 2,669,987	\$ 532,661	\$ 702,193
BVLSD Property Taxes	\$ 1,561,061	\$ 298,370	\$ 410,551

Cost to BVLSD:

	404 Single-Family Homes	120 Garden Unit Condos	100 Single-Family Detatched Condos	Total
Total units	404	120	100	624
Projected number of students	323	10	8	341
Total student cost	\$ 2,453,088	\$ 72,864	\$ 60,720	2,586,672
Total BVLSD property taxes	\$ 1,561,061	\$ 298,370	\$ 702,193	2,561,623
Total BVLSD income taxes	\$ 404,000	\$ 120,000	\$ 100,000	624,000
Net income/loss	\$ (488,027)	\$ 345,506	\$ 741,473	\$ 598,951