

**Concord Township Zoning Commission  
Administrative Building  
6385 Home Road  
Delaware, Ohio 43015**

**Meeting Minutes  
February 7, 2017**

**Call To Order**

Chair, Resanovich called the Public Meeting to order

**Roll Call**

Connie Resanovich, Chair	Present
Virginia Farneman, Vice Chair	Absent
Gary Davis	Absent
Steve Pierce	Present
Steve Smith	Present
Mike Hamilton, Alternate	Present
Darin Hilt, Alternate	Present

Alternates, Mike Hamilton and Darin Hilt, sat on the Board as voting members for the absent Members, Gary Davis and Virginia Farneman.

**Officials Present**

Zoning Inspector, Ric Irvine  
Fire Chief, Todd Cooper  
Angie Moore, Higgins & Associates Court Reporting

**Public Present**

See attached Sign-In Sheet

**Swearing In**

Court Reporter swore in all present

**Approve Previous Public Meeting Minutes**

Review and Approve Public Meeting Minutes from January 10, 2017

Motion to Approve by Mr. Pierce and seconded by Mr. Smith

Vote: Resanovich, yes; Smith, yes; Pierce, yes; Hamilton, yes; Hilt, yes

Motion passed

**Old/New Business**

The Attorney and Developers for the quarry land want to meet and have a preliminary discussion with the Zoning Commission. Chair, Resanovich will contact them with a meeting date.

**Purpose**

The purpose of the Public Meeting is to consider two separate actions: 1) Application, designated as ZC012017, filed by Metro Development LLC of 470 Olde Worthington Road, Westerville, OH, 43082. The Applicant is requesting approval for rezoning and a preliminary development plan referred to as Riverside Highlands for Planned Residential District on 63.72+/- acres on Dublin Road, Delaware, OH, 43015, Parcel #50034001008000, owned by Concord Land LLC; and 2) Application, designated as ZC022017, filed by Metro Development LLC of 470 Olde Worthington Road, Westerville, OH, 43082. The Applicant is requesting approval for rezoning and a

preliminary development plan referred to as Concord Highlands for Planned Residential District on 50.0+/- acres on Concord Road, Delaware, OH, 43015, Parcel #60022001016000, owned by Riverside Highlands LLC.

### **ZC012016 Exhibits**

Exhibit A – Application, Exhibit B – Legal Notice, Exhibit C – Meeting Notice Letters to Applicant & Surrounding Property Owners, Exhibit D – Delaware County Regional Planning Commission (DCRPC) Recommendations, Exhibit E – Sign-In Sheet

### **Begin Meeting**

#### **Application ZC022017**

- 1) Application, designated as ZC012017, filed by Metro Development LLC of 470 Olde Worthington Road, Westerville, OH, 43082. The Applicant is requesting approval for rezoning and a preliminary development plan referred to as Riverside Highlands for Planned Residential District on 63.72+/- acres on Dublin Road, Delaware, OH, 43015, Parcel #50034001008000, owned by Concord Land LLC.

Chair, Resanovich stated that the Zoning Commission's (ZC) responsibility was to review the Application and make sure that the Application abides by the requirements in the Zoning Code. The Zoning Commission will forward the Application to the Trustees with either; ZC approval, ZC approval with conditions, or deny the Application. The Trustees will hold a meeting(s) regarding the Application and will make a final decision to approve or deny the Application.

### **Applicant Testimony**

Todd Faris stated that Riverside Highlands would be located off of Dublin road and just north of Moore road. The sight is 63+/- acres. It is a long and skinny parcel. The land has existing, single family homes in the front along Dublin road, large single family lots and agricultural land on the north side and vacant agriculture land on the west and south sides. The development includes internal green spaces, seating areas near the pond with fountains that will be attractive throughout the entire year and every season. There is an open space that is perfect for a small soccer game and large space for larger group play. There would be areas that were not landscaped, but would include a meadow mix of wild flowers that would be planted and allowed to freely grow. The areas would be maintained 2-3 times a year. The buffering on the front entry would be extensive and include a 4-5 ft. mound around the perimeter with evergreen, shade and ornamental trees which would buffer the view from the road and existing homes. Also included, would be approximately 2.5 miles of sidewalks and 1.3 miles of walking paths for residence to enjoy. The entry feature along Dublin road would resemble a small guard house, with a limestone wall and greenery along the top including ponds and landscaping. A row of trees would line the street as you enter.

The Comprehensive Plan explains what the township vision is for the area; single family housing; two units per acre; roadways are addressed; a rural area; pathways; include open space.

Regional Planning heard the plans two weeks ago and Mr. Faris stated their recommendations and their comments. Regional Planning recommended Conditional Approval of the sight plan with two issues; (1) The Developer should remain in contact and discussion with Regional Planning and the County Engineer. The Comprehensive Plan shows a network that connects the roadways, Regional Planning wants a north and south roadway that would be more southern than the current plan. Regional Planning would like a roadway network that intercepts the commercial corridor. (2) Ensure the pedestrian pathways along major roads are 10 feet and the sidewalks are 5 ft. The sidewalks need to connect to accommodate walking and bikers throughout all new development. The internal sidewalks are on both sides of the street and they can be 5 ft. The development would offer internal walking paths and the required open spaces. Mr. Faris said that the benefit of having

smaller lot sizes and including open spaces is that the residents can enjoy the open space without having to maintain the area. The open space is a common area maintained by the Homeowners' Association (HOA). Mr. Faris explained that the development has two units per acre, 126 total lots, with lot sizes of 75 x 150 and 60 x 135. Multiple lot sizes fit a variety of marketing targets and tend to fill faster for that reason. Mr. Faris said the development will be constructed in 3 phases over 3-6 years, and typically each phase takes about 18 months.

During discussion with Chief, Cooper, the Fire Department requested two means of egress however, until future development happens there is only one. They have shown Chief, Cooper a 14 ft. fire lane from Moore road to access this site. They have shown him some exhibits however, they have not finalized the access road because it is dependent on where the roadway is moved and the comments that they receive from this meeting. Mr. Faris said they will provide one access with an additional emergency access.

The main access off of SR 745 and the secondary access will be off of Moore road and tie into SR 42.

### **Open Floor to Board**

Mr. Smith asked about the density in each phase. Mr. Faris does not have the answer to that yet however, he will have the answer soon. Mr. Smith asked if the fire lane would be on the Crooks property or on the property to the east. Mr. Faris said that there is currently an easement on the Crooks property for utilities, so he guessed they would use that easement. Mr. Smith asked if they have builders for the development. Mr. Faris said they do not currently have builders. He said that for several developments they have not had builders lined up until the second meeting. Mr. Faris added that the builders would likely be M/I Homes, Rockford Homes, Pulte and/or a combination of the three. Mr. Hilt said that more details would be required due to residents being concerned about their property value and whether the development was going to take away from their property value. The development looks attractive however, the type of homes could diminish the area quickly.

Mr. Pierce asked what type of homes the residents could expect to see. Mr. Faris said the market is moving toward ranch homes around 1,800+ sq. ft. or two story homes around 2,000+ sq. ft. Mr. Faris said that the front elevations would be natural or natural-like materials. He suggested the main material to be stucco stone, hardy plank wood and stucco for the front of the homes. He added that vinyl could be used on the sides. Chair, Resanovich asked if they had discussed vinyl siding with Chief, Cooper and the 5 yard setback. Mr. Faris said they had not confirmed with Chief, Cooper using vinyl with the 5 yard setback. Chair, Resanovich stated that vinyl siding with a 5 yard setback would be an issue that would need to be addressed. Mr. Pierce asked when the project would begin. Mr. Faris said the end of this year or the beginning of 2018.

Chair, Resanovich asked if they have addressed any of the recommendations from Regional Planning. Mr. Faris said that they met late last week and are looking at the roadway configurations but they are not ready.

Chair, Resanovich asked if the Board had any other questions and there were none.

Chair, Resanovich opened the floor to the public. Chair, Resanovich asked that they speak one at a time and say their name and address for the record. She asked that residents try not to repeat what has already been stated nor speak just to agree with what another resident has said.

### **Open Floor to Public**

A resident asked about the drainage pattern resulting from the development. The resident voiced concerns on the water pattern to the river and if the creek that runs by his home would be flooding. Mr. Faris said that the storm water mainly travels northeast to the river. The county will make them honor the existing drainage pattern. The county has them create on site, detention areas so the water flow will not increase. The developer

must prevent flooding and erosion. They can capture the water and hold it for 48 hours which will increase the water quality and slowly release the water back into the current drainage pattern.

A resident asked if a sign could be posted outside the township building, for the residents that do not drive by the property that is being developed. The resident felt this would make it easier for everyone to know about the meetings in the township. Also, the resident wanted to know if they planned on creating a group home because they qualify for group homes. Mr. Faris said that the only way they would qualify for a group home is if they requested it in the development plan. Mr. Faris stated that the Zoning Code must be followed and if a group home was added they would have to go through the same process with the ZC. Mr. Faris said they are not requesting group homes.

Another resident wanted to know if the homes would be approximately 1,800+ sq. ft., and the resident feels that the people that live around the development are \$300,000+ better than the cracker-jack boxes that the development would bring into the area. They do not want this type of home in their area. The property value will go down if the development is built. The residents that have created the community and the character of Concord Township do not want this type of development. Chair, Resanovich added that the ZC Members live in the area also and understand his concerns.

Mr. Smith asked about the price points for the homes. Mr. Faris said the single story, 1,800 sq. ft. home would begin at \$350,000+. Mr. Thomas said that fully developed lots are over \$75,000, base price is \$350,000 for the home. Mr. Thomas added that the market is showing that a 75 sq. ft. lot usually will have a 3,500-3,800 sq. ft. house with a price point around \$420,000-\$500,000. Mr. Thomas said that the lot size does not implicate the price point of the homes nor the character of the homes. They are seeing smaller lots with bigger homes because it's less time, less maintenance, less affordability on taking care of the yard verses having a larger house and a large lot. Price points are coming down. The area is \$400,000+. Mr. Thomas said to look on the web for Rockford, M/I and Pulte and look at their starting prices if they want to confirm what they are saying tonight. Mr. Faris explained that the 1,800 sq. ft. that was mentioned does not include a basement, garage, etc., it is only livable space. Mr. Faris added that they don't sell many single story homes.

A resident wanted to know if Buckeye Valley Local Schools had been contacted regarding the development and the impact that it might have on the school system. The resident also mentioned that a new elementary school is being built in Bellepoint and the development could change the anticipated attendance for the new building. Mr. Thomas said they have not directly contacted the school. He said that they have done other developments in the area and have reached out regarding those developments without response. The expansion is in accordance to the Comprehensive Plan which the district looks at and they should be aware of the growth in the area.

Resident asked about the impact on Dublin road during the busy times of the day. Mr. Faris said there is a traffic study being done. The traffic study will go to the county engineer and they will tell the developer what improvements need to be made to the road. The developer is assuming they will put in turn lanes. The road could also be widened using the right-of-way so residents will not be asked to sell any part of their land. Mr. Hilt explained that residents do not own the property that goes right up to the road. The property includes a buffer that sits between the road and the house. Ultimately, the road would be closer to the home however, homeowners do not own all the land that goes up to the road.

A resident wanted to know about the retention ponds if they are self-contained or if they will go into the culvert. Mr. Faris said that the civil engineer has looked at the ponds and made sure that they are the necessary size and location so they are adequate and will work properly. Mr. Faris added that if there are improvements that need to be made, the engineer will tell the developer and they must make the required changes and/or improvements. The residents stated that they currently have flooding in their drive and a culvert in front of the property that has washed out also. Mr. Faris said the county will not allow the developer to increase the water flow. He stated that the water flow should actually improve with the improvements that they are required to make for the development. The details concerning the water flow be decided farther into the process of the development.

A resident asked about the character of the area and how the small lots and small builders fit into the community. Mr. Faris said the county spent \$30 million to build the sewer plant at 2 units per acre so they have the development in their plans and see the development as part of the future in the area. Central Ohio is slated to grow an astronomical amount in the 2020's. The resident bought in the area for the green space and the open area. The resident is against the postage stamp quality of the homes in the subdivision that they are proposing. The resident believes that the homeowners of the unique homes that are currently in the area do not want this type of community. The unique homes and character of the current homes will not follow through in this development.

#### **Application ZC022017**

2) Application, designated as ZC022017, filed by Metro Development LLC of 470 Olde Worthington Road, Westerville, OH, 43082. The Applicant is requesting approval for rezoning and a preliminary development plan referred to as Concord Highlands for Planned Residential District on 50.0+/- acres on Concord Road, Delaware, OH, 43015, Parcel #60022001016000, owned by Riverside Highlands LLC.

Mr. Faris said that Concord Highlands is on Concord road, north of Home road and south of Moore road. 50+/- acres and adjacent to the water treatment plant. Mr. Faris added that River road is on the west and Duffy road is on the south. The property has frontage on Concord road, the site is unique because it has the large drainage swale that goes through the site and it is very open. The development is pushed to the back of the property because the surrounding property will be developed so they are making sure that the front area is as far away as possible. The Regional Planning Commission approved the development with three conditions; continue discussion regarding the roadway through the site, pathways along the roadway need to be 10 ft. and sidewalks 5 ft. throughout the interior of the site, they want the consideration of an open space buffer along the rear parcels that back up to the rear of the undeveloped property. Currently the lots back up to the edge of the property and Regional Planning would like those pulled forward about 10 ft. and keep the tree row that exists, to break up the property. Mr. Faris said that as you drive into the development you will see a large open space that the lots are framed around. The open space will be large enough for a soccer field, the front open space has a series of walkways across the meadow and swale. They have included pathways along the road which will eventually connect to all the developments. Lots sizes are the same as the previous development at 75 x 150 and 60 x 135. The larger lots will be in the interior with the smaller lots along the outside. The open space has 18.87 acres, which is 38%. The HOA will take care of the open space and the residents will be able to enjoy the open area and also the paths. The frontage buffering is designed to block the view from the road. The buffering includes mounding, evergreens which will block the view completely when fully grown, and ponds. The detention area and the swale are the only outlet on the site. The development would include; two miles of sidewalks, also, just under a mile of pathways, the home sizes would be 1,800 sq. ft. for a ranch, 2,000 sq. ft. for a two story. Mr. Faris said that they will increase the information and details on the homes for the next meeting. Mr. Faris said that the entry feature would include two towers with a lighted cap, stone walls, and landscaping across the top of the wall. Mr. Faris explained that the drawings he provided did not accurately show all of the landscaping detail of the entrance to the development. Mr. Faris said that the swale would

accommodate the culvert with a bridge feature and the development would be tucked in the back of the property. The roadway connection would go down from the south and Regional Planning does not want along the roadway as it will go across the development. Mr. Faris said the density would be about the same as the previous development.

Mr. Smith said the buffering looks pretty nice however, the existing home to the far north has a straight view of the development and asked if they could continue the buffering around to buffer both existing homes. Mr. Faris said they would add buffering to buffer the existing home. Mr. Smith asked how much the HOA dues would be for the residents. Mr. Faris said the dues would be about \$150-\$200 annual for the HOA.

#### Open to Public

A resident stated that the development did not look nice and asked if it could be improved. The resident said the entry did not look as nice as the Riverside Highlands entry. Mr. Faris said the landscaping and fencing along the front would look better than the plans show. He said the plans were not complete and did not show the landscaping across the top of the fence. Mr. Faris added that they would provide complete plans at the next meeting.

A resident asked what the style and character of the homes would be like in the development. They stated that the homes need to look nice and fit in with the area. The resident added that the traffic on Concord road and down to Home road would be awful. They added that they need more information before the plan should be approved. Another resident asked if the houses would be moved closer to the road since the county wants more space in the rear of the development. Mr. Faris explained that the county wants more buffering in the rear however, they only want 10 ft. Mr. Faris said that they would reduce the size of the open space and the other lots would not be moved forward.

A resident asked if they would have street lighting. Mr. Faris said they would not have street lighting. He added that they would have two, small cap lights on each side of the entry. The sign would have a glow so the wording could be seen, however the light would not project out. Mr. Smith asked if the Riverside Development would have street lighting. Mr. Faris said that neither site would have street lights. The resident asked if there were regulations against spot lighting. Mr. Faris said the zoning code prevented that type of lighting. He added that the HOA would also have a say in the type of lights that could be used. Mr. Faris said that the HOA is professionally managed and they would tell the residents in the development what they can and cannot do.

A resident said that if the county engineer recommended a collective street if they will be dumping 500 cars onto the roads that are not built for that type of traffic. He asked what the impact on the roads would be from the increased traffic. Mr. Faris replied that the county sets the standards and they abide by them. He added that the county wants the collector street put in by the developer so that residents know where the streets will be. The road may not be fully constructed and used for several years. Mr. Thomas said that they realize pulling out onto Riverside drive will need to be addressed to keep the area safe. He added that the traffic analysis and design is done by the county. Mr. Thomas said the county and state roads are designed with a 20 year future development plan. They review the intersections and possible development in the area. They use the development pattern while looking in the future and develop road networks that get the residents to the main roads 20-30 years in advance of the area developing. The county wants north and south access as well as east and west access and they must begin the process on constructing the network of roads as they are the first development in the area. The resident said that he is concerned about the hills on Riverside road. He said that with the speed limit at 55 mph, without the collector street to help with traffic when the development is built, the area will be dangerous to drive. Mr. Thomas said the county will look at the number of cars as well as decision site distance, which is how many seconds it takes to decide to make a left or right turn. The county

measures that time frame and also how far back you can see distance wise in order to make your turn. The county will also consider any and all visual restrictions, including hills to make that decision.

Resident asked what the timing is on the traffic finding study and the interpretation of the study and when the next meeting for the development would be held. Mr. Thomas said the study will be finalized in 30 days. They will have to determine the next step after that. The traffic study will be completed by the County Engineer and ODOT prior to going to the Trustees for final approval. Mr. Smith added that the ZC could recommend the applications to the Trustees with conditions on the traffic study.

A resident asked regarding the Concord plan, what path the sewer plant would follow. Mr. Faris said the path has not been set for the development which is very close to the plant. The path is currently being studied and they will wait for the final engineering report to decide. Mr. Faris added that the zoning for the plan has to be done first before those decisions are made.

A resident said they live on the southern side of the proposed Concord drive. They would not have bought land if they knew the development would go in. They are concerned about their two kids, dogs and traffic concerns with the development in their backyard and she has no buffer from the development. Mr. Faris said there is a pond, mounding, evergreens, swale, trees and pathway between her house and the homes. The pathway will go through near her home and they wouldn't have to walk on road. Mr. Faris stated that they are willing to go through the landscape and buffering designs to make sure it is agreeable to her. She is also concerned about the water run-off. Mr. Thomas said the county will not let them development a site and make things worse. Mr. Thomas said that they hire engineers who are registered with the state of Ohio. They develop engineering plans and the storm water plan. They study the site and the water flow to decide the location and size of the retention ponds and they consider the swale that runs through the property. They must meet the criteria for the plan to be approved. Mr. Smith asked if they would consistently hold water and Mr. Faris said yes.

Chief Cooper, asked if they could explain the secondary access. Mr. Faris said that they only have one access to begin the project. The Fire Department wants one more access due to issues that they have had in the past where residents cannot get in and/or out if there is an emergency. Mr. Faris said that they are providing a pathway that is designed for the width, radius and weight of a fire truck (est. 1,000 lbs.). So they can get in/out of the development. They will install breakaway bollards to restrict traffic and allow bicycles and pedestrians along the path. The pathway for the Riverside development will run through the Crook's land and go along the tree line and sewer line. The pathway will be constructed in the same fashion with the necessary requirements for a fire truck including the breakaway bollards. A resident asked if the secondary roads would be built when the houses were built and Mr. Faris said yes.

Zoning Inspector, Irvine stated that if and when the projects were approved, verbiage needs to be included regarding side yard setbacks. Inspector, Irvine said the net clear needs to be 5 ft., that's if they have generators, egress with the wells etc. Inspector, Irvine also stated that they would not allow building to begin until the Engineer approves the roadways. Mr. Thomas said that they have approval to build only one model per unapproved development, unless they are building condominiums. He added that before they can begin construction on the homes, everything has to be approved and constructed, such as the roadways, turn lanes, fire access, plat approval etc. Inspector, Irvine also mentioned that per conversations with Eric in the Engineer's office, there is concern over the walkways now that they are wider. The walkways are 4" of aggregate and 2" of black top and they are around the green space where the heavier, commercial mowing equipment would go across. Inspector, Irvine requested that the developer have the engineer review the construction of the walk paths to ensure they are constructed to withstand the commercial equipment. Inspector, Irvine said he would like to prevent the Township from having the extra expense of replacing the paths every few years. Mr. Thomas

said that the walk paths would be under the HOA's responsibility to maintain and/or replace. The paths are not owned by the Township and they are not in the Township easement, they are owned by the HOA.

Inspector, Irvine mentioned that during his 25+ years in dealing with construction, a project of this size will typically leave the neighboring property with better drainage than before the construction. The county will make sure that the neighboring property is not encroached by back up water. The county engineer makes the developer follow 500 ft. downstream on their engineering plans to make sure that the water course is adequate.

Chair, Resanovich asked who the target market would be for this development. Mr. Thomas said that it is a multiple demographics between empty nesters and young families. They have the smaller lots with lower maintenance and high quality homes. They are also providing a larger lots with larger homes for the younger families.

Chair, Resanovich stated that at this point in the meeting the Board could vote with the options to; deny the Applications, approve as is, approve with recommendations and/or conditions and send the Applications to the Trustees. The Zoning Commission does not approve the Application, the ZC will make a recommendation to the Trustees and the Trustees will approve or deny the Applications. Chair, Resanovich added that the ZC met with the Trustees and the Delaware County Sanitary Engineer and this is the first validation that the Township has that there is going to be sewer on this side of the river. Chair, Resanovich said that most of the growth has been on the other side of the river. The Comprehensive Plan says that two units are allowed per acre and includes for future land use planning Scioto Reserve similar density to the east of the reservoir. At one point they discussed 1.5 units maximum on this side of the river. Chair, Resanovich said that there is 600 acres and 1,900 of agriculture land in this corridor. The Township remains thoughtful on the development around this area. The Township is surrounded by Jerome, Liberty and Powell. Chair, Resanovich said that there are two main reasons for the density on the other side of the river. The Township was under threat of annexation and Sawmill Parkway and Home roads provided the necessary traffic patterns. So, the Township needs to think about what the development will look like on this side of the river. Chair, Resanovich stated that they would not be unrealistic and think that there will be 5 acre estate lots. Many farmers do not want to farm anymore and need to sell their land and there are other people who also want to sell their land. Chair, Resanovich added that the current submission did not answer all of the questions that the Board would expect from an Application including, what the homes will look like and the destination of stub roads. Chair, Resanovich asked how Mr. Faris and Mr. Thomas would like to proceed with the meeting. Mr. Faris said that from the stand point of needing to meet the concerns of the County Engineer, residents and Board, he said it would makes sense to continue the meeting so they could work on those issues. Mr. Faris asked if they could continue the meeting. Chair, Resanovich asked if they had a time frame they would like to work in. Mr. Faris said if the Board wants two weeks to review the material the quickest would be 30 days. After discussion March 14 was agreeable.

The secretary stated that for Public Notice; notice is advertised in the Gazette no less than 10 days before the meeting; the Application is available for review in the Ostrander Library; notice of the meeting is posted on the Concord Township website; the Application is downloaded onto the website when it is received; notice of the meeting is also posted in the front foyer of the Township building.

Mr. Smith asked if the approved developments were still available on the website. The secretary said that the Applications remain on the website and at the Ostrander Library while they are being heard by the Zoning Commission and also while being heard by the Trustees. The secretary added that all updates/changes were added to the website and delivered to the Ostrander Library upon receipt from the Developer. Once approved/denied by the Trustees the Application is removed from the website and the library. The secretary reminded the residence that the Application is public record and can be reviewed at any time upon request. A resident asked how far in advance the updates/changes were added to the website to ensure the public had



time to review the information before the meeting. Inspector, Irvine said that with the help of technology, the Developer now includes a CD with the updates/changes so that the information can be downloaded when the Coning Commission receives the information. The information is typically received 10-14 days before the meeting.

**Motion**

Motion to Continue the Public Meeting on March 14, 2017 at 7:00 pm in the Concord Township Administrative Building by Chair, Resanovich and seconded by Mr. Pierce.

Vote: Farneman, yes; Resanovich, yes; Smith, yes; Pierce, yes

Motion passed

**ATTEST**

Angie Ellerbrock

Angie Ellerbrock  
Administrative Assistant

**DATE APPROVED**

3/14/2017

cc: ZC Members, Fiscal Officer, Zoning Inspector, File