

**Concord Township
Board of Zoning Commission (BZC)**

Administrative Building
6385 Home Road • Delaware • Ohio • 43015

CONCORD TOWNSHIP BOARD OF ZONING COMMISSION LEGAL NOTICE

The Concord Township Board of Zoning Commission (BZC) will hold a Public Meeting at 7:00 p.m. Tuesday, January 30, 2018 at the Concord Township Administrative Building, located at 6385 Home Road, Delaware, Ohio, 43015.

The purpose of the Public Meeting is to continue the previous meeting held on December 19, 2017 to consider an application, designated as ZC042017, filed by Metro Development LLC of 470 Olde Worthington Road, Westerville, OH, 43082. The application is a Modification to the previously approved Scioto Reserve Expansion development plan also filed by Metro Development LLC to change previously designated school site to be used as condominiums, Parcel #41933003001000, 23.180+/- acres, owned by The Board of Education of the Buckeye Valley Local School District.

The Application is available for public review during normal business hours at the Ostrander Branch of the Delaware County District Library, 75 North Fourth Street, Ostrander, Ohio 43061 and on the Concord Township Website. After the conclusion of the Public Meeting(s), the matter will be submitted to the Concord Township Board of Trustees for review and action. The BZC will also conduct an Organizational Meeting for the purpose of electing 2018 officers, voting on a meeting schedule for 2018, any other business as deemed necessary, and completing any outstanding action items from previous meetings. Area residents are encouraged to attend.

*Concord Township Zoning Commission
Connie Resanovich, Chairperson
Ric Irvine, Zoning Inspector*

**Meeting Minutes
January 30, 2018**

Call To Order

Chair, Resanovich called the Public Meeting to order

Roll Call

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

Alternate, Darin Hilt sat in as an active and voting Board Member in place of absent Board Member, Mr. Davis.

Also Present

Ric Irvine, Township Zoning Inspector
Angie Moore, Court Reporter, Higgins & Associates
Chris Rinehart, Rinehart Legal Services, LTD.

Swearing In

The Court Reporter swore in all present

Public Present

See attached Sign In Sheet

New Business

Election of 2018 Officers

The Administrative Assistant; Floor Open for Nominations for 2018 Board of Zoning Commission Chair

Nomination for Mrs. Resanovich

Nomination accepted

No other Nominations

Nominations Closed

Motion for Connie Resanovich for 2018 ZC Chair by Mr. Smith and seconded by Mrs. Farneman

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

Motion passed

The Administrative Assistant; Floor Open for Nominations for 2018 Board of Zoning Commission Vice Chair
Nomination for Mr. Smith

Nomination accepted

No other Nominations

Nominations Closed

Motion for Mr. Smith for 2018 Board of Zoning Commission Vice Chair by Mrs. Resanovich and seconded by Mrs. Farneman

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

Motion passed

Meeting turned over to 2018 BZC Chair, Resanovich.

Purpose of Meeting - Application ZC042017 (continued meeting from December 19, 2017)

The purpose of the Public Meeting is to continue the previous meeting held on December 19, 2017 to consider an application, designated as ZC042017, filed by Metro Development LLC of 470 Olde Worthington Road, Westerville, OH, 43082. The application is a Modification to the previously approved Scioto Reserve Expansion development plan also filed by Metro Development LLC to change previously designated school site to be used as condominiums, Parcel #41933003001000, 23.180+/- acres, owned by The Board of Education of the Buckeye Valley Local School District.

Chair, Resanovich asked if there were additional Exhibits and the Applicant did not provide additional exhibits.

Mr. Todd Faris, Faris Planning and Design said at the conclusion of the last meeting, the BZC decided to have the modification go before the Delaware County Regional Planning Commission (DCRPC) for their review and recommendations. The DCRPC recommendations were; 1) clarify the divergences that apply to the modification, which the developer does not feel any of them apply, the last divergence involves the phases of the project and the modification would be done in one phase; 2) use only building materials that match the quality of natural materials, Schottenstein has agreed to use a high grade vinyl, board and batten that looks like hardy plank rather than hardy plank because they have had better success. The developer would take samples for the Trustees to approve during their meeting; 3) upgrade the traffic analysis, the original analysis shows two full service curb cuts and they will only have one. A new analysis is currently being done. Mr. Faris added that the traffic analysis would not change, it needs updated to show the current information. Mr. Faris announced that the Buckeye Valley School Superintendent, Andy Miller was available to answer questions from the BZC. Mr. Joseph Miller took the podium and restated for the record the previous Trustee's meeting minutes from May 21, 1998, September 30, 2004, and BZC 2004 meeting minutes. Mr. Miller said the idea of the open space was discussed, however it was not a condition placed on the original Scioto Reserve or its expansion. The zoning map was amended to PRD. The BZC has the power to recommend and the Trustees have the power to approve the modification. Mr. Miller said to do anything other than that would be contradictory to the zoning resolution, and what was approved in 1998 and 2004. Mr. Miller said the development is a good idea and they have the support of the Buckeye Valley School District. Mr. Miller added that it is in the best interest of the community, neighborhood and a less intense use of the site. Mr. Miller said they are willing to listen to the concerns of the residents. Mr. Miller said they submit that they satisfy the standards for Planned Amendment under Section 11.06.e. of the zoning resolution and are able to demonstrate the purpose and need for the change; the site will not be used for a school, the modification is not in conflict with the general health, wellbeing or safety of the public, the modification abides by the development standards of the district, sewer taps are available, the modification is under the density, and they have the recommendations from DCRPC. Mr. Joseph Miller asked if the Buckeye Valley Superintendent would like to speak. Mr. Andy Miller, Buckeye Valley Superintendent, stated the school board is behind the modification and

they approved the agreement. The condos are good for the school district although they may not increase the student population, they would increase tax dollars. Superintendent, Miller asked if the BZC had questions. Chair, Resanovich mentioned that the area includes several empty nest type developments and asked if that was a concern for the district. Superintendent, Miller said the district must get their message out to the residents, especially since they do not have a downtown where people congregate. The district includes 206 sq. miles, so getting the message out to the residents is something they continue to work on. Currently, over 60% of the residents do not have students in the school. The high school holds an annual senior citizen luncheon which includes many Concord Township residents and it is a good way for the residents to see the school. Many of the attendees have grandchildren in our district and also in Olentangy and Dublin. Retirees understand the value in the dollar and they understand that supporting the school district, supports their home value also. Chair, Resanovich asked if there is a revert clause regarding the property with the developer. Superintendent, Miller said yes, a clause was included back in 2005-06. The revert clause; what it means and the time limit, holds some disagreement however, this course of action is how the school board decided to go. They feel this is the best option for the district and Superintendent, Miller agrees. The future growth projection shows 10 years out approximately 150 more students, which can hinge with the housing industry.

Open Floor to the BZC

Mr. Pierce asked what the start date would be for the development and Mr. Thomas said they estimate August 2018. Mr. Pierce said the traffic study seems to belittle area traffic needs, and referenced the issues on Clark Shaw road. Mr. Thomas said they installed a left hand turn lane, east bound, to divert traffic traveling on Hyatts road. Mr. Thomas said the proposed modification would add less traffic than a school and condos have less traffic than single family home developments. Mr. Thomas added they are expanding Steitz road going north and south on Clarkshaw road. Clarkshaw road would be widened and they are changing Clarkshaw road in Liberty Township due to development. South Section Line road to Sawmill Parkway will be 11 ft. wide lane paved berm. Mr. Pierce asked if Mr. Thomas would meet with the adjoining property owners to address their concerns with storm water runoff. Mr. Thomas said he met with the neighbor to the west and exchanged additional emails. The west side property already takes on about 6.74 acres of offsite water that runs off across open fields and through the site. The developer committed to installing additional storm drains to collect the water that runs off the site and filter it through the storm drain system and into the pond. The pond is connected to the stream to provide cleaner water and contain the excess runoff. Mr. Thomas this is a more direct route for the water. Mr. Thomas also mentioned the neighbor to the south as well.

Mr. Hilt said the developer has done a good job and the buffering looks sufficient. Mr. Hilt asked if the developer had met with the neighbors to ensure they retained their privacy. Mr. Thomas said prior to submitting the application, they mailed out flyers to the neighbors. Mr. Thomas said they understand that the neighbors do not want to see the development. They kept the existing tree line and they added additional buffering, including buffering and trees 2-3 deep on the mounds. They also added buffering along the road in front of the development. The residents were encouraged to contact the developer to request more information or additional buffering. Superintendent, Miller mentioned that the school district had not received any phone calls with concern to the development. Mr. Smith asked if the expansion on Steitz road would extend into Concord Township. Mr. Thomas said it would be in Liberty Township, and close to 2,200 ft. west of Sawmill road. The project is in engineering and the start date would be March through the end of the year. Also, mentioned; roundabout at Hyatts and Steitz roads, additional turn lane off Hyatts road into Heather Ridge, turn lane and road widening on Clarkshaw road, and additional 16 inch water line main extended along Hyatts road to Clarkshaw road for future development. Mr. Thomas added that Delco would like to install a water tower in Liberty Township.

Chair, Resanovich toured the Schottenstein condominiums in Ballantrae Woods and mentioned that vinyl siding is proposed for the modification rather than the hardy board installed at Ballantrae. Chair, Resanovich asked if there were additional changes that would be made in the proposed modification from what is built at Ballantrae Woods. Mr. Thomas said no, they improve their developments as they build, so the development in Concord

Township would be their best product. They estimate the price to begin around \$400,000+. Chair, Resanovich said that Ballantrae Woods is near a railroad track which brought the price down. Mr. Smith asked if they had hardy board wrapping the homes and Chair, Resanovich said, yes. Mr. Hilt added that Dublin requires all natural materials wrap the homes.

Open Floor to Public

Resident, Mr. Veach asked the BZC to clarify the meeting minutes back in 2004. Chair, Resanovich said the question that Mr. Veach asked in 2004 was what the site would be if it was not a school and Mr. Vince told Mr. Veach that the site would be open space. Chair, Resanovich said that the BZC and Public hold the developer to their word and in this case, the BZC should have added the 'open space' statement to their Approval as a Condition. Chair, Resanovich added that the BZC could not force the developer to make the site open space because it was not a Condition. Chair, Resanovich added that since the site was not open space, the property would be development in the future. The proposed modification is a nice development and a good option for the site. The Trustee's would have final approval or denial on the proposed development modification. Mr. Veach asked for more information and/or to tour the proposed development by Schottenstein and he was given a brochure, website and location to tour the development.

Mr. Hilt asked if they would have street lighting and Mr. Thomas said no. Chair, Resanovich asked if the roads would be maintained by the condominium association and Mr. Thomas said yes, they would meet county standards, curb and gutter, and RCC. Mr. Smith asked if they would have on-street parking and Mr. Miller said yes, the streets were widened per requirements to allow on-street parking. Chair, Resanovich asked if they were providing paths and Mr. Faris answered that paths would run along Hyatts road and internal sidewalks would be provided. Mr. Smith asked if cluster mailboxes were used. Mr. Thomas said per the standard for the United States Post Office they would not pick up mail if they did not use cluster mailboxes. Inspector, Irvine said the letter from the Ohio Valley post master said they had to be approved by the post office and local government. Mr. Thomas said they tend to not agree with one another. Mr. Thomas said their trade partners that build the homes, have been told that they will not receive postal service if they do not install the cluster mailboxes. Inspector, Irvine asked if that was a Federal mandate from Washington or a suggestion. Mr. Thomas said it may be a suggestion however, they want to receive mail service. Inspector, Irvine said that it would not be approved if it was not presented on the original development plan per the Trustees. Inspector, Irvine added that there are specific guidelines and requirements that have to be met for approval. Inspector, Irvine asked if the cluster mailboxes were included in the development plan for the proposed development modification and Mr. Thomas said no. Mr. Thomas added they would have the information for the Trustees. Inspector, Irvine asked the price for the cluster vs. single mailbox. Mr. Thomas said cluster, \$1,800 for 18 boxes and \$400 per mailbox for a decorative cedar mailbox with detail. Inspector, Irvine mentioned the information should be given to the Trustees. Also, the cluster boxes are lit for delivery and pick up. Inspector, Irvine asked if the curbs and gutters and RCC would be installed before building begins. Mr. Thomas said yes, that was the agreement.

Resident, Patrick Harning said he is concerned about maintaining privacy on his property and asked the distance of the setbacks. Mr. Harning added that he appreciated the developer addressing and correcting the water drainage issues on his property. Mr. Faris said there is 80 ft. from the rear of the buildings to the property line, 3-4 ft. high mounds, a mixture of trees on top of the mounds, the existing tree line would remain with additional trees to increase the density. Mr. Harning said he did not like the 5 units next to his property and added that the proposed design is different from the information he received prior to the meeting. Mr. Faris said the original plan was a single family home development, with larger lots which would have been closer to the line than the current proposed plan. Schottenstein wanted to build condominiums which pulled the setbacks farther away from the existing homes. The setback distance is closer on the west side due to water runoff and the required detention basin. Mr. Hilt asked if they would consider adding buffering in the less dense areas. Mr. Thomas said yes they would meet with Mr. Harning and discuss additional buffering.

Chair, Resanovich mentioned the DCRPC recommendations were clarified 1) developer needs to decipher which divergences apply to the proposed modification, 2) require natural materials or similar material such as vinyl if it matches the quality of natural materials used. Chair, Resanovich asked for additional comments and/or discussion. Mr. Hilt said the vinyl used on the proposed modification needs to be an upgraded vinyl product and the Mr. Thomas said they would provide samples for the Trustee's approval.

Resident, Mr. O'Meara asked if a traffic signal would be added to merge traffic from Scioto Reserve. Mr. O'Meara added that presently there is a turn lane toward the west/Section Line road. Chair, Resanovich said Delaware County decides what traffic requirements are needed. Mr. Thomas added that two additional lights were being added in Scioto Reserve at Tree Lake and Scioto Chase Blvd. Chair, Resanovich said traffic may travel more to the east thus, using Sawmill Extended. Chair, Resanovich mentioned that this was the second meeting for the proposed modification. The residents want to hold the developer to his word, that the site would either be a school or open space and it should have been added as a Condition for Approval. Chair, Resanovich added that the proposed modification was a good use for the site. Chair, asked for a motion from the BZC.

Motion

Motion by Mr. Hilt to Approve Application ZC042017, with the following Conditions;

TERMS AND CONDITIONS OF CONDITIONAL APPROVAL

1. Acceptable grades of vinyl siding and upgraded products approved by Trustees
2. Work with the adjacent property owners and meet their needs with an agreeable buffer
3. Confirm with Trustees the timetable for construction
4. No building construction until the RCC and curb gutters are installed

Motion was seconded by Mrs. Farneman

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

Motion passed

Additional New Business

Vote and Approve the BZC 2018 Meeting Schedule

Motion by Chair, Resanovich and seconded by Mr. Hilt for the Board of Zoning Commission to hold their regular meetings for 2018 on an 'as needed basis' preferably on the 1st and/or 3rd Tuesday of the month.

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

Motion passed

Review/Approve Minutes

Motion to approve December 19, 2017, ZC042017 meeting minutes as presented by Mr. Smith and seconded by Mrs. Farneman

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

Motion passed

Old Business

Chair, Resanovich said the Zoning Code changes and Comprehensive Plan changes and updates are out of compliance with the ORC timeframe. The BZC will begin the process again to update and make any necessary changes to the Zoning Code and Comprehensive Plan. The BZC agreed that the next meeting could be held February 13, 2018. The meeting will be advertised in the Gazette. The DCRPC next meeting would be February 22, 2018.

The BZC discussed the zoning process, permit process, Trustee's approval/denial, and communication between the Trustee's meetings and the BZC's meetings. The original application is updated with all submitted changes and updates from the Applicant during the BZC's and Trustee's meetings.

Motion to Adjourn

Motion to Adjourn by Mr. Smith and seconded by Chair, Resanovich

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

Motion passed

ATTEST

DATE APPROVED

Angie Ellerbrock
Angie Ellerbrock
Administrative Assistant

02/13/2018

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

