



MEETING MINUTES

Planning Commission

Tuesday, February 20, 2018 – Special Meeting

The meeting was called to order at 1:30 p.m.

Chair Julie Oyster began the meeting with a moment of silence and the Pledge of Allegiance. Roll was taken and the following members were present: Ms. Julie Oyster, Mr. Gary Leasure and Mr. Jim Rauck. Mr. Mike Linder and Dr. John Dubos were both absent. Others present: Kyle Rauch, Development Director; Kim Shields, Community Development Manager; Kendra Spergel, Development Planner; Stephen Smith, Frost Brown Todd; Tami Kelly, Clerk of Council; Mr. Mike Boso, Chief Building Official; Jennifer Stachler, Public Service Superintendent; Tammy Green, JTFD; Terrence Barr, Zoning Intern; and Mary Havener, Development Assistant.

Chair Oyster noted a quorum was present. She also noted that there was a change in the order of items being presented. Trail View – Rezoning will be presented second and Trail View – Development Plan will be presented third. Mr. Leasure moved to accept this change. Mr. Rauck seconded the motion and it was approved 3-0.

ITEM #1 – Brown's Farm – Preliminary Development Plan

PID #201712270045

Ms. Shields presented the Development Department's findings. She stated that the applicant is requesting approval of a preliminary development plan for a new housing development on Orders Road east and west of Haughn Road. The property to be developed is currently within Jackson Township, and the preliminary development plan application has been submitted with the understanding that the site will be rezoned and the final development plan reviewed once annexed into Grove City.

The development will contain 210 apartment homes and 110 detached condominium homes – all age targeted, designed for empty nesters and seniors, in two separate subareas. Both subareas will have access points off Orders Road and Haughn Road, although it should be noted that staff has concerns with both proposed access points on Orders Road. On the western access, staff has requested that the applicant consider the feasibility of extending a private road west connecting to Discovery Drive to utilize the existing traffic signal at its intersection with Orders Road, and staff has concerns regarding the close proximity with existing single-family homes on the eastern Orders Road access. While staff is supportive of the point of access, this street will need to be adequately screened to reduce any negative impacts on adjacent single-family homes.

Bike paths and open space are shown throughout both subareas to connect the development with Fryer Park and future development to the east. While the proposed development is currently about 1 acre short of the required open space based on the number of dwelling units proposed, staff would be supportive of granting a deviation to the open space requirement and payment in-lieu of open space, noting that staff will be working with the applicant on potential off-site recreational improvements including extending a trail into Fryer Park.

Preliminary renderings were submitted for buildings in Subarea A, and the preliminary zoning text outlines architectural standards including building materials and roof pitches. Staff believes that additional architectural detail should be added to buildings, particularly those fronting on Orders Road.

While a number of issues will need to be further examined and resolved with the rezoning and final development plan application, staff is generally supportive of the project, as the use is in line with approved future land use plans and the development has been designed to integrate into existing and future development. Therefore, the Development Department recommends Planning Commission make a recommendation of approval to City Council for the Preliminary Development Plan as submitted.

Jonathan Wilcox, Wilcox Communities was present to speak to the item. Mr. Wilcox gave a brief presentation on the background of his company and the project they are proposing to development on Orders and Haughn Roads. He also presented material boards displaying the preliminary materials that are intended to be used for the development.

Mr. Leasure asked Mr. Wilcox if there were any improvements planned for Orders Road. Mr. Wilcox stated that they are in the process of completing a Traffic Study with regards to the impact of the proposed neighborhood. It has not yet been completed. Ms. Shields stated that improvements were recently made to Orders Road along the frontage of this property; however, Haughn Road would still need to be investigated in terms of improvements. Ms. Oyster stated that she has a similar concern related to Hoover Road.

Mr. Rauck inquired about the intended connectivity to the signaled intersection in front of the YMCA on Orders Road, and how Staff foresees potentially connecting to it. Ms. Shields stated that these discussions are still in the very preliminary stages. Since there is the existing traffic signal, there might be benefits to connecting to that area, but it's just a discussion that we're having at this point.

Ms. Oyster asked about the status of the trees on the northern end of the Cottages along Haughn Road. Mr. Wilcox responded that there are a large amount of trees along the east side of Haughn Road and they will attempt to save as many as possible. Their plan called for a Tree Preservation Area in that section and they need to determine how many trees will need to be taken out and how many can be saved. With the City code, they are obligated to plant 730 new trees, so his hope is that between preserving what they can and planting the new trees, they can end up in a good place.

Mayor Stage asked to speak on the item. He stated that one of his ideas was to work with the intersection of Discovery Drive and Orders where there is a traffic light. He feels like this is a rare opportunity in the community to take some of the ambiance of Fryer Park and try to incorporate it into their development. If there's a roadway that works out at the intersection, there will be very little traffic coming down from the north (Southern Grove), so he would hope that they could work with the developer to determine how best this could work with Fryer Park and Century Village and the area in general. He continued to state that on the negative side, Haughn Road is a challenge that will need to be addressed.

Bill Hebble, Franklin County Engineer's Traffic Department, asked to address the Commission. He stated that Franklin County has concerns with this development proposing access opposite of Old Haughn Road without submitting a Traffic Impact Study to the County. To date, the County has not received any correspondence related to a Traffic Impact Study and they maintain control and access to that intersection. Franklin County also has concerns with this development moving forward in the rezoning prior to seeing any type of annexation. They would like to see what the limits are if any type of roadway is going to be included. Jennifer Stachler, Public Service Superintendent stated that the City's engineer has been instructed to get in touch with the County regarding a traffic study.

Mr. Rauck stated that he would like to make sure the Commission pays attention to the connectivity with the bike path. Even if the Commission is unable to agree on a connection with Old Haughn Road, he thinks it would be an excellent bike path connection on the northwest side of this development and the same type of connection on through the main entrance to Fryer Park over by the YMCA. This way pedestrians walking or biking can be off of Orders Road and on a nicer route.

Jack Reynolds, attorney for the development, asked to speak to the item. He stated that there should be a legal description and map at the Franklin County's office next week that outlines the areas to be annexed.

Chris Carney, resident at 3545 Orders Road, asked to speak to the item. She stated that she had several concerns related to the proposed development:

- The residents were not made aware of this proposed development.
- She feels that this development will completely change their lifestyle. Her property, because it's a rural setting, has given them certain freedoms by being part of the county and the township. They have plowed and gardened on this property. They have enjoyed the property without interruption and with exclusivity including mowing, weeding and treating.
- She currently owns a business that she runs from her home. She has daily pickups and deliveries from FedEx, UPS and USPS. She also receives deliveries from box trucks. She feels that this development will ruin her ability to work from her home.
- This proposed development will significantly decrease her property value.
- If she loses her driveway, she will be forced to locate her business somewhere else and that will put an unnecessary financial burden on her family.
- The increased traffic is also a concern; however, where she pulls out of her house is an even bigger concern.
- The driveway has been in existence for over fifty years and used exclusively by every owner since then. Her family has used this driveway for over ten years.
- If the road becomes a city road and it's annexed and becomes a public road, there will be an easement attached to that and will then affect her garage.
- It is her opinion that Wilcox Communities cannot have her driveway.

Mr. Leasure asked Ms. Carney if her driveway was her personal property. Ms. Carney stated that she considers that it is. Mr. Leasure then asked if the driveway will become a factor in this plan. Mr. Reynolds stated that it was pointed out to them and as they work through the process, they will work with the property owner to ensure access to the public right-of-way so that the owners can continue to get in and out either from the driveway or from a private drive that they are proposing to put in. Mr. Leasure asked again if this development will be impacting the current driveway. Mr. Reynolds stated that yes, it could possibly happen.

Mr. Rauck asked to clarify that the driveway in questions runs parallel to Orders Road. Mr. Reynolds stated that her driveway is on the Brown's property. In regards to ownership of the driveway, Ms. Carney brought up various court cases that ruled on property ownership. She stated that when an owner does not interfere with someone using his/her property for a given period of time, it cannot be sold out from that person. Ms. Carney feels that she meets every criteria and will not give up use of her driveway.

Mr. Leasure asked Ms. Carney if the garden she referred to was her property. She stated that the gardening was done on the field, which is owned by the Brown's. It is not her land; however, she used it as if it was her land without interruption. Mr. Rauck asked Ms. Carney if she had any structures which encroached on this 60' piece of property. Ms. Carney stated that her driveway, which is considered a permanent structure, is on this piece of property. He then asked if her home and garage were all on her property and she stated that they are. He asked if she is the only owner that uses this driveway and she stated that she is.

Rob Ringhiser, resident at 3535 Orders Road, asked to speak to the item. He reiterated that they had also received no notice regarding the development of this property. If someone is going to come in and take up this much space

and put in a new road next to your house, he would appreciate some type of notification. He continued to state his additional concerns:

- Flooding. Haughn Road, which runs in front of his house, has a creek that runs through it. When there is a big rain, water comes over Haughn Road into the road which is between the new development and Orders Road and his side road becomes a lake. If that road is raised, he is worried about additional flooding in his yard and possibly in his basement.
- He is worried about the impact with the additional traffic related to this new development and the subsequent safety issues when backing out of his driveway.
- The financial impact on their home value and which might deter future buyers from purchasing if they would decide to sell their property.

Mr. Leasure, in reference to the concerns with flooding, stated that any development that is done will have to address these issues by either adding a retention pond or some other type of solution. Ms. Shields stated that any development within the City is required to show a "0" impact. They would need to treat the stormwater so that runoff is not affected.

Mr. Rauck stated that as a point of record, he would like Staff to communicate to the public how our notification process works. Ms. Shields stated that this is a Preliminary Development Plan. Currently, they are going through a 3-phase process; Preliminary Development Plan, then the property will be rezoned and then they will be required to go through a Final Development Plan. During the Rezoning process, the neighbors will be notified. She continued that everything is posted on the website in an attempt to make the plans as available as possible to the public. Technically, though, we do not notify anyone until a project is in the rezoning phase.

Mr. Wilcox stated that his company makes it a matter of practice to have an "all neighbor" meeting. Typically, they do that prior to filing their rezoning. From the beginning, Staff has made it clear to them that there is an issue of the driveway encroaching on the property. They will meet with Ms. Carney to work through this issue before anything happens.

Heather Mast, resident at 3555 Orders Road, asked to speak to the item. She asked if they would be forced to annex into the City. Ms. Shields stated that they would not. Ms. Mast continued to state that she would like to officially oppose the Residences and Cottages of Brown's Farm based on the following concerns:

- One of their favorite things about her current property is the serenity, and with the impending development, she feels that this would be stripped away from them since this proposal places a condo approximately 70' from her property.
- She also stated her concern of the influx of traffic on an already busy road and the safety concerns related to her family.
- She is concerned how this development will affect her property value.
- The proposed bike path, which will be directly behind her property, is a concern in regards to safety issues related to strangers on the path right by her backyard. The current plans do not seem to show any type of privacy barrier between her property and the path. She stated that she would like to request that the bike path not be permitted and that a privacy barrier be constructed behind her property.

Mr. Tad Kuhn, resident at 5278 Haughn Road, asked to speak to the item. He also reiterated his concern due to the fact that he moved into this property because of the serene location. This type of development is not unexpected; however, he would like to see the City do what they can to make it work. Currently, he has a 20' setback on his property. There are 15 condos that are going to be sitting right outside his house. He would like to request at least a 40' setback and for screening to be added. He suggested that they remove condos 1-6 and create an open space or pond and perhaps some 20' pine trees. Mr. Kuhn also asked the status of the current trees that are right on the yellow line. He continued to state that his bathroom and bedroom face the back of the condominiums.

Ms. Shields asked to make one additional point that the flow of traffic in the area is likely to change soon there is a connection is being established on Demorest all the way through Claybrooke Crossing over to Rt. 62 (Broadway).

Mr. Brandon Hedrick, resident at 5296 Haughn Road, asked to speak to the item. He is also concerned about the 20' setback. According to the plans there will be an 8' patio on the rear of the condos. He asked if that would encroach onto the setback. Mr. Reynolds stated that it would be well out of the 20'.

At this time, Mr. Rauck moved to table this item until a future meeting to give the developer time to communicate with the local residents. His interpretation is that the development to the west will make a connection to the YMCA and there will be bike path connectivity through there. The development on the east side of Haughn Rd. has some issues to be worked out, i.e. setbacks, screening, the driveway, retention pond, etc.

Mr. Smith clarified that the motion should be to postpone to the April 3, 2018 meeting, rather than tabling the item.

Mr. Rauck moved to postpone the item to the April 3, 2018 meeting. Mr. Leasure seconded the motion and it was approved 3-0.

ITEM #2 – Trail View Run – Rezoning

PID #201712270047

ITEM #3 – Trail View Run – Development Plan

PID #201712270046

Ms. Shields presented the Development Department's findings. She stated that the applicant is proposing to rezone three parcels on the south side of Borror Road, approximately 0.5 miles east of Buckeye Parkway from SF-1 to PUD-R in order to develop the Trail View Run subdivision. The applicant is proposing to develop 122 homes on the site, with 81 single-family homes and 41 detached condominiums/patio homes.

The site is bordered by a property zoned SF-1 to the northwest and multiple properties zoned R-1b within the Grant Run Estates development to the west. The site is bordered by properties to the east and south zoned Suburban Residential in Jackson Township.

A zoning text for the site is included with the application to set the standards for the site's development; however, a number of unresolved issues remain with the proposed text that will require amendments before the application can be supported by staff. A development plan application has also been submitted for the proposed project that utilizes the standards outlined in the proposed text.

The proposed text specifies the number of single-family homes and patio homes to be contained in the development, resulting in a density higher than desired for the area based on future land use plans for the area. The permitted number of units on the site should be reduced in the text, noting that a number of issues are currently outstanding in terms of the project's design, further detailed in the staff report for the project's development plan. Additional outstanding issues include references to the D-2 zoning district for the patio homes and architectural standards.

Because there are still issues to be resolved with the proposed PUD zoning text, the Development Department recommends Planning Commission make a recommendation of disapproval to City Council for the rezoning as submitted.

Mr. Tom Hart, attorney for the proposed development was present to speak to the item. Mr. Hart stated that he would like to address both the Rezoning and Development Plan items. Mr. Hart gave a brief presentation on the evolution of the project which they have been working on since March 2016. He stated that the site has evolved from 146 detached units to 122 units, losing approximately 16% of their units. They are now all single-family detached homes, a third of which are patio homes and two-thirds are traditional single-family. Open space is about

one-third of the site, approximately 17 acres, which includes 11 acres that are part of the Grove City Park's Master Plan. The numbers do not include a 20' strip of land that they have agreed to convey to neighboring property owners in Grant Run to increase their lot size as a way to buffer their property from this development. They were permitted to move forward with this current plan with conditions that they agree to remove patio homes backing up to the park, connect the Trail View Run streets to the Grant Run existing sub-streets, add a picnic shelter near the parking lot in the park along Grant Run stream and resolve the Borror Road safety improvement issues. They have met all of these conditions. He continued to state that they had a successful application, along with the Township, and they received an award to make improvements that will widen the road and make it safer. The goal is to make improvements while maintaining the rural character of the road.

Mr. Hart addressed the timing of the project with the GroveCity2050 plan. He stated that they were in the process of this development well before the 2050 plan was approved. Their final application was filed in December 2017 and the 2050 plan was approved in January 2018. They are trying to fit their density and home value with what will be appropriate to the surrounding area.

Mr. Karl Billisits, Harmony Development Group, addressed the committee and passed out documentation that demonstrates area sales over the last 18 months, including square footage and average sales price. He then discussed their methodology for determining their price point for this development.

At this point Ms. Shields stated that since both applications are being discussed, she felt it was necessary to highlight a couple of outstanding issues that Staff has. In general, she feels that Staff is much closer to a product that everyone is happy with. Density is still a concern, and Mr. Billisits has a very good point that this application was submitted before the GroveCity2050 plan was approved. At the time, Staff was drafting a study that became a part of the GroveCity2050 plan, the Southeast Area Study, which shows a stepdown in density between Buckeye Parkway and St. Rt. 104. This density is about one-half unit per acre higher than what we were hoping for. The bigger picture is establishing the rural character. She stated that Staff may be a little more flexible with some of the density issues, but there are some things, like the lots along Borror Road, which they feel do not create the rural character for that area. By reducing approximately five lots, not only are we creating the character, but we're also helping to reduce the overall density. The same thing applies to open space. A couple of fixes here and there could ultimately help them to meet code in all regards to meeting the community plan. She continued to state that there are other concerns related to inconsistency with plan sheets. The elevations weren't particularly clear as to what Staff would be approving with this application. A recommendation of disapproval sounds very harsh; however, she feels they are very close. Another month or so to work through these issues could result in Staff support.

Mr. Hart stated that on the density overall, they definitely see the market surge of demand for empty nester homes and for first floor-living, ranch – patio homes, are seen everywhere. In this case, they have a limitation that the second floor living space has to be limited in terms to its relation to the first floor. It's like a 50% limitation. They're trying to produce ranches because they know that market segment wants first floor living. In this case, density is not all the same. When you include these types of empty nester ranch products, you don't attract school children or a traffic pattern like single-family homes would. There is a lot less commuting after 6 p.m. and during the peak traffic times. These sites live much quieter. Their goal was to mix the uses because it has a lower impact on the other homes around this development.

Mr. Billisits addressed some of the details. In regards to the open space calculations, he stated that they have 16.8 acres of open space on a 49.5-acre project; more than a third of the project. What's not being counted is anything under the power lines and anything that's in the floodplain. According to code, the ground under the power lines can be counted at the discretion of the City. One problem they're having is the park space, Reserve A, which is an 11-acre park. Mr. Billisits passed out a copy of the 2010 Parks Plan which called for a major park at this location. He stated that while they are providing over an 11-acre park, it's not being counted. He understands not counting the floodplain, but due to the improvements they are incorporating, he doesn't understand why this isn't being counted. They also provided three quarters of an acre to the adjoining property

owners for a buffer, which is not be counted toward open space. They feel they've gone over and above to meet the requirement.

Mr. Billisits stated that they were asked to submit a letter to Jackson Township and the City to commit to \$285,000 for the widening of Borrer Road, which they did.

Mr. Billisits continued to state that they are attempting to come up with a project that will be beneficial to the community as a whole.

Mr. Leasure asked the City to go over their objections. Ms. Shields stated that the primary objective is the density. They are not opposed to the patio homes, but the overall density, not including floodplain or open space, is a little too high. Staff is hoping to establish the rural character. Staff does not like the 5-6 lots that are along Borrer Road. There are a plan inconsistencies which need clarified. Open space is very close. At this point, there several little things that need cleaned up.

Ms. Oyster stated that she feels it would be a good idea to postpone to the April 3, 2018 Planning Commission meeting to give time to address the issues brought up today.

Mr. Billisits stated that their biggest issue is eliminating additional lots. Mr. Leasure asked how many lots they are talking about losing. Ms. Shields stated that there are approximately five lots that are on the entry drive coming in.

Mr. Billisits stated that they would be amenable to postponing the two applications until April 3, 2018.

Ms. Kayla Spellman, resident at 1461 Borrer Road, was present to speak to the item. She stated that she has been involved in this process since 2014. She stated that this discussion has been geared towards the neighbors to the west; however, there are neighbors to the east and north that need to be considered. She expressed her concerns:

- The project has been going a very long time and the neighbors have been opposed since the beginning.
- She does not feel the area needs to be rezoned.
- She is opposed to the density being proposed.
- No one in the surrounding area is supportive of the condos.
- She questioned the legal implications of the approval of the Preliminary Development Plan.
- She is concerned that this development will affect her property value.
- She would like to know how the Borrer Road improvements will be affected if this plan does not go through.

Mr. Billisits asked to address some of Ms. Spellman's concerns. He stated that he met with residents from Grant Run and their concerns were related to square footage, size of the lots, price value of the houses and the 20' strip.

Mr. Billisits continued to state that they're still trying to determine how to keep the rural appearance of Borrer Road and have two lanes with a bike path on one side. The County had the bridge replacement going in, which allows OPWC to provide additional matching funds.

Mr. Leasure asked if it was correct that the Borrer Road improvements would not be done if this project does not go through. Mr. Billisits stated that he could not answer that. Mr. Rauch stated that this is a separate project and is unrelated.

Mr. Greg Comfort, Harmony Development Group, asked to speak to the item. He stated that when OPWC ranks these projects by points. This was the last one and was \$150,000 short. This amount will come from the 2017 OPWC rollover funds. If Harmony Development Group drops out of this project, there is a possibility that the roadway project will need to be rescored. This may or may not change the ranking. This will be up to OPWC.

Having no further discussion, Mr. Leasure moved to postpone the Development Plan until the April 3, 2018 Planning Commission meeting. Mr. Rauck seconded the motion and it was unanimously approved.

Mr. Leasure also moved to postpone the Rezoning Application until the April 3, 2018 Planning Commission meeting. Ms. Oyster seconded the motion and it was unanimously approved.

Having no additional discussion, Chair Oyster adjourned the meeting at 3:05 p.m.



Mary Havener, Secretary



Julie Oyster, Chair