

**City of Circleville
Planning and Zoning Commission
104 East Franklin Street
Circleville, OH 43113
(740) 477-8224**

**Wednesday, June 1, 2022
City Council Chambers**

MEETING MINUTES

Members Present

**Jim Stanley
Dick Liston
Mike Combs
Kimberly Frericks
Beth Mason
Don McIlroy
Dorcus Morrow**

Visitors

**Stacey Boumis
Kimberly Kyees
Connie & Terry Campbell
David Hodge
Tonya Thompson
David White
Rob Little
Dwight Imler**

Jim Stanley called the meeting to order at 6:00 p.m.

Roll Call was done. All members were present.

PUBLIC HEARING

Mr. Stanley stated this meeting is for public comments. Each person addressing the board will be given 3 minutes to speak, after they state their name and address at the podium. Everyone wishing to speak, please stand and Brenda will swear everyone in at this time.

Brenda Short swore all members standing in.

David Hodge addressed the board and audience. He is the Zoning and Land Use Lawyer from Underhill & Hodge LLC that is working with DR Horton on the development. He stated they were here a couple months ago with this proposal and have taken the intervening two months to recall the suggestions that were made at the previous meeting by members and neighbors. Holly Mattei was at the last meeting and was able to provide some information also. We have done our best to incorporate those revisions into our site plan which we are here for tonight. He gave a brief overview of where they are and what they are talking about.

We are up in the very far northern limit of the City of Circleville, on the West side of North Court Street. The northern limit of their property is the northern limit of the City of Circleville.

We are proposing a rezoning in two different sub areas. We have DR Horton on a little over 60 acres proposing a single-family residential subdivision. Previously circulated details of what those homes will look at and have written a PUD Development Text that talk about those development standards, building heights, side yard setbacks, front yard setbacks, front yard setback – all of that good stuff. The great thing about a PUD is that when you come to meeting like this and ultimately on to City Council at the end of the process, the community knows exactly what it is that the developer is going to do because this site plan, architecture and written text becomes part of the law that the developer must adhere to in order to develop. We have the northern portion of community in a single-family residential subdivision, we have got a southern portion that we are zoning into a GB. That General Business District matches the zonings further south of here on North Court Street. We are not sure what will be there at this point but it will be zoned for general commercial uses as this happened down to the southern portion of North Court Street here. A couple things that they reacted to from the last meeting or that we otherwise did in the intervening two months were as follows.

Along the northern property, we talked about creating a tree preservation zone along the northern portion of the property. There is a pretty healthy tree row that is there. We created a tree preservation zone along that area. We met with Mr. White and talked about that on site. We will continue to work with Mr. White as we work through the remainder of this process.

We talked about creating some walking paths and some amenities. We created walking paths around the basins. All of those walking paths are tied into the public sidewalk system. Both sides of these streets will have public sidewalks. You will be able to get off of the sidewalks and get onto a path and meander around all of the ponds and traverse the entirety of the neighborhood. They also provided a linkage at the southern portion of the property that is a pedestrian connection into the GB commercial portion of the property in the south. There is one thing that got lost in translation but they are happy to do, if anyone thinks that buffering area along the southeastern portion if that needs to be a sidewalk as opposed to a landscape buffer, we can do that to connect into the frontage of the commercial. It was something Mr. Hodge asked the landscape architect and engineer to do and feels that suggestion got lost in translation and it ended up there. One or the other, makes no difference to Mr. Hodge, they will do whatever.

They show various other amenities that are there. There are a couple different playground areas for kids that live in the neighborhood. Two different ones. One is a little more. One is just to swing. There is a shelter house, benches and mailbox kiosk.

Mr. Hodge stated they feel now is the right time for this development. It has been a long a since anyone has come in and done a single-family residential subdivision. This is the same that is being built down in Obetz. Good architecture and good building materials. This will certainly be a successful neighborhood here in Circleville.

In addition, he stated they did reduce the number of lots being proposed where the larger playground is to allow for the playground and a shelter house.

Stacey Boumis and Bill Baker at 2170 N. Court Street. Ms. Boumis stated she is here tonight with Mr. Baker. She is professional urban planner and have worked in the field for 25 years. This is the first time Mr. Baker has been involved in this process and has been notified. Mr. Baker lives on the north eastern edge of the property and has an interest in what is happening here. Mr. Baker is not entirely opposed to the development; he does want to minimize the impact of the development on his property. That development is going to create a lasting impact on the City. Once DR Horton leaves and Mr. Hodge is gone, then the City gets to maintain the streets and deal with any issues that are created. The biggest issue that Mr. Baker has been worried about is flooding. He has lived there for 4 years and Dry Run is constantly flooding and there have been times (specifically May 9, 2020) where there was four feet of water in his front yard. He could not leave his home for several days. Water is coming from the northeast side and causes the creek to flood. Adding increased density, more houses, in this area will only exasperate the problem. When reviewing the site plan, much of that northwestern part of the site has not been farmed. She did research. It is a wet area. A farmer would have tilled the fields and capitalized on the crop, if it was tillable. Now you are going to tear down about six acres of trees and put houses there. There is going to be some storm detention but they are not convinced that will mitigate that. The developer is asking for several diverseness as part of the development. They want to reduce the minimal lot area from 7500 square feet to 6000 square feet. They want to reduce the minimal lot width from 65 feet to 50 feet. Decrease the amount of open space that is required, decrease the rear yard setback from 35 feet to 15 feet. Mr. Baker is opposed to all of these. You have a zoning code that would create a better development north of the Dry Run area. In a PUD you have area with larger lots and lower density. You can have an area with higher density. She encouraged everyone to look at that area north of Dry Run, preserve the trees, require bigger lot sizes, have bigger rear yard setbacks and only fair if they are going to have a tree preservation zone on the south side, that you would also have it on the north side.

Mr. Hodge stated he agrees that they need to be a good neighbor and work with all of the adjacent owners. Mr. Baker was at the previous meeting and they exchanged contact information at the meeting. We had discussion with Mr. Baker previously. We heard from Ms. Boumis yesterday for the first time yesterday. Had a great conversation with Mr. Baker afterwards and followed up with Ms. Boumis this morning. We will continue to work with those neighbors and understand that is a sensitive area up along the northern portion of property. They will either preserve and maintain existing trees that are there or will commit to come in along that northern property and plant evergreen trees 5-6 feet at installation with a certain separation so that a maturity it creates a hard edge along the northern perimeter. The other thing is, they have studied very comprehensively the stormwater and the creek. The city does have storm water mitigation regulations and they will adhere to all of those. They are confident that the preliminary plan reasonable, accurately portrays the way the storm water will be mitigated, but through final engineering, they will make certain that they comply with storm water regulation. They are designing the subdivision such that they are not putting any excess stormwater flow into the creek. We understand it is an issue and we certainly don't want the folks we build homes for to have homes flooded nor do we want to flood anyone to

the north or the Campbells that intervene. Hopefully that it is responsive to the questions that came up.

Rob Little with DR Horton stated it is their commitment to have a long-term relationship with Circleville so we do not want to come in and build one neighborhood and leave it in shambles. We will follow the code and do the right things as it relates to stormwater. We hope this is one of future sites we can do here in Circleville.

Stacey Boumis stated these individuals are referring to Obetz and she is not here on behalf of the City of Obetz. It is my professional opinion that I would be looking for the bigger lots, tree preservation and those standards which would be required if I were here speaking on behalf of the city that I worked in. The development that they are talking about and the development that Mr. Hodge is doing, then this development would not get approved as submitted.

Don McIlroy made a motion to close the Public Hearing and Dorcas Morrow seconded. All in favor. Motion carried. Public Hearing was closed.

Call to Order:

Jim Stanley called the regular Planning & Zoning Commission Meeting to order a 6:21 p.m.

Roll call taken by Brenda Short. All present.

Approval of Minutes:

Don McIlroy made a motion to approve the May 1, 2022 meeting minutes as recorded and Dick Liston seconded the motion. All in favor. Motion carried.

PUD Dr Horton #1-22

As requested by DR Horton, for property located at 1931 and 0 North Court St., Circleville OH in an AG (Agricultural Estate District) and R2 (Single-Family Residential District).

Kim Frericks stated she was not at the last meeting. She inquired if there was a HOAC associated with this.

Mr. Hodge stated yes, there will be. There will be a forced and funded Home Owners Association. So, every homeowner will be obligated pursuant to a deed restructure to belong to that and pay into that. The purpose of that funding is to maintain the common elements throughout the neighborhood.

Jim Stanley stated he had a few comments and questions. The right of way on North Court Street (this was not addressed at the previous meeting) currently is a 60' ROW. Typically, with the ADT on that road, we would require a 90' ROW. I think we will need to address and additional 15' ROW on that side of the road as part of the platting process. Also, the walking trails or areas around the ponds will require hard surfaces versus graveled surfaces.

Multi use path along North Court Street at the edge of that right of way, we would require this along a roadway of this type. Still want to visit the crossing of the ditch with our engineers. If we do see a path forward, we want to work that out to get some type of access from the North to the South. You are working on a traffic study through the County Engineers traffic study requirements. You have addressed any areas that have been designated as recreation areas.

You will need to reflect these changes prior to this going to Public Hearing at Council level.

Mr. Hodge stated the dedication of ROW along the frontage, he would go to the center line of the street and dedicate the amount along the side of the street. That means the owner is giving the City of Circleville land along the frontage in order to accommodate future road improvements. This is pretty standard. We will see that that happens. The other part that is related; as we come in and dedicate the right of way, there was discussion about a trail. Are you talking about a trail along the entirety of the frontage? Mr. Stanley stated that is correct. Mr. Hodge stated at this time they are showing that as being in lieu of a trail, having landscaping in there. We thought this was good buffering element for the neighborhood. After the dedication of ROW, I am not sure there will be room for a trail and landscape mounting. We will continue to work with the city to determine what is the best fit there.

Rob Little stated that one of the hats that he wears is a liaison between the homeowners and the management companies. The asphalt paths are very expensive to maintain. In some of our other communities, we have asked that you reconsider for crushed limestone path. The reason being after rolling this, it does create a nice hard surface. You can take a stroller over it. It is not impervious so water is not an issue. It is a little more naturally looking. It is a burden on the homeowners because ultimately, they have to pay for it. Gravel is far less of a burden on the association in the long run. We would ask that you reconsider that for those homeowners.

Jim Stanley stated it will be the responsibility of HOA to maintain the grass area out to the ROW anyhow, so there may be some intrusion onto the ROW anyway. That is certainly something that we can look at. We need the ROW for future use looking at the ADT that the road carries.

Mr. Hodge stated they will need the engineer's study what that means to the setback out here and the plantings that were previously planned and then how to incorporate a trail in there. We will continue to on this. In terms of the ditch crossing, we would like to continue to do our own internal exploration. That is an expensive proposition and it evolves several levels of government. They would like the opportunity to continue with the City of this and keep you informed as they are working about the other governmental levels of review. If it is feasible, then they are committed to doing it. If it is not feasible, mean extraordinary expensive, out weighing the benefits of connecting the people that live in that cul-de-sac, then we would ask the City to keep an open mind on that issue.

Don McIlroy stated that regardless of what the surface looks like, the important thing is that there is a path or trail there.

Ms. Boumis stated that without sidewalks, people will be cutting through the other properties.

Mr. Hodge thanked everyone.

Jim Stanley stated this is the only item on the agenda, there are three things that we need to do at this point. Options being either denying this moving forward, allowing it to move forward as is or moving it forward with some changes to a Public Hearing at the Council's level. This is basically a rezoning to a PUD unless the developer wants to withdraw it and do something different. We must do one of this three options.

Don McIlroy made a motion to send this on to Council with the proposed changes from this body with recommendation for passage. Mike Combs seconded.

Mike Combs Yea; Don McIlroy Yea; James Stanley Yea; Beth Mason Yea; Kim Frericks Yea; Dick Liston Yea; Dorcas Morrow Yea. 7 Yeas. Motion passes. It will be given to the Clerk of Council. They will announce a Public Hearing date.

Adjourn:

Beth Mason made a motion to adjourn and Dorcas Morrow seconded the motion. All in favor. Meeting was adjourned at 6:36 p.m.

Submitted by Brenda Short - Clerk