

RECORD OF PROCEEDINGS

Minutes of

Meeting

Etna Township Trustees Special Meeting

GOVERNMENT FORMS & SUPPLIES 844-224-3338 FORM NO. 10148

Held _____ December 9, _____ 20 _____ 2020

The Etna Township Board of Trustees met on Wednesday, December 9, 2020 at the Etna Township Garage for the purpose of conducting a special meeting. The meeting was called to order at 5:00 p.m. by President Carlisle. Jeff Johnson led the invocation and John Carlisle led The Pledge of Allegiance. Trustee Carlisle read the Public Meeting Requirements. Roll call showed Trustees Jeff Johnson, Randy Foor, and John Carlisle present. Fiscal Officer Walter Rogers was excused.

Trustee Johnson moved to adopt the agenda as presented. The motion was seconded by Trustee Foor and passed by unanimous affirmative vote.

Trustee Carlisle moved to approve the October 28, 2020 Special; November 19, 2020 Special; December 1, 2020 Regular; December 5, 2020 Special; December 7, 2020 Special meeting minutes as presented. The motion was seconded by Trustee Johnson and passed by unanimous affirmative vote.

Old Business

The application was submitted by Pulte Homes of Ohio for 155.281 acres located on 14141, 14097, and 13541 Palmer Road owned by Charles L. Hagy Trustee; to rezone from Agricultural District (AG) with PRCD Overlay to Planned Mixed-Use Development District (PMUD). The public hearing was held on October 28, 2020. The Trustees reviewed the issues that were raised during the public hearing being the roads connecting to New England Acres and Chevington Woods, the impact on the schools, the density of the proposed PMUD, the drainage issues, and increased traffic.

Tom Hart, Matt Callahan, and AJ Weber were present representing the applicant Pulte. Pulte provided the Trustees with the modified Zoning Text Amendment updated December 9, 2020. The text was highlighted to show what was modified since the last meeting as well as an updated map reflecting the changes.

Trustee Carlisle discussed the public hearing being closed and requested Tom Hart review the modifications. The public will not be permitted to speak on behalf of these changes. Tom Hart explained these are changes that respond to the public concerns during the public hearing. The main change is a drop in density from 376 to 355 which is a total of 21 lots removed reflecting a reduction of over 5%. This creates a total of forty percent open space and increased buffering on the south and east perimeters to one hundred feet with a two hundred foot setback along Palmer Road. The new plan net density goes from 2.96 to 2.88 with a gross density of 2.31.

If approved, Pulte will be filing a variance from the Licking County Subdivision Regulations with Licking County during the Final Development Plan/Final Engineering process for the stub streets to be one way only. This would be on Olde Post Road and Cape Cod Way going to the North and Faneuil Hall Road going to the West into the subdivision. So the residents from the Pulte Community could not cut through their subdivision but the residents from Olde Post Road, Cape Cod Way, and Faneuil Hall Road could cut through Pulte's development. With the improvements to Palmer Road all of this developments traffic will come out onto Palmer Road. The stubs will be emergency access both ways. There is no guarantee that Licking County will approve the variances. The variances will be applied for if the zoning is approved. The Final Engineering is done with the Final Development Plan. Pulte has reviewed this condition with the Licking County Engineer and the Executive of Regional Planning.

Matt Callahan provided a handout with a summary of the changes following the Etna Township Zoning Commission meeting outlining the October Plan and the December Plan changes. The Palmer Road setback has increased to two hundred feet to enhance the rural character along with one hundred foot perimeter buffers on the south and east sides of the site. The open spaces were increased to forty percent throughout the plan to better the flow and openness of the community.

Tom Hart provided a recap discussing the market, land value, and the property rights of a homeowner. He feels this plan meets the code and feels the Trustees are being asked to ignore the code.

John Carlisle addressed what he feels the people are asking the township to do in regards to ignoring the zoning code. The residents are asking them to enforce the PRCD overlay as it sits today, and they are not asking them to ignore the Zoning Resolution. The residents are concerned with what will happen if it is not zoned PRCD and what will come next. Randy Foor does recall a resident saying if you have to have this many houses to make it profitable then maybe Mr. Hagy needs to lower his price of the land so you can build fewer houses and still make a profit. Tom Hart stated the township has four code sections that could be applied and to require this to be zoned PRCD lowers the property value because of the other available zoning categories. Trustee Carlisle stated they are allowable if they are approved.

Tom Hart feels this development meets the code. The PMUD allows for flexibility. This density meets all of the PRD-2 standards in the code and meets the Comprehensive Plan. Pulte will retrofit sidewalks into the Licking County side of New England Acres.

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Tom Hart provided a handout regarding the impact from Empty Nester Homes on the school district. There are two basic issues on why this development creates a net positive result regarding schools. The blended value per home is \$324,000 which is well above the districts average property value. The empty nester homes create very few students. Pulte provided information from developments in Hilliard and Olentangy. The school district should like this type of development. Tom Hart stated their homes by themselves will produce about 84% of what it takes to educate each child just from Real Property Tax. Pulte has sent this comparison to the school district for their review. Tom Hart stated a typical four bedroom, two and a half bath home in Chevington Woods or New England Acres is \$253,000 to \$263,000 dollars. The empty nester homes will start at \$335,000 dollars.

Trustee Foor requested Tom Hart clarify how he feels they meet the current code. Tom Hart explained that he is referring to a combination of the PMUD which allows a lot of flexibility and then the PRD-2. The PMUD allows for the 40 percent open space, it allows them to blend the empty nester housing with the traditional family housing which is the beauty of a mixed district and allows lots of open space. The mixing of these two products is not permitted in the other code sections. The PRCD is more multi-family oriented and designed to be used when there is no central sewer. If you go through those codes sections in the PRD-2 and the PMUD, including density, he feels they meet them all. Trustee Carlisle discussed the PMUD being a flexible code created by negotiation through the township and the developer. They only meet the code if the Trustees say they meet the code. Tom Hart feels that Pulte has never stopped negotiating. Trustee Carlisle stated the PMUD Code does not have a code, it is developed through negotiations and what is approved becomes the code for the property. Tom Hart explained that because the PMUD is mostly negotiable they took the PRD-2 standards and applied them into this text as a starting point. The code shows PRD-2 west of Mink Street and it is up to the township to decide where the PRD-2 is acceptable west of Mink Street.

Trustee Johnson asked how many lots were proposed when the Zoning Commission acted on the request. Tom Hart stated they were at 376 homes and now they are at 355 homes. The Zoning Commission recommended approval with a ten percent reduction in the density. Tom Hart stated they did not make that reduction because ten percent does not work in their business plan. Tom Hart stated the current zoning as an overlay would yield somewhere around 350 homes and that plan would have zero open space. Pulte has presented a better open space plan at forty percent consisting of sixty-two acres with bike paths. At the time of the Zoning Commission hearing they were at thirty-seven percent open space. The Zoning Commission unanimously passed the recommendation.

Trustee Carlisle discussed the traffic study showing forty to fifty percentage of traffic going through New England Acres in Violet Township. Tom Hart recalls the majority of the traffic going onto Palmer Road. The additional traffic might spur the requirement of a traffic light at the intersection of Mink Street and Palmer Road. The requirements for traffic lights are part of the ODOT standards and the County Engineer's review. Pulte might have a higher percentage of whatever that fix ends up being.

Trustee Carlisle discussed the impact on the schools and the projected build out for the development. The build out is determined by many factors. Matt Callahan feels the Single Family will be thirty to thirty-six homes per year and the Empty Nester-Patio Home will be twenty-four to twenty-eight homes. So total there would be between forty-five to seventy-five homes per year. At one child per home that could be forty-five to seventy-five children per year over a course of five years that is three hundred and fifty children into the school system. The Trustees discussed only building a certain number of homes per year to help with the impact on the schools. Tom Hart feels this is not a school finance hearing it is a zoning hearing. Pulte has provided the school district with documentation for them to review and they have not responded. Matt Callahan explained that a mix of the houses will be the Empty Nester Homes which do not bring that many kids per year to the schools. The tax revenue generated for the school district will be nearly double what the school gets in property taxes. There are cycles in the community where some of the children would be starting school and some of them will have graduated by the time the community is finished.

Pulte explained how they came up with the average estimated sales price of the homes. Matt Callahan calculated them from the Villas at Cumberland which are in the \$340-\$360 price range. Pulte was being conservative and is under that projection. Pulte also looked at the market and similar homes. Tom Hart referenced slides provided at the last meeting that showed projections.

Trustee Carlisle discussed the recommendation from the Zoning Commission. Tom Hart did not recall a debate regarding the density but did remember telling the Zoning Commission it would not work in the business plan. Tom Hart feels this is a devaluation of this property and they have to have code density and this is below the code density. It is also below what the existing zoning would allow.

Tom Hart explained that Pulte mapped out a development using RS Zoning which comes to three hundred and forty-eight homes. He does not feel this would work in the market and Pulte would not be able to do it. They would have to eliminate all the bike paths, open space, and sidewalks.

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The RS Zoning District is a third acre minimum. The PRD-2 with density bonus allows three dwelling units per acre. The Trustees discussed the current zoning districts and permitted density.

Tom Hart provided a development plan using the RS District. Tom Hart discussed bike paths, more open space, and other amenities that can be added with the density they have proposed.

The Home Owners Association will enforce the open space behind the lots in the development. Once the HOA is turned over to the residents then they will have to enforce the Common Open Spaces. A lot of the open space will be similar to a meadow. Having the walking path helps with the enforcement. Pulte will install wood bollards to designate the private property and the open space. They will also place signage throughout to help with the designation and enforcement of the open space.

The Licking County Engineer's Office has the Traffic Study to review and it will be completed after the zoning is approved.

Tom Hart addressed the comments from the Licking County Planning Commission regarding the issues they have with the Etna Township Zoning Resolution. This is between the county and the township.

Tom Hart feels the main way to keep the rural atmosphere is with the buffering, a two hundred foot setback from Palmer Road keeps the flavor of the open spaces of the township. The hundred foot setback on the south and the east will help and the sixty-two acres of open space. Incorporation of street trees help with the rural atmosphere. The open space will be a low maintenance, meadow type look.

Trustee Foor inquired on the staff comments from the Licking County Planning Commission's report regarding lot sizes not meeting the Comprehensive Land Use Map. Tom Hart does not agree with it and referenced page sixty-three of the Comprehensive Plan that shows this area encouraging large blocks of contiguous open space to keep a rural atmosphere.

Tom Hart discussed the Licking County Planning Commission report referencing the advertised pricing from Pulte's website and using the lowest amounts and not what they are actually selling for. Randy Foor stated the report shows it was using the starting price point for the development. Pulte could have provided actual numbers.

Trustee Carlisle requested John Singleton to provide a comparison of the Pulte PMUD to the PRD2.

Trustee Foor asked for data on how many empty nesters are truly empty nesters. Tom Hart stated Pulte provided the Trustees with information today from Epcon that came from public hearings in other jurisdictions, Hilliard and Oletangy. Empty Nester Homes are welcomed in those communities because of high value with low impact on schools. The general occupancy is 1.5 people per occupancy. There is a trend in the society where people are choosing to live alone. Tom Hart discussed these communities and why they usually only attract the empty nesters. These communities do not have age restrictions.

Trustee Johnson asked if they did not tie into the other communities would it be feasible to Pulte. Tom Hart feels they could still develop even with all the traffic improvements on Palmer Road. The tie into the other communities is a requirement by Licking County Subdivision Regulations. Pulte would require a variance from Licking County. Trustee Carlisle inquired if the connecting into the communities could be for emergency traffic only. Pulte feels the one way with the two way emergency access is most likely what Licking County will allow. The Trustees discussed the concerns with the additional traffic. Pulte is committed to filing for the variances with Licking County. Trustee Carlisle requested that John Singleton find out if the Licking County Planning Commission would allow it to be for emergency access only.

Trustee Foor will submit the analysis to the school. John Singleton will reach out to Hilliard and Oletangy for feedback regarding the tax revenue and impact of students.

The Trustees set the next meeting for December 16, 2020 at 5:00 p.m.

Trustee Johnson moved to adjourn at 6:37 p.m. The motion was seconded by Trustee Foor and passed by unanimous affirmative vote.

John Carlisle, President

Walter Rogers, Fiscal Officer

All the resolutions as presented are on file with the Fiscal Officer.