

**VILLAGE OF PLAIN CITY
PLANNING AND ZONING COMMISSION MINUTES
SEPTEMBER 16, 2020 VIA ZOOM**

MEMBERS

Mayor Lane – Darren Lee – Dustin Adler – Tom Jaskiewicz – Amy Rucker

Nathan Cahall- Administrator , Taylor Brill- Zoning Administrator, Paul La Fayette- Solicitor

CALL TO ORDER: Mr. Lee call to order @ 6:35pm

Roll Call: Commission members present Mayor Lane, Dustin Adler, Tom Jaskiewicz, Darren Lee, Amy Rucker- not present

Nathan Cahall, Taylor Brill, Paul La Fayette – not present

APPROVAL OF MINUTES: August 19, 2020 Meeting:

-Mr. Lee; any comments or concern for the August 19, 2020 minutes? Motion to Approve Mr. Jaskiewicz, Second the motion Mr. Lee. 4 votes yes

COMMUNICATIONS:

-Mr. Lee to Zoning (Taylor Brill).

Zoning (Ms. Brill)- Continued working with OpenGov (Zoning software) to get up and running. In completion stages of Zoning Code RFP, hope to get out beginning of next week. Issued 10 violations (majority grass, all complied), forwarded a couple of August violations to Madison Co. Prosecutors Office.

BZA (Mr. Jaskiewicz)- Nothing to report

Council (Mr. Lee)-Nothing to report

General (Mayor)-Nothing to report

VISITORS: Josh Barkan (MI Homes), Bryan Adams, Shannon Pine, Randy VanTilburg, Aaron Underhill (MI Homes), Douglas Holthus

- Case 2020-003 Darby Station Preliminary Development Plan. MI Homes of Central Ohio. State Route 161 Madison and Union County Parcel # 1800021700000, 1800021710000, 1500210250000, 0400776000 and 0400818000

OLD BUSINESS:

Case 2020-003 Darby Station Preliminary Development Plan. MI Homes of Central Ohio. State Route 161 Madison and Union County Parcel # 1800021700000, 1800021710000, 1500210250000, 0400776000 and 0400818000

Mr. Lee stated that there was conversation regarding the plan at the last meeting and this is a resubmittal of that. Project. It looked like the main change was the cul-de-sac on the North East

corner was changed to a stub street. Mr. Lee asked for Mr. Barkan to unmute his microphone. Mr. Barkan stated that this change was correct. Mr. Lee also stated that another change was the bike path along SR 161 was increased to 10 feet wide. Mr. Barkan also stated that was correct and other paths in the development will remain 8 feet in width. He also stated that there was a few more tweaks in the central green to accommodate the gas easement.

Mr. Lee asked the rest of the Commission if there were any comments to the updated application.

Mr. Jaskiewicz stated that it appears everything has been looked at and addressed from the last meeting. He stated that the Village is going to have water/sewer capacity issues which could potentially affect this development. Mr. Jaskiewicz asked if there was any communication with Staff on the behalf of the application about the following issues.

Mr. Lee, stated that under his impression that there have been conversations about the planned improvements with the Village's sanitary treatment plant.

Mr. Barkan stated that he could confirm that and his team has had extensive discussion with Nathan and Taylor as recently as 10 days ago to go over that and they are eagerly watching the Village's EPA application but, could confirm that conversations about sanitary have happened.

Mr. Jaskiewicz stated that he had nothing further to discuss at the time.

Mr. Adler stated that he echoed the same as Mr. Jaskiewicz to the sewer and water capacity concerns. If the Village can only support 100 homes and this development is 455 rooftops then there is only capacity for $\frac{1}{4}$ of the houses proposed. In addition, Mr. Adler asked Nathan to explain more about the communication with the schools. He stated that if he understood the calculations correctly that roughly 2100 students currently adding 455 rooftops at .49 students per rooftop there is about a 10% increase to the district. Mr. Adler asked for clarification for whether the schools could support this in the short term. The communication mentioned that they had been doing some planning but not specifics.

Mr. Cahall stated that the Village and himself included have been working with district in the past few years as they look at growth projections for the near and mid-term. The planning committee that is made up of school administrators, school board members, community volunteers and others. The discussions or what Mr. Cahall takes away from the discussions is that in the short term the school district is able to absorb an increase in overall enrollment with the existing facility portfolio. The mechanism by which they would do that has a couple options. There may be overtime before they are at a critical point to where they decide as a school board to construct another facility in the district that they can absorb that with the existing space but that absorption may require, as he understands it, perhaps, changes in the grade span in a particular building. For example, Canaan Middle School, there may be a way, depending on the size of the class to add another grade in the building or the Junior High would go to 6th-8th grade. Mr. Cahall stated he was speculating on a few of those things but the point is that the District is not at a critical mass in any one of their buildings. Asked the Commission to keep in mind that the High School Facility is at a point where the second floor of classroom space is occupied by board offices, support services and the like. Mr. Cahall stated that what has been communicated to him is that a near term increase in enrollment is not something that they cannot address. What this district is looking at in the mid and long-term is as they decide when to pulling the trigger on

another facility, what that looks like. Mr. Cahall stated for example, the district builds a pre K – 2nd grade building and repurpose a different grade span at a different elementary, they could add on to existing and change grade spans but those options are being examined.

Mr. Adler asked Mr. Cahall if the School's have communicated a critical capacity in the short term. Mr. Alder stated that he knows with current enrollment around 2100 students' margin and wondered what the room for expansion was and where does the district max out its capacity.

Mr. Cahall stated that he does not believe that it has ever been quantified in his communications with the School Officials. The unknown is when looked at in aggregate district wide the ability to absorb an increase of enrollment is based on age of children entering school district. Mr. Cahall stated a classic example was the Sophomore class that is at the High School now is the largest class that is enrolled in Jonathan Alder. About 4 to 6 years ago the School has been modeled for future expansion plans to absorb a class size of that sophomore class size this year, and incrementally larger overtime. What has been shown in the last five years on the report card data is that graduating class size in the younger grades and passing through the district hasn't manifested itself. He stated that he believed that Canaan Middle School dropped in enrollment.

Mr. Jaskiewicz stated that in relationship to what Mr. Cahall stated what he took away and to maybe to put the Commissions concerns at, is that he assumed that there is constant contact with the School District and they have seen the proposed developments and approved developments that have come through for Plain City and in knowing that the school's have had no objections or raised any concerns or asked the Village to tap the breaks for them to catch up. He asked Mr. Cahall if his statement was accurate.

Mr. Cahall stated that this was accurate. The District had never expressed any concerns in terms of increased populations leading to increased enrollment in the district. The only comment expressed to him was along the lines of busing and reworking routes overtime.

Mr. Jaskiewicz asked Mr. Cahall to clarify if there was an open line of communication for any development that comes through the Village that lets them know what's in the pipeline for the Village so that they can plan for the long-term. Mr. Jaskiewicz stated that Mr. Cahall talked about having a planning committee and made an assumption that they are part of the communications when developments come up.

Mr. Cahall stated, yes, he is personally in contact with the Superintendent on these types of matters at least monthly.

Mr. Lee thanked Mr. Jaskiewicz for summarizing and asked the Mayor if he had any comments.

Mr. Mayor stated that he wanted the Commission to be aware that Jerome Township on Marysville water and sewer has a huge push point for development and we know development is coming and would like to see tax money stay in Plain City rather and just getting all the students and traffic and nothing out of it. He stated that he was sure that the sewer and water will be figured out soon and the Village can go from there.

Mr. Lee asked about the emergency access drive that is currently planned off of Butler Ave. He asked Mr. Adams for additional comments.

Mr. Adams stated it looks like temporary access will meet the code for having separation between access points in the development. He stated one question for the developers was about taking out the cul-de-sac and put in temporary turnaround at the end of the street M. There's another street, mentioned in original submittal, street K has a similar problem with the dead in street. The fire would request that they add another temporary turnaround at the end of that street as well, similar to the substitute for the cul-de-sac. It was missed the first time but after reading the zoning text again, the height of the proposed buildings, depending on whether the Schools exercise the option for the land but for the multi-family it specifies a building height over 40ft. Buildings over 30 ft in height drive a wider access drive for Fire Department access and he believed that in the text it notes that in Subarea E that the proposed drive is 22ft wide so the question becomes the 30ft limit that drives the wider access is measured from the ground to the eave not the peak of the roof, so without having any of the plans, this is how we solved the issue with Jefferson Village, they do not exceed the 30ft from the ground to the eave. That is our only comment. If the height becomes over 30ft there will be an issue with access road widths.

Mr. Barkan stated that the temporary turnaround at the end of street k is not a problem and we will work with Nathan and Taylor through the rest of the project with engineering to make sure that is added. With the height, so I think the code requirement is a maximum building height of 35ft and we had that question with the 37ft for the house. But to your point to how its actually measured matters so once we dug into how it was measured, we realized we were able to get rid of it. The whole goal was to get three stories if need be and he did not anticipate there being an issue at all.

Mr. Aaron Underhill representing MI Homes, asked Mr. Adams if he knew how wide if they were above 30ft the drive would need to be.

Mr. Adams stated 26ft is the minimum.

Mr. Underhill stated to Mr. Barkan if there was a way to describe what Mr. Adams described in terms if the measurement exceeds the 30ft per code then the 26ft wide drive will follow.

Mr. Barkan stated he didn't have a problem with that. Mr Underhill stated that if it didn't meet code with respect to the height that they will meet it with the width.

Mr. Adams stated this was a similar situation with the other development. One they went back in and redid some drawings they realized that they could build the product that they wanted and keep the height at around 29ft he thought. To be clear that code is not out of the Village Ordinances the 35ft for building height, it is the fire code that requires the 30ft. The Village has a height restriction, the Fire Code just says if you go over this height then you have to have a road of this width to accommodate the ladder trucks.

Mr. Underhill stated that maybe it could be added as a condition that if a wider access drive is needed the applicant will provide it.

Mr. Adams asked if all the subareas in the text talk about parking, parking being on only one side of the street, the street not having fire hydrants, which makes sense for fire. The Subarea D, has the same language but it excludes the words that say on the side of the fire hydrants, so it would make sense that if we can keep parking on one side of the street, this subsection just doesn't have the language on the side of the fire hydrants.

Mr. Barkan stated that was not a problem.

Mr. Adams stated that was all he had.

Mr Lee addresses Mr. Barkan, stating that he liked the overall development plan. He was not enamored with the intersection control and the primary entrance having a traffic signal. He would like the applicant to explore an alternative means of intersection control there. It is a great place for a round-about coming into the Village, there's plenty of room to build it with the land the applicant owns and the existing right of way. Mr Lee stated that he did not see it to be much more expensive to build than a traffic signal, being that there is no additional land that needs to be acquired. The traffic signal the Village has to maintain for the future years. The round about is safer and provides some traffic calming coming into the Village with the geometry of the approaching roads so that is the main concern with what is presented.

Mr. Barkan stated that this was an infrastructural item that was discussed with Nathan and Taylor a couple weeks ago. The applicants engineers, EMH&T, are doing some studies on the traffic circle. From MI's standpoint he stated, that they are committed to improving SR 161 and paying for a traffic signal. If the applicant finds out that they are able to do it and the cost is the same, they are not opposed to a traffic circle and they will work to get that done. Mr Barkan stated that his fear is that, in his past experience, the traffic signal is 2-3 times as expensive as the traffic signal. Nonetheless there is ground there so, the engineers are doing some analysis and applying different size traffic circles to the area to see what would fit and if it is something that makes sense after working through the engineering and with ODOT, they are open to the idea.

Mr. Lee asked what the phasing process would look like for the development to coincide with the Village's available sewer and water capacity.

Mr Barkan stated that the discussion had with Staff, resulted in thinking that there is enough capacity for 200 units in the project. He understood that was just half of what was proposed. With that being said, if everything goes smoothly with the EPA, Plain City hopes to have their PTI is late spring of next year and the full improvement complete by 2021, which gives the capacity for the entire project to be complete. The applicant would look to break ground next year, get some infrastructure in by the end of the year and look to build houses in the first part of 2022 and not someone flushing the toilet until mid-2022. If this works out and there is capacity for the entire project that will give the applicant a business decision to make in March or April, if confident enough that the PTI coming and the project is going through. If the applicant doesn't think that the PTI is coming and the project is delayed in some manner then they have to decide if it makes sense to go forward knowing they may get shut off at 200 units or they should wait and get more time under the contract and see how things work out.

Mr Jaskiewicz stated that he thought in one of the communications that he read, he thought that the number was 100 not 200. He asked if Mr Barkan was correct.

Mr Cahall stated that there was no final number and he thought the correspondence sent were estimates. He is working on some revised average daily flow numbers and should have those in a few days but essentially it is going to be somewhere in that 100-200 range, but what's important for the applicant assuming planning commission come to some sort of recommendation to Council and ultimately Council approved the development and the rezoning. It needs to be clear to the applicant that as it stands right now only a portion of the development can be serviced by the Village with its existing capacity limitations. That may manifest itself as no problems at all because parallel to the development of the project the Village is constructing its expanded plant and that expanded treatment capacity comes online fairly congruent with their timeline for construction. There is also risk for the applicant that they could get into a couple of phases of the development and the Village is unable to issue any construction permits because a delay in construction, a delay by EPA for plan approvals, but all in all a plant expansion with the path we are on in terms of schedule, staff believes that we will have that capacity constructed and online sometime in early to mid 2022.

Mr Lee asked Mr Cahall a clarification question about the application, the current request by the applicant is for approval of the preliminary plan and associated rezoning and the recommendation would then go on to Council.

Mr Cahall stated that this was correct.

Mr Lee asked if anyone else on the Commission had any more questions regarding the application.

Mr Adler stated that his biggest concern was the capacity and the situation where a quarter of the development is completed and then we cannot issue any more construction permits, because then the Village is stuck with a partially completed project. He had a difficult time approving something where the Village does not have the current capacity to support it and we are counting on something else to happen in the next few months.

Mr Barkan asked Mr Cahall to help him understand the process for Plain City, if he got a recommendation for approval then the next step is Council, the item that they are taking about was solely land use based, the property currently has a fairly large zoning on it that may or may not work if somebody came back through. He asked if land use gets approved, is it by Council or does Staff just handle utilities, what is Plain City's process.

Mr Cahall stated that the process is...where the project is right now is the determination for zoning classification. The application is a PUD which requires an accompanied development plan, so those two items are in front of the board. They are recommending body so ultimately is has to go to Council and Council would have to pass an ordinance re-zoning and adopting the development plan, which become the zoning rules and regulations for the territory in question. All that does is change the designation on a map and creates a special set of requirements for a set of parcels. The construction requires the applicant to come back to planning commission and

council for final record plan approval. Whether it is one large phase or several phases of the development and so how that would likely manifest itself is as the planning commission is looking at a final record plan for instance Darby Fields had seven sections, so as a new section comes in and then there is acknowledgement whether there is water and sewer capacity availability or not because the applicant has to demonstrate that they can provide public utilities and roadway access and all improvements to the proposed sub-dividing parcel and so tonight if Planning Commission recommended approval and if Council decides to accept the boards recommendation the only thing at the end of the day that will have changed is the zoning classification on a map to a PUD.

Mr. Lee thanked Mr Cahall. He also stated that the utility service issues and a couple other things can be evaluated by the Commission with final development plans for those sections as they come forward later and depending on when the next phases come in and working with the administration we can determine the serviceability and what can be done with the upcoming phases. He asked Mr Adler if that made sense.

Mr Adler said that is did and asked in terms of the phases is that something that needed to be determined now or at a later date.

Mr Cahall stated that in the proposed application there is a proposed phasing schedule. It's a guiding map and doesn't reclude the applicant from coming in with a slightly smaller phase 3 or combining a phase or two into one record plan but that is part of the information transfer to the Village, is for them to map out how this development is to be phased. Looking at the plan from a staffs perspective and ultimately the Planning Commission members looking at the plan is seeing how the applicant proposed phasing this that each phase can stand on its own and the phasing that they are building on doesn't require a subsequent phase to be built for that section to be operational and for folks to live on and also it is good governance to make sure that there is a dialog with the applicant stating that it might not be the wisest to pre-plat 500 lots all at once and start building because a lot can happen and there be left a lot of subdivided parcels. From a phasing standpoint you are looking at it to say if its reasonable and if the developer has 6 or 7 phase and, in the progression they are proposing, only 4 get built, the fire marshal is going to look at it and determine if there is adequate access, from a planning standpoint is the Village set up for future development and growth and connectivity, those are the considerations to look at.

Mr Alder clarified his original question asking if there was a hard requirement or a general guideline and stated that is sounds like its more of a guideline.

Mr Lee asked Mr Barkan about the phasing proposed. Asking if the first phase was the park and main entrance and couldn't remember what the housing type was called but the 50' or 60' lots in the center but it also encompasses part of the premium housing, asking if it was correct that the applicant was going to do a blending of housing in the first phases.

Mr Barkan stated that was exactly right, there is a blend of two different housing styles and as soon as they can get to the third and fourth housing style they will because a project this size they want to have as many selling propositions as they can just have to make sure it will work through in a timely manner.

Mr. Lee asked the applicant about the area around reserve k showing a split, it was not clear to him what part was phase 2 or 3. He asked if Phase 3 was the age-targeted housing.

Mr Barkan stated that was correct and Mr Lee asked to be excused for a minute.

Mr Jaskiewicz asked Mr Cahall a clarifying question to make sure he understood what had be said. The development right now is simply a rezoning, and we are not at this point evaluating or deciding some of the notation that has been presented at this point. For example, Mr Adams with the fire department has given some input into a conditional approval with fire compliance, addressing the fire hydrants and parking up one side of the street, but we are not really looking that deep into the project at this point, simply rezoning. While MI can work on these things now and give them a head start. We are not really looking at conditional approval on fire code compliance and phasing of the project and so forth, we are just looking at are we in agreement with rezoning the property into a current zoning and then subsequent to that there will be Council approvals there will be additional meeting with the Commission to discuss fine details to make sure everything is in line with that. Is that accurate.

Mr. Cahall said in general that is correct. Tonight, we are not getting in the spacing of fire hydrants. You are setting the big-ticket items in terms of permitted uses and architectural guidelines. I think tonight based on what has been brought up in the discussion the one thing though if the Commission feels strongly enough and wants to iron out is at least in some specificity, is the access management of SR 161. At the end of the day we are putting together a fuzzy picture. It would be wise to address to address that tonight or kick the can until we have more information at a record planning phase.

Mr Alder asked Mr. Lee about the traffic signal versus the round-about how he wanted to address that.

Mr Lee stated that he was okay with recommending approval of the preliminary development plan and rezoning with the condition that planning commission gets the look closer at the intersection control on the final plan and the applicant knows that a traffic circle to a traffic signal is preferred.

Mr Jaskiewicz stated that he agreed with Mr. Lee and wanted to see a softer entrance. (Mr. Jaskiewicz was having some internet issues and was asked to call in) Coming around the curve from the east to west and you are going to get hit with a traffic signal and it does not seem like an appropriate entrance into the Village or the development. It just seemed harsh. Whether it be a round-about, which I think is most appropriate, but I would like to see a grander entrance as you enter into Plain City. Maybe further back to the east, maybe not pertaining to this development but one that is softer and presents a more welcoming presentation. The traffic signal in that area it just doesn't feel right.

Mr Lee made a motion to recommend approval for the pre-development plan and the re-zoning with the condition that the applicant need to work out the phasing plan with the Village to coordinate utility service capacity and also with the understanding that the applicant will evaluate the intersection control at the primary entrance and the traffic signal is not desirable.

Mr Barkan stated that he just wanted to play out that condition and what it means for them as an applicant for the final development plan. It is just a question of cost and how the school plays into this. If it is the same cost the applicant with commit and do that. He was just hesitant of the open-ended nature of it. To get through the final development plan and to get through the cost with the village we all understand what's going on and to agree with a certain price with the school and to all of a sudden get told that we can't move forward without a traffic circle. Is the idea of this the applicant presents the evaluation and cost estimates of the traffic circle to Nathan and the Administration and we go back and forth to decide what the best path is moving forward.

Mr. Lee stated that the communication working back and forth is one option as you determine to cost and you communicate that to the administration and they communicate back to the commission and make a determination at that point. It could be the same cost or it could be a 15-20% increase and not substantial. Until the applicant gets more revised detail we don't know.

Mr Underhill stated that he believed they were all on the same page and as long as the condition in worded when the applicant comes back at final development plan, they will explore and present alternatives as well as a cost implications and come to a decision at that point on a variety of factors ultimately under planning commissions control.

Mr Lee stated that was reasonable and asked Mr Cahall for his opinion.

Mr Cahall stated that with this being a land-use item, it is important when weighing these things is to not dive into the monetary details, but to look at it from a land-use standpoint what's appropriate and the zoning regulations. He thought that making motion, if that was the druthers of the Commission , it is the recommendation at time of record plan that the commission would like to consider an alternative to a signalized intersection. That at least raises the item to Council to address what there may be on a cost basis in terms of Village of participation.

Mr. Underhill stated that the applicant understood the concerns but they do not want to get stuck with a project improvement that costs 4 times the budget, as long as everyone is on the same page to continue the dialog then they can live with that.

Mr. Lee stated that the commission is looking at the long term effects for the Village and cost is a short term issue. If there is a traffic signal then the Village has to maintain that for years to come which is an additional cost to the Village on top of the safety element. There are a number of elements that factor into why a traffic signal is not the desired intersection control.

Mr Jaskiewicz seconded the motion by Mr Lee. 5 yes. Motion passes

Old Business: Case # 2019-009 Oak Grove Final Development Plan. The Evergreen Land Company. 10522 U.S. 42 Plain City, Ohio 43064 Parcel # 04-00816.000

Mr Lee stated that the applicant requested the Commission to table the application again in the hopes of a in person meeting in the future. Mr Lee stated that the Commission has been very gracious so far in tabling the application at the applicants request. He did not feel that the Commission need to keep doing so. He stated that the public meetings have seemed to work well

for other applicants and processes. He wanted to gage the Commissions thoughts and have the Zoning Office send a notice to the applicant that they need to be prepared to be present at the next Commission meeting for the application to be considered or they will take action based on the current information in front of the Commission. Mr Lee asked if everyone was okay with that. All Commissioners stated yes. Mr Lee asked Ms. Brill if she could do that for the Commission.

Mr. Brill stated that she would be happy to.

Mr Lee asked if that was the last item. Ms. Brill confirmed and Mr Adler stated that the Commission still needed to vote to table the application to the next meeting.

Mr Adler motioned to table the application and Mr Lee seconded the motion. Mr. Jaskiewicz, Mayor, Mr. Adler, Mr. Lee All yes.

Mr Lee adjourned the meeting at 7:33 pm