

Minutes of the

Zoning Commission Meeting

June 2, 2022 – BZA 630 – Hillside Farms Site Plan

6:04 p.m.

Zoning Commission Members: Ann Stalter, Bob Geist, Christine Horton

Others in Attendance: Dawn Frick (Township Legal Advisor) Randall Grogean (Fire Marshall)
Max McConnell (Associate Economic and Zoning Administrator) Carolyn DiGiandomenico
(Administrative Professional)

– Applicants/Residents in attendance –

Mike Reeves – 7965 N. High St, Columbus Ohio – mike.reeves@kimley-horn.com

Erik Allen – 4094 Preserve Run Circle – Medina Ohio, eallen@prideone.cc

Greg Geisler – 2211 Medina Road, Medina Ohio, greg@prideone.cc

Paul Geisler – 7000 Centerlawn Dr. Huber Heights, Ohio ppgeisler5@gmail.com

Dave Storm – 1425 Beechdale Dr, Muirfield Ohio

Meeting Called to Order

Roll Call – Mr. Geist; here, Ms. Stalter; here, Ms. Horton; here.

Agenda is read- Case 830

Ms. Horton – Makes Motion to approve agenda.

Mr. Geist -2nds motion.

Approve Motion - Mr. Geist; Yes, Ms. Stalter; Yes, Ms. Horton; Yes.

Ms. Stalter – Do we have any conflicts of interest?

Ms. Stalter – We have completed all procedures correctly; public announcements have been made timely?

Mr. McConnell – Yes

Ms. Stalter – Want to ensure the board has not conflicts of interest?

Mr. Geist/Ms. Horton – No conflicts.

Ms. Stalter - Does anyone have any bias or concerns or conflicts of interest?

Members/Staff – No

Ms. Stalter – So what will happen next is notice will be read, staff report will be given, we hear from applicants and then we will open it up for the public portion so that anyone who has something to say can speak.

Mr. McConnell - Public Notice and Staff Report for Case ZC-830 are read. For context of the Staff report I would like to add the following. The Township Zoning and what we approve is

based on density and land use, residential vs other uses, are appropriate. Regional planning supplies assistance ensures locations of pipes, roads and other infrastructure meets their master plans and rule sets as well as working well with other County specific needs. The 13 criteria for Article 17.07.12 are read as well as Staff recommendations for each of the 13 criteria which must be considered when determining a specific site plan should be used.

3rd Criteria extra Context – Has been preliminarily reviewed by Sanitary Engineering for Water & Sewer for pipes. There have been significant modifications to the plans from what was originally submitted to what they are submitting now. In addition, the Greene County Engineers for traffic and storm water management. A traffic study has been requested which the developers have supplied and is now being reviewed by Green County Engineers for any recommendations at the regional planning level.

4th Criteria extra context – The split between Zone 3 and 4 is basically the edge of Harlow Road on the map. A small triangle plot shown on map, is proposed for commercial use.

6th Criteria extra context – Review of the maps occurs to show Ingress and Egress into the development. Trebein Rd and Harlow Rd are called out. There has been inclusion of a right of way at Dayton Xenia and Trebein. One entrance into the plat, main entrance, and a main entrance into the Commercial area. Plus, an ingress and egress off Hilltop to meet the requirement of having multiple in/out entrances current and future.

7th Criteria extra context - As with all development within Stone Hill village the requirement to link all paths to the trails and bike path along Trebein is in the plan. The infrastructure will be in place to meet the need.

8th Criteria extra context – As stated above, the Fire Protection requirements have been met. Sanitary engineers do not believe there will be any excess sewer or water burdens. Engineering is reviewing the Traffic study which is being reviewed and do not believe there will be any additional police services burden due to un-necessary accidents.

9th Criteria – Developer supplied a Map showing the Developers utility plan. Storm water will be center main lines through private streets. Originally it called for an 8" to the 48" main. They will now pull 48" sanitary pipe through ½ the distance frontage. That has been met, which is at no small cost to the developer. So will meet future utilities needs as well by supplying the connection point at Hilltop Road.

11th Criteria extra context - There has been previous discussion on this criterion. It is vague at best. Staff does not believe that this criterion is legally defensible. We have stated in the past (ZC-821) that this is not a functional criterion. As we do not feel that ANY site plan can meet this specific criterion, so we ask that this criterion not be considered a hinderance to decision made.

12th Criteria extra context – Maps are shared showing amenities, club house, pools, courts of some type which are typical of Stone House developments which also include paths.

13th Criteria extra context – No governmental ownership is proposed. They are privately owned streets. Will act under the Stone Hill village HOA. This HOA has a very efficient and active HOA

which ensure they will meet the townships standards. Regarding easement, the 150' powerline easement is within guidelines. No building will occur in this area. Various utility easements will be reviewed during the regional planning and are sure that they will be met.

Recommendations and proposed conditions are read.

Recommendation Condition 2 extra context – What this says is if the plan change is reviewed and Greene County Regional Planning approves it then it does not need to be represented to the members for approval again. If it falls outside of Regional Planning, then it would need to be brought forth for review and approval of ZC Members for approval. **Example.** ZC approves plan as is. GCRP after reviewing finds that a pipe needs to be moved 10' south. This means that a lot might have a 10' or 20' gap for a pipe easement. We will not bring that to the ZC/Trustees for retroactive approval as part of the site plan. This would be only for items that were a direct result of regional planning's comments. As has been the case with previous developments. If it falls outside of these bounds, then it would be brought before the board for Major or Minor modification dependent on necessity.

Recommendation Condition 3 extra context – This is how we legally allow recorded GCRP changes. When the final recorded plan is issued it becomes the final approved site plan.

Recommendation Condition 4 extra context – We include this to meet outside agencies that don't have a seat at the GCRP Table. As an example, a national organization such as the EPA. If they have an issue with the development, then it is not approved by Zoning Commission.

Are there any questions.

Mr. Geist – I have no questions currently.

Ms. Stalter – I have some questions. I'm struggling with the language of the Benefits that are outlined, can you tell me more about the benefits?

Mr. McConnell – Recent GC Study which included info that we supplied as well. The consultant supplied feedback stating that there is an overabundance of High-Cost housing, but a shortfall in attainable housing based on income rates in Greene County. Multi-Family housing was called out. We feel that this development will help bridge that gap. The addition of the commercial piece is another benefit as it is centrally located, they can stay in the township to easily get access. And there is also a tax base income benefit. The impacts that we hear from schools & residents are that in building all these homes we are putting a strain on the schools. This development and this multifamily plan will appeal more to the middle aged, empty nesters than families. There will be some kids of course, but that will not be the main residence base.

Ms. Stalter – In those economic studies have we looked at the service demands placed on Fire, EMS, Sewer? To make certain that the use is within the budgets currently, as you talked about increasing the Tax Base.

Mr. McConnell – When I say increasing Tax Base, I'm referring to new properties on a parcel that didn't have them before, provides additional tax revenue used to provide services for the township.

Ms. Stalter – Just curious to determine if there have been budget reviews in terms of the service demands that will potentially be placed on them to see what the difference in what that budget might be upon completion.

Mr. McConnel – No I cannot supply information on that.

Mr. Grogan – Some of the fire department budgeting projections, since we do 10-year projections, projects having those developments their producing revenue for our budgets so yes, it is being addressed. The types of developments in that area are in the budget.

Ms. Frick – There are also development projections provided to the School District on a monthly/quarterly basis.

Ms. McConnell – We supply a chart to the Trustees of bi-weekly reports, based on new residential permits we have issued for the year, what the expected revenue broken down by what comes to the township proper and the school districts. Available to the school on a regular basis. Defines what the expected revenue will be based on an average value. A very good representation showing what money will be obtained to allow for services.

Ms. Stalter – Land Use Plan – This development is setting precedents and is one of the first cases we are looking at, at this level, so want to make sure that we address some of this in case there are questions. The land use plan has a consultant working on it and there is a prospectus 2020. We want to make sure that we are not moving something forward for those documents causing the living new documents to be reshaped in a way, that will take something like this parcel and make it look like we didn't take time.

Mr. McConnell – If understanding. When looking at the county level prospectus 2020 document when created the Stonehill Village PUD as it exists now, was already known and in affect, so it absolutely represents what is represented in the resolution itself. Our Land Use plan the same thing. It was baked into it. Because it was already there to create a PUD. That said, as we develop the new land use plan, we are making sure that we are not just going to 'it's good, we know it's good' were going to examine the Stonehill Village as a key area. Your concern is that it will look like we are hastily accepting this.

Ms. Stalter – I wouldn't want us to leave the impression to the public like we have done that. What I'm hearing your say, and for the record one more time is; that this was already a PUD would have been developed with this type of house on it and already in the original documents and we take that into consideration as we move forward?

Mr. McConnel – Correct

Ms. Stalter – Last but is very important. We talk a lot about traffic studies, appreciate that the engineer she is doing the best she can, given that layout that is down there. That looks like it is being thought through and has addressed it and talked about the sewer. But I also recognize that across the road is the waterway. To be clear that when Soil and Water has looked at the mere fact that the water is close. If there is some type of plan put in for problems that has been worked into the plan for the sewer?

Mr. McConnell – I can address that a little bit. Ken Middleton Soil and water conservation for Greene County. And Al Kuzma Flood Plan administrator. They are working with Al to obtain a flood plain development permit because there is the littlest bit in this area. They are fully aware of the flood plain, where it is and what it presents as a development change and working with the county official to minimize impact in that area. and are working with the engineer. “Showing pictures” which resulted in, this basin here was a little smaller and was located here If I’m not mistaken the size of this basin was also a direct result of making sure that wastewater from this development or from developments to the north would not flow out into the water ways, but instead that it would be diverted to these basins through a series of storm water pipes. In speaking with these engineers, I’m sure that everything is being done that’s possible to make sure; that eventuality doesn’t happen. No one can promise that the storm of the century doesn’t come through and some storm water from those neighborhoods make it into the river. I cannot promise that. Except in the most, dire situations, we are certain the storm water system is sufficient.

Ms. Stalter – So for the record those two entities have been involved?

Mr. McConnell – Correct Soil and Water Conservation and the County Engineer.

Ms. Stalter – Recommendation about incidental changes and major/minor modifications. Those changes any concerns about the water or the traffic, would that become incidental and not come back to us?

Mr. McConnel – That depends on if the recommendation is from regional. If the recommendation is that they need to change the configuration of their ingress/egress and then they did so, we would not bring it back here. We would say that the general use of multifamily use has been approved and we had to move 20’ to the left or right, zoning does not need to come back and approve. We would not bring that back here. On the other hand, If the ingress/egress changes are presented and results in decreased setbacks, because this effects the originally proposed zoning and would cause parcels with decreased setbacks that would come back to the members.

Ms. Stalter – I’m satisfied. Any other questions? Not at this time. Let’s hear from the applicant.

Mr. Erik Allen – Pride One Construction 2211 Medina Road, Medina Oh, 44256. We are a Construction management group also with Horizon Land Development which is a developer on this project and here with Engineer Mike Geisler with Kimberly Horn and VP of Multi Family Greg Geisler. I handle the civil land management portion of these developments. Pride one has been the construction developer for a handful of apartments developments across the country for 9 years. We have moved out on our own as an Apartment developer with a slightly different approach which is that there are only 3 apartments per building. We feel it’s a good fit here, as seeing that the density is lower. Normally 6 or 7 units per acre are built. We think it’s a good fit. Were much happier with the way it looks and the associated grading. This is all for rent. Private streets. Very proud of what we call Apartment Neighborhoods, there is a unit, driveway, garage. Looks like a condo but it is indeed an apartment. This is not exclusive. In

over the 10,000 we have put in, and we stay close to our developers. 75% are 55 or older. 25% are where people are looking for a safer and neighborhood oriented yet still affordable place to live. We work with a national leasing company. We felt it to be an absolute necessity to include a club house, which is new for us, as past developments have not included this. There will be a pool, pickle ball, trails sidewalks on one side of the street throughout the development that will link up to the club house. We have some renderings that we can share of different developments we have built. What is shown is a 5-unit building. We will have only 3 and 2 units here. The 2 units are minimal to ensure density it obtained.

Mr. Geist – These are all ranches?

Mr. Allen – Yes. Units on the end are 2 car garages, the middle unit has a single garage. All units will have a covered patio. We feel this is a good fit.

Mr. Geist – Historically occupants are 75% - 55 YO or older.

Mr. Allen – That is correct. We do not advertise it as such, but these units lend themselves to empty nesters. No mowing, plowing. You are renting. You only own your furniture and clothes not the dwelling. You don't worry about the dwelling when you leave.

Mr. Geist – You're the project manager?

Mr. Allen – I am a civil land manger – I manage from the dirt down. Greg, Multi Family owns from the Dirt Up.

Mr. Geist – And your retention of the properties once built out?

Mr. Allen – It is very high. We have a product in NE Ohio and in Florida. We will manage just as we have for out others. 95% or more stay 7 years or more.

Mr. Geist – As the owner of the complexes what is your projections before your turn it over?

Mr. Allen - We are primary owners of hundreds of developments and have never sold.

Mr. Geist – I would like to see the study. We have gone over this with affordable house in Beavercreek. I have an issue with that. It's hard for me to believe this is the right thing for the township when there is plenty of affordable housing Greene County.

Mr. McConnell – I don't want to argue with you. But all I can tell you is that the data I have seen, is that is not a true statement. There is not enough attainable affordable housing in Greene County.

Mr. Geist – In Greene County or In Beavercreek Township?

Mr. McConnel - In Greene County.

Ms. Fricke – From a legal standpoint that is not a realm we should be getting into.

Ms. Stalter – The PUD was developed, and it is what it is. We understand. Any other questions. Is there anything else you would like to share? Are there any other questions from members?

Members – No.

Ms. Stalter – Opening the public portion of the hearing. Assuming all in the room have had the opportunity to represent the applicant. Is there anyone who is not and who is a resident that would like to speak on behalf of or against the applicant?

No

Ms. Stalter – Ok, with that, I will be closing the public portion. Now we will discuss among ourselves for a minute.

Ms. Stalter - I understand the County Engineer has drafted what she thinks may happen and we are looking at funding, traffic studies exc.

Mr. McConnell – Yes that is correct. It's many years out.

Mr. Geist – We are looking at two roundabouts there.

Mr. McConnel – Yes, there's one at Dayton Xenia, that is the one she is planning. The boulevard entrance. I have no comments on if that is correct. I don't have the engineering background to say one way or another.

Mr. Geist – The lay of the land. There is the main entrance to the development. Is the property just above that, the Zodels or EJ's original farm there?

Mr. McConnel – Yes, this is Melinda Nutter's property to the north.

Mr. Geist – That's were Zodel, EJ's original house is?

Mr. McConnell – Yes that's the House.

Mr. Geist – So is the School House coming down? Or is that right there on the corner or the tip. Is that historic property?

Mr. Allen – Points on the map that the small Square is where the house is.

Mr. Geist – Ok just trying to get my bearing as to where it is in relation to the schoolhouse. I know it's historical and didn't know if that was anything we need to think about.

Mr. McConnell – Not that were aware of.

Ms. Stalter - Is that anything that we have any jurisdiction over regarding the historical value of the said parcel?

Ms. Frick – If we would approve this and have a condition that any other agency, as Max has proposed, to say that in the event of an issue because of it being historical property, and it was included in this, then that would be something that could be addressed.

Ms. Stalter – We will leave as is then. Questions on this?

Mr. Geist – I'm good.

Ms. Stalter – Any other questions. Nods of NO. Ok then are we in a position to make a motion to accept the application and make a vote on that.? Do we want to accept as is or with conditions?

Mr. Geist – I don't have any conditions.

Ms. Stalter – Do you need more time?

Mr. Geist – No.

Ms. Horton – Ok I need to know exactly how to motion this.

Ms. Horton – In regard to case 830, I make a motion to approve, with the Staff Recommendation and conditions as stated.

Mr. Geist – Seconds

Ms. DiGiandomenico - Mr. Geist; Yes. Ms. Stalter; Yes, Ms. Horton; yes

Mr. McConnell - Thank you Board. What this means to the applicants is that the approved plan will be submitted to the Trustees on June 27th (likely date). At that time the decision will be made by the Trustee's and if approved, you can move forward with the plan from that point.

Mr. Allen – Do you need anything additional from us?

Mr. McConnell – No we are all set now.

Ms. Stalter – Would you like your drafts back.

Mr. Allen – Oh, yes thank you.

Ms. Stalter – So next on the agenda is to approve meeting minutes that were sent to us

Mr. McConnel – Oh, yes.

Ms. Stalter – These would be the minutes from last month?

Mr. McConnel – Yes.

Ms. Stalter – So we are up to date with our current minutes, correct?

Mr. McConnel – Yes. I would like to thank Carolyn for getting minutes for both the ZC and BZA cases submitted the next month's meetings. It is appreciated.

Ms. Stalter – Yes, thank you. I appreciate getting them timely and accurately. Motion to accept the minutes from what dates?

Ms. DiGiandomenico – ZC Case's 828 and 829 from 5/2.

Mr. McConnell – No that would be 5/5.

Ms. DiGiandomenico – Yes, 5/5, you are correct – It's June already.

Mr. Geist – Makes motion to accept meeting notes from 5/5/2022 meeting

Ms. Horton – Seconds.

Ms. DiGiandomenico - Mr. Geist; Yes. Ms. Stalter; Yes, Ms. Horton; yes

Ms. Stalter – Do we have anything additional to discuss?

Mr. McConnell – I have no other business for you. I do want to make sure we gave you your recognitions.

Members – Yes.

Ms. Stalter – Our next meeting in July. Do you have anything on the docket? It is the Holiday week, and we would prefer not to have to meet if possible and move to a different date.

Mr. McConnell – I do not. I think that is a good idea, regardless of if we have anything on the docket. We would not have anything on the 7th.

Ms. Stalter – Can we set July for a vacation month?

Mr. McConnell – If an application comes in through a resident or developer, we are legally obligated to have a meeting within a certain period if we get a request to do so. If we do not, then there will be no request to meet, sent by staff.

Ms. Stalter - Tentatively make our next meeting July 14th, preferring to be able to not have a meeting that date if possible.

Mr. McConnel – We can do that. If possible.

Ms. Stalter – Motion to adjourn

Mr. Geist – So moved

Ms. Horton – Second

Ms. DiGiandomenico - Mr. Geist; Yes. Ms. Stalter; Yes, Ms. Horton; yes

Meeting Adjourns 19:07

APPROVED 9/11/2022