

CASE 2: 15-0191LR – Tarlton Meadows – 4608 and 4643 Elliott Road and the northern most 30.2 acres of land within the Estates at Hoffman Farms PUD

PARCEL NUMBER: 050-008664, 050-009195, 120-000184, 120-000185, and 120-000173

APPLICANT: Elliott Road, LLC c/o Thomas L. Hart, 2 Miranova Place, Suite 700, Columbus, Ohio 43215; and City of Hilliard c/o Clyde R. Seidle, 3800 Municipal Way, Hilliard, Ohio 43026.

REQUEST: Review and approval of PUD Zoning Development Plan and Text under the provisions of Hilliard Code Chapter 1117 for a development consisting of 278 dwelling units and 46.7 acres of park land on 190.4 acres.

Mr. Talentino presented the staff report with power point slides of the site.

On May 12, 2015, the Big Darby Accord Panel recommended that the proposal be denied based on the findings that the proposal is not a conservation development design; wetland buffer information was insufficient; density is too high; and open space does not meet the 75 percent contiguity standard for conservation development. The Planning and Zoning Commission has postponed this application at the request of the applicant on June 11, 2015, August 13, 2015, October 8, 2015, and December 10, 2015. The applicant has since revised the proposed plans. The following staff report is based on those plans.

The site is 190.4 acres located on the east and west sides of Elliott Road approximately 3,000 feet south of Hayden Run Road. The site includes approximately 30.2 acres of park land approved as part of the Estates at Hoffman Farms PUD, 113.5 acres between Estates at Hoffman Farms and Elliott Road, and 46.7 acres on the west side of Elliott Road within Brown Township. The applicant is requesting approval of a Hilliard Conservation District (HCD) Plan consisting of 278 single-family lots on 190.4 acres.

The Commission is to review the proposal for conformance to the provisions of the Hilliard Comprehensive Plan and Chapter 1115 of the Zoning Code. Following a recommendation by the Commission, an ordinance for the proposed PUD Zoning will be forwarded to City Council for review and approval.

Staff finds that the proposed plan is not consistent with the recommendations in the Hilliard Comprehensive Plan. Based on this finding, staff cannot recommend approval of the plan as proposed. Staff recommends that the plans are revised and submitted for review by the Planning and Zoning Commission after the nine issues listed in the staff report are addressed.

Chairman Lewie asked if there were questions for staff.

Chairman Lewie asked when was the land that's going to be developed annexed into the city?

Mr. Talentino replied I don't know the date but the applicant may know.

Chairman Lewie asked Mr. Hart was it within the last 3 months?

Mr. Hart replied yes.

Chairman Lewie asked will the park land dedication be attached?

Mr. Talentino replied we will be the owners of the 46.7 acres but it will not be within our municipal boundaries.

Mr. Muether asked why is that?

Mr. Talentino replied because our water and sewer contract doesn't allow us to annex west of Elliott Road in this area without renegotiating the contract with Columbus.

Chairman Lewie asked Ms. Clodfelder the Big Darby Accord voted on this on May 12, 2015 and one of their representatives is now on the Planning and Zoning Commission. Should Mr. Muether still comment and vote on this case or should he abstain?

Ms. Clodfelder replied he needs to abstain and not make any comments about the case since he was presented with this information last year.

Chairman Lewie asked did he vote on this case last year?

Ms. Clodfelder replied based on my understanding, he did vote against recommendation.

Chairman Lewie stated I wanted to know that for public record.

Chairman Lewie asked if the applicant would like to speak.

Mr. Tom Hart, attorney for Pulte Homes, was present and stated with me tonight are Matt Callahan, Vice President of Pulte Homes, Joel West, Land Planner from Pulte, and Brad Holland, Project Manager from EMH&T. Tonight, we would like to present Tarlton Meadows. We will present a brief overview of our plan and then address the questions within the staff report. Pulte is the development manager of the project but it includes 2 builders, Pulte and Rockford Homes. One of the things we do want to say upfront is that we do have an alternative connection plan relating to the Estates at Hoffman Farms based on our meeting last week with neighbors. Matt will talk about that at the end of our comments within his PowerPoint. Mr. Talentino alluded to the fact that development in this area is based on the Hilliard Comprehensive plan and Chapter 1115 of the Zoning Code. We specifically focused on page 103 of the comprehensive plan for our development plan. There are certain principles that apply and are listed on that page that are important to set the tone for what we need to do. It emphasizes creative residential options of a mix of residential products, sustainability and sensitive development based on the Big Darby Accord principles, open spaces that are accessible to the public and linked throughout the development cohesively, education and recreation opportunities in the Big Darby area, and regional multi-use bike paths between municipal parks and eventually connecting to the Prairie Oaks Metro Park. That's what we've done and kept in mind under the review of this application. Next, I want to address the Big Darby Accord Panel points that were made in a letter that was sent to City Council. The Accord Panel is an advisory board under the Big Darby Accord agreement and it can't confer or approve any zoning or development rights. It

can't disapprove of a zoning or put a zoning in place. We did appear before the panel and we did receive the recommendations. John has shared our plans with the Accord and will continue to do that throughout the process. We frankly don't agree with some of the members of the Accord's interpretation of the actual Big Darby Accord document and we don't agree with the findings in their letter. Specifically, the Accord Panel letter stated that our plan is not conservation development. Well, the big picture is we have over 50 acres of open space inside our development where we're going to have housing and we have about 46+ across Elliott Road. We have multi-use paths connecting all those open spaces. By any definition, that type of development and that type of open space set aside at that level is conservation development by a generally accepted definition. One of the things the panel also said at the time this was presented was that there was insufficient information about our wetlands buffering plan. That is due to the fact that at that time, we hadn't filed any preliminary plans with Hilliard and hadn't done the engineering. We can assure that our wetlands preservation and enhancement plan we're doing will meet Darby and Hilliard Code standards. Another issue raised by the panel was that our proposed density was too high. The Accord language talks about density in a lot of places but in particular on pgs. 4-8 and 4-9 in the Accord document itself. It's worth emphasizing the Accord encourages flexibility and an incentive based approach to conservation. It in fact includes several provisions that incentivize conservation principles and encourage the jurisdiction that members use density bonuses to do just that. In fact, that's what the Hilliard Comprehensive plan picked up and so does Chapter 1115. There is a based density under the Accord and under the Hilliard Code that starts at 1.0 but there's a density bonus system that allows you to do positive things for conservation and get above that based density. Finally, the panel stated that our open space plan does not meet 75 percent contiguity standards. We've tried to put together an open space package where if there's not adjacent open space immediately out the front or back doors of the homes, it's a short bike ride or healthy walk to get to major park facilities, the Heritage Rail Trail, Homestead Park, and the 46 acres of aggregated open space across Elliott Road. We don't view the Big Darby Accord document as something that's rigid and I think it encourages flexibility and creativity just as the Hilliard Comprehensive Plan and the Hilliard Code. I have to add, to my knowledge going back a couple years, I don't think the Big Darby Accord panel has ever approved any development proposed by the development industry or if any development at all.

Chairman Lewie stated I think in Hilliard they've declined all 4 or 5 that have come our way.

Mr. Seidle stated we've had at least 1 or 2 that were approved subject to conditions, but we've had a number of recommendations of disapproval.

Mr. Matt Callahan, representative of Pulte Homes, was present and stated before I get started, I want to give a high-level overview of the site and the development plan for the site and some of the key features. Some of the key features that we think are a benefit to the plan include the open space programming that's incorporated throughout the site plan that connects the open space with the pedestrian connectivity, pathways, and trails. There's a unique central green to be planned where we will incorporate a non-traditional approach with open space programming within residential development. Then of course some of the environmental and conservation planning techniques that are outlined in the Big Darby watershed plan and the Hilliard Comprehensive Plan. Some of the things we get into with that are the wetland shelves around the

retention basins, open ditch road sections, and other low impact development features that are found throughout the site. Currently, this site is agricultural flat farm ground and is relatively open. There are natural features to this site except for the southeast corner of the site adjacent to Homestead Park and north of Estates at Hoffman Farms where there's an existing wetland. We actually believe that developing this site in accordance with the Darby Accord and conservation type principles will actually enhance the environmental features of this site. I think it's well accepted that this site is on the path of being developed in some form or fashion in the near future. With that, I would like to do a walkthrough of the site plan using PowerPoint. The site is divided into subareas and I will work east to west throughout the site. Subarea A-1, north of Estates at Hoffman Farms and west of Homestead Park, has lots of 80 to 85 feet. width. There's an existing wetland up against the Heritage Rail Trail that will be preserved with buffers around the perimeter of it and will be enhanced by adding wetland plantings. There's an oval area above the existing wetland that will be a bio retention area and will be incorporated in the plan as part of the environmental enhancements. The rest of it is open space around the perimeter of these lots and most of it will be planted with meadow or prairie type grass that is low growth and low maintenance. Also, this subarea is where the pedestrian connections begin and will be a part of the existing pathway system that connects to the Heritage Rail Trail and continue west into the other subareas. Subarea A-2 has 75- to 80-foot wide lots and the continuation of the path system west. Down on the southern portion of the subarea is the continuation of the regional path system. Another pathway goes through an open space that separates some of the development into pods and leads it into a central green park. Along this pathway we're proposing to begin reforestation that will take place on this site. We will also have the meadow and prairie grass type plains. Throughout the site, we're proposing over 2,700 native Ohio saplings as part of reforestation, there's 3,630 herbaceous plug plantings that will be incorporated within the wetlands and wetlands enhancement area, and over 1,800 additional herbaceous plugs that are part of the wetlands and isolated stormwater management areas throughout the open space areas. Moving out to the west we get into Subarea B that has 60- to 65-foot width single-family lots. Again, the regional path system will continue out west all the way to Elliott Road and connect to the large 46- to 47-acre park west side of Elliot Road. I would like to talk more about the central park in the middle of the site. Having been associated with a number of different developments throughout Central Ohio, the central neighborhood parks has long since been what we've called "tot lots" with playground areas, walking trails, tree plantings, and open space for recreation. As we approached this site, considering it's location within the Big Darby and trying to propose something along the lines of conservation development, we wanted to produce something that was unique in this site but still offer some of the same features that we know have been accepted throughout other neighborhoods like the kids play areas. One of the features on the site plan that we think is unique and will provide an opportunity for a different recreational and educational opportunity are learning kiosks, like at the metro parks, with plaques along the trails that identify the different types of plant and tree species. There will be opportunities for shelter and seating for cabining areas. We have a couple of gathering areas such as a shelter house planned on the northeast portion of the site. There's also a small stage area that will include stone/seating and have a naturalized gathering spaces. Pedestrian trails and walkways will continue and be interspersed throughout the various features within this central park. Again, all the environmental features we talked about in other areas will be incorporated throughout this area. Coming off of this central park is a pathway that leads down into an open space area south of it that has a loop trail system going through it. This is intended to be more for the active recreation where you can

do walking, jogging, riding bikes, etc. That connects to the regional path system on the south side of the site. We think this is a different and unique approach to development with this type of central open space park with the naturalized playing equipment and different types of stone slabs, culvers, and tunnels kids can play on. Subarea C is an area we're targeting for single-family patio homes that are a low maintenance style of living. Typically, people talk about these as age-targeted, empty nester, and active adult. There intended for that segment of the home buying population. What we plan in this subarea are the large master plan communities that were developed by Pulte in the Southeast and Southwest United States. There are 78 homes targeted for empty nester type homebuyers and we will utilize the same floor plans as those other communities. This is a segment of the population that continues to grow and is probably underserved today. We as a company are looking for different ways to serve that portion of the population and we would like to serve them here in Hilliard. There will be more open space in the form of a passive open space park at the west end of the site. You've got walkways leading into the site with seating and bench areas surrounded by meadow and prairie planting. Last, Subarea D which is the large aggregated open space west of Elliott Road presumably to be owned by the City as open space or parkland. This is a plan that we're extremely excited about and we think it's very much in keeping with the Hilliard Comprehensive Plan, the Big Darby Accord, and the general approach to the conservation development. We think that 9+ acres of reforestation, all of the open space, and the pathways that connect all of the open space follows the comprehensive plan and accord plan. I did want to mention that last week we held a neighborhood meeting and 50 or so residents showed up to the Makoy Center with a majority representing the Estates at Hoffman Farms. The overwhelming topic of our conservation was the roadway connection that comes from the Estates at Hoffman farms and continues west through the development as a connective roadway system. There was a large amount of concern of the residents for the amount of traffic that it could generate and the impact on their roadway network at Cosgray Road and Jeffrelyn Drive. What we did was we stepped back and looked at alternatives on how we might deal with that. In the last week we worked on a concept that hasn't been vetted all the way through and I don't know if the City has had a chance to thoroughly consider it. We've had our traffic engineers take a preliminary look at this concept but in terms of a traffic study, it would need to be restudied. We're presenting here this evening as an option that would hopefully address the concerns about the traffic. This is a stub street today in the Estates of Hoffman Farms and stops at the property line in the triangular area that is currently owned by the City. Instead of having this roadway connect through as shown on the last plan, we'll simply bring this up and turn it into a cul-de-sac to isolate the 17 lots that will end up coming back through the Estates at Hoffman Farms. The rest of the site traffic connection will go through the Buck Property and the 2 connections on Elliott Road. Just a brief mention, for the starting point for these types of developments we always look at the stub streets and plan for connectivity within the neighborhood from a developing, planning, traffic, and engineering standpoint. It's always the emphasis on making the connections and that's what we did when making this connection. We're putting forth this option tonight and we had the traffic engineer do a couple quick evaluations on the traffic counts but this still has to be reviewed by the City and Franklin County. Speaking of the Jeffrelyn and Cosgray intersection at the entrance of the Estates at Hoffman Farms, under the current plan that was part of the application and combining a.m. peak hour traffic counts, there's 104 trips to that intersection. Under this current revised proposal, the traffic count is at 43 trips which is a reduction of about 60 percent. From a big picture, the roadway network from Barbeau Lane and connects to Jeffrelyn Drive overall daily

traffic counts on the original plan was to have 600 of the 2700 trips out of the slight generated traffic. This new plan reduces that traffic from 600 to 200 which is a 66 percent reduction.

Chairman Lewie asked for Section A-1, where would the construction traffic come from? Will it still go through Barbeau Lane and Jeffrelyn Drive or would they come around from the Elliott Road side?

Mr. Callahan replied it is a question we haven't considered. I would say under the current plan that was part of the application, we would most likely work with the City to restrict construction traffic coming through the Estates at Hoffman as much as possible so that the primary construction traffic comes from the north from the Buck Property to Subarea A-1. If we go with the amended plan, it would have to go through the Estates at Hoffman.

Chairman Lewie asked are designs of the proposals for Subareas B, C, and D still the same in the amended plan?

Mr. Callahan replied we made a few modifications. Along the north boundary, we moved the homes away from the property line with a 50-foot buffer that will be part of the reforestation area.

Mr. Robertson asked how does the density change in the revision for Subarea A-1? Does that lower the overall density?

Mr. Callahan replied I think the overall density is the same. There may be a slight reduction.

Chairman Lewie asked for public comments.

Ms. Andrea Tirbovich, 6290 Debidare Court, was present and stated I'm a resident of the Estates at Hoffman Farms. I'm here today in collaboration with a number of residents who will be sharing their thoughts on the proposed developments on Elliott Road. To be clear, we aren't opposed to developments on Elliott Road, but rather, our concerns are with the proposal to develop the triangular parcels surrounding the water tower that are currently designated in the Hilliard Comprehensive Plan as parkland accessible to our neighborhood as well as a plan to route traffic from the proposed development through our existing neighborhood. We're significantly impacted by this proposal, but the City guidelines don't require the developer to notify us of their intentions. Pulte did what they were required to do in respect to holding an informational meeting on February 2, 2016. However, we're also asking that you consider this an opportunity to modify the City requirements for notification to include all significantly impacted properties rather than those within a certain distance of the proposed development.

Mr. David Opalek, 4867 Barbeau Lane, was present and stated I'm also a resident of the Estates at Hoffman Farms. In the interest of full disclosure, I'm in the business of real estate development and finance multi-family housing for a living. I would like to talk about the 2 triangular parcels surrounding the water tower. It's our understanding that those parcels factored into our density requirements as green space for a 1.76 gross density rate as part of our initial PUD resolution. The developers have done a very nice job at steering everyone away from the

fact that their taking our green space, developing it, and moving the green space to the other side of Elliott Road. The current Hilliard Zoning Code requires that the terms of such deed or legal transfer must include provisions guaranteeing the continued use in perpetuity of such open space for the purposes intended. I recognize that this particular PUD was done prior to the 2014 adoption of the current zoning rights. I think the intent is clear that once a lot or a section is zoned as open green space, it's the intent to keep it that way for the residents surrounding that green space. Prior to purchasing our home fairly recently, we did a fair amount of due diligence in regards to the green space consistent with the comprehensive plan. It's listed as green space and dedicated parkland. We paid a premium on our house based on the fact that that section was dedicated for green space. I felt comfortable because it was listed in the plan and in order to remain consistent with that plan that should remain undeveloped or developed as recreational type space instead of additional homes at the end of that street. Additionally, we've been trying to come up with some very positive solutions to this. We've reached out to the Metro Parks and they're very interested in adding the 2 parcels to the footprint of Homestead Park to create a larger usable park space. In our view, that would create a plan that's consistent with the existing plan, the existing comprehensive plan, and with our original Zoning and PUD approval. We would urge you to consider further discussion with Metro Parks to follow up on this particular issue. Again, it's our contention that as a neighborhood that that section of green space ought to stay dedicated as it is. I use the term loosely given that times have changed a little bit and trying to stay consistent with the terminology used in the existing coordinates. It should've been dedicated and preserved in perpetuity pursuant to the existing zoning. Again, from our position, this represents a taking and I think that the metro parks solution relieves the City the burden of the maintenance of that section of the parkland and has Metro Parks take care of it and maintain that natural space as it is.

Ms. Judy Opalek, 4867 Barbeau Lane, was present and stated I want to reiterate some of the points that others have made already. We're not opposed to the development and the proposals over on the Elliott Road parcels looks lovely. Our issue is the traffic routing through the Estates at Hoffman. I'm pleased to see the potential alternative plan and I sincerely hope that the Commission takes that into serious consideration. We've already gone through this but the plan as it exists on the board right now doesn't align with the planned use when our neighborhood was developed and the Comprehensive Plan if the triangular space is developed. They also moved the green space over to Elliott Road and that's a location that's not accessible to us. It's easily a half a mile to get from where we are now to the proposed green space. But those issues I think are lesser for many of us than an issue of traffic and I commend Pulte for proposing an alternative design. But when we look at the traffic report for this plan, it wasn't entirely conclusive from what I could see. I don't think that I saw the number for the 600 cars in and out of Barbeau. Obviously the assumption for traffic to route out through Elliott Road is very low because there's no recommendation in that plan to do any improvements on Elliott Road which would indicate all of that traffic or the vast majority of that traffic is routing through Barbeau Lane and Jeffrelyn. There were some alarming predictions for what would happen to traffic at Jeffrelyn and Cosgray intersections given the full build out and the tenure plan. Among those, something like an 18-minute wait or delay at the corner of Jeffrelyn and Cosgray for traffic to flow through there. I wanted to just pose a couple of points and hopefully will be completely mitigated by adoption of the plan or alternative plan as shown tonight. We know that the vast majority of people that live in Tarlton Meadows are going to be driving east for their daily

commute to work or school. There's not a lot to the west so they will want to go east. Going north through the Buck & Sons property and making a right hand turn onto Hayden Run Road would be a better route for Tarlton Meadows as a primary exit. We know that there are lots of data, including data from the from the National Highway Traffic and Safety administration, that shows that crossing path crashes are 53 percent of the time during a left turn and about 5 percent of the time during a right turn. Right turns are vastly safer than left turns and it makes sense for Hayden Run to be an access point for traffic routing out to the east. Not to mention once they get to Hayden Run and they go to the right, they come upon an 8+ lane traffic control intersection. What better way to control and to mitigate that traffic than through a large already designed and existing intersection. In conclusion, I wanted to say again that I appreciate that Pulte provided an alternative and I encourage the Commission to look closely at that alternative and to continue to work with the residents of the Estates at Hoffman to find an amenable solution for this development plan.

Mr. Michael Atkins, 4896 Barbeau Lane, was present and stated I live in the Estates at Hoffman Farms on Barbeau Lane at the very end of this development. Being a community member and a resident of Hilliard, we're all for community development that develops the area. A big point for us is the combination of that kind of traffic that we would have from this proposal planned through our neighborhood where the streets are designed for residential. Most of us in this neighborhood have small children and it raises concerns when traffic will come from the back end of one development through the back end of another development. I don't know how many of you are aware of it but this summer at the south end of Cosgray, where it meets Scioto Darby, the bridge was out for an extended period of time and that caused a redirection of traffic. I can assure you most of the folks that are seating behind me tonight remember it very clearly because all of our traffic from the Estates at Hoffman Farms was drawn across through Hoffman Farms and through the back end of their development. Whereas the next 90 days, 600+ cars were feeding through neighborhoods on an everyday basis going back and forth through adjoined neighborhoods. That's what you've been hearing about the concern of the traffic around the room from all of us. That's not a temporary fix and that would be our end game solution of 280+ homes with traffic bearing from the back end of that neighborhood all the way through our neighborhood.

Mayor Schonhardt stated I don't mean to interrupt but I think it's clear to all of you that we had the opportunity, about a day or two ago, to sit with the representatives of Pulte and look at that alternative plan that no longer allows all that traffic to go through your neighborhood. I will tell you we are no longer looking at existing plan and at this point if you want to talk you need to talk about the alternative plan that they presented because the plan showing traffic going through your neighborhood is no longer under consideration.

Mr. Tony Langella, 4962 Nadine Park Drive, was present and stated I live in the Estates at Hoffman Farms. I'm here to talk about water runoff. I have some photos I would like to submit to the board. Last year, we had what we thought was a serious flooding that appeared on the west side of Barbeau Lane at the retention pond to the right of the proposed development. They're now proposing a new retention pond to the left and a pipe will be plumbed into the wetlands. Now, I just want to know from the board who is verifying the design of Pulte that says we're not going to get any flooding?

Mr. Seidle replied that comes through my office as the city engineer and the stormwater management plan has to meet the requirements of our current manual which means that they have to detain on site up to the 100-year predevelopment storm and can only discharge it at a lesser rate. The total volume doesn't change but what they will be releasing into that pond at any given time would actually be less in terms of volume giving that system to come down. We're very familiar with the tiles that were built there and the County Engineers also let us know that there's a county tile that we have to go through and have to make sure we maintain that flow that carries water through it. All of that will be addressed in that stormwater management plan. There's a very high water table out there that creates a quicker runoff that doesn't saturate in because the land is flat. Most of you who live there probably have sub pumps that work very frequently just as in other areas of Hilliard. They have an absolute right as much as you do to have a discharge point into where it wouldn't normally go but they have to manage it differently now than in an undeveloped area where it could just free flow over the grounds and get into the ponds and basins. They will have to meet all of the requirements. It will change just as it changed when Hoffman Farms and the Estates at Hoffman Farms were built. Those retention basins are there to capture that 100-year flood and it discharges. When we have significant rain events in the Clover Groff and it is running full, those basins are to hold that water and then ultimately discharge at a lesser rate. The same thing will happen to the water that's now coming to you.

Mr. Langella asked do you know the rate of rainfall they can handle?

Mr. Seidle replied all that is in a calculation. Again, the basins and their stormwater management plan have to ultimately maintain what we call the 100-year storm and have to have enough capacity to hold that on their site. Then they discharge at what we call a 2-year predevelopment rate into the systems that are down stream of that.

Mr. Langella asked so we should never have flooding?

Mr. Seidle replied I'm never going to say never. You have high water and the streams get backed up. Flooding is a relative term and we have streets that are actually part of the 100-year stormwater and there are some cul-de-sacs in the Estates at Hoffman Farms that get 8 to 9 inches of water in them at a time when we have high rains. It's part of the overall stormwater management plan for that to happen. In people's minds, that's flooding but it is part of the overall system that gets designed.

Mr. Alex Vulic, 6242 Lafferre Lane, was present and stated I live in the Estates at Hoffman Farms. I appreciate everyone's effort on the alternative plan and the Mayor for saying we're not talking about the past plan because traffic was a huge concern for us. I want to talk about some of the past and future development. Promises were made, as far as the dedication and the use of the green space, which would be a benefit not only to the Estates at Hoffman Farms but to the City of Hilliard. The site in fact currently belongs to the City of Hilliard. We're now trading a public benefit here for a less useful public benefit down the road. My concern would be the long term laying for the groundwork and the game plan to develop the rest of the property between the Estates and Elliott Road along the same boundaries of the 67-acre Yutzy property on the north and the 65-acre Bright property to the south that are clearly in the path of progress. If we're

saying we can trade green space here for green space there, there's nothing really stopping that development from turning into 600 to 700 homes. They're going to connect through Jeffrelyn to Cosgray as well at some point. Those 30 acres was dedicated to the City as green space as part of the agreement to develop the Estates at Hoffman Farms by Pulte's predecessor and we think that should be honored as it was intended as permanent dedication.

Ms. Lorraine Cathala, 4750 Elliott Road, was present and stated I live in Brown Township and my property is 5 lots to the north of the proposed development. While the citizens of Hilliard have said they're not opposed to the development, I think a lot of people in Brown Township are and I'm certainly one of them. The reason I moved to Brown Township is because I wanted the rural environment and I was attracted by the fact that there were farms all around me. That said, I don't think this is going to go away so I wanted to make some specific comments on the proposal. Obviously, the density is the biggest concern. In the Big Darby Plan, there's a concept for the housing density where the highest density is in one area and it gets less and less until there's low density on the other end. I would like to see the proposal revised so that the highest density is closest to Hoffman Farms and by the time you head out to Elliott Road it mimics what's currently there. The smallest properties on the north end of Elliott Road, which this is closer to, are 2 acres in size. It would be great if the properties that border Elliott Road were at least 2 acres. Additionally, the area in front of Subarea C along Elliott Road is prone to flooding and it would be more reasonable to have a stormwater wetland to take care of that. That area floods across to the west into the proposed parkland making it possibly unsuitable as parkland. I also don't understand the ins and outs of how zoning works but I understand that the area west of Elliott is not available for the City to zone because it's under Franklin County. I don't understand why that land is even included in the calculation of density. The proposed empty nester houses is a fallacy unless you can discriminate on who buys those houses by age which I'm pretty sure is illegal. The more likely scenario is that young families will move in there because they will be cheaper houses within Hilliard at a great location right next to a very good elementary school. Just as an example of that, my previous house had 1,582 square feet, which is just 82 square feet above the proposed patio homes, and I purchased that from a family of 7 and 5 of those were school age children. I think we're hearing from the residents of Hoffman Farms about that area that's supposed to be parkland and I noticed in the wording of the proposal that the passive green spaces aren't indicated to be permanent conservation easements and that wording should be included. While the neighborhoods to the east are concerned with traffic, they are part of a development and a part of Hilliard. As a resident of Brown Township, I don't want that traffic on Elliott Road because the road has a very rural character and what's part of the Big Darby Accord is to retain rural characteristics of the area. To me, one exit onto Elliott with the rest of the traffic funneling to the east would be more neighborly and it keeps Hilliard traffic in Hilliard. In the Big Darby Accord, it mentions that architecture should make use of the lead ideas for lead certification. I saw no reference in the proposal to any kind of lead based architecture where you would do things such as reuse materials, use outside lighting, and possibly use solar and wind in the housing designs to reduce energy use. Finally, Hilliard is a signatory to the Big Darby Accord and while it isn't a legal binding agreement the citizens of Hilliard participated in putting that accord together. The point is to guard and reserve the environment, particular the Darby Creek watershed, and we will not do that by cramming in houses. I would request that you honor the intent of the Big Darby Accord and don't approve any plan that has such high density.

Mr. Roger Bugg, 27711 McMahan Rd, Richwood, OH, was present and stated my family owns a 144 acre farm west of Elliott and north of the proposed green space. We're the sixth generation that has farmed this ground and we actively farm it. What I'm concerned about is that there's a 15-inch main tile that was probably installed before anybody in this room was born and that's what drains to the north and west. All of our water goes out through there. Unfortunately, the developer of Hoffman Farms let it be torn up before they realized what they were doing. We had water backed up across us and we had about 60 of our 140 acres under water. It took me and my family to go to the Franklin County Engineer's office with detailed pictures until they finally figured out Hoffman Farms is what screwed it up. Now, I don't know why this is called the Bid Darby range when all this water is in the Scioto watershed and it all goes east. If everybody in Hoffman Farms is wondering why you're wet then that is your reason because you are getting all my water. You're going to continue to get my water unless Hilliard can figure out a way to reconnect that to Hoffman Farms into the Scioto across Cosgray Road through the railroad track. Through this new development, the 15-inch main is going to have to be maintained. That means no houses or roads built on top of it. I'm not saying it can't be moved as long as your grades stay the same. Going south border lining the development is the Bright Farm and they've got water problems now that they never had before. Hoffman Farms is stopping their water from going east. You can see the low wet spots especially along the fence road on the east side. They have a lot of the same problems we have. We didn't have problems until they started building housing developments and I'm not trying to criticize the people who live across the road from me because that was before zoning. If there never had been zoning then we wouldn't have had all these flagged lots on Elliott Road. There causing our water problems also because our water is still trying to go east and it can't go east. Franklin County has spent thousands of dollars working on the main at the north of the development and put in a solid pipe up to Elliott Road and I'm sure they don't want this tile to be harmed in any way. I haven't heard from the developers on what their plan is for it. You can't stop water flow and this isn't service water or 100-year drainage. This is sub surface water and we can't afford to wait 30 days to drain out because a bean plant has 2 ½ days that it can stay in water and then it's dead. We have to get that water out of there as fast as we can and that doesn't mean getting it to the retention pond but getting it to the Scioto.

Mr. Seidle stated the County Engineers are aware of this issue of the Eiterman Ditch. Understand, they have to accept all water that comes through their site and have to manage it so they cannot create that back up. I've personally worked with people in the County when we were out there and they disconnected the tile that was to get in that pond there and we got it reconnected. We didn't know it was there at the time and why I don't know because that plan was already developed but that tile ultimately got connected. This doesn't drain into the Scioto, it's a part of the Clover Groff area that heads south that becomes a branch that heads into the Big Darby. That's why this area is all part of the area that drains into the Big Darby. I have an email here from the County Engineer's office about the Eiterman Ditch and we very much understand that we have to pick up that water and maintain that flow through there so it can get to its natural outlet. The plan for it comes after the zoning and they don't spend money on the design until after the zoning. As I said earlier, the stormwater management requirements are not subject to this board's review but to the engineering's review and it has to meet all of the requirements. The County Engineers are very much aware of it and we heard about it a long time ago. It has to be maintained and the flow has to be managed through their property and if they can't discharge it

then the Eiterman Ditch doesn't discharge. All that is part of what Ohio law says and it's all consistent with what our stormwater management policies are. They've done extensive studies where that tile is and we will be pointing that out to the designers so they can account for it. It will go to the County drainage engineers to make sure that the Eiterman Ditch is maintained through this property or redirect it.

Mr. Bugg stated I thank you for your consideration and all I have to say is that I don't want to see any water back up on me again. I lost too many thousands of dollars over the years because of this.

Mr. Mark Myhal, 4859 Barbeau Lane, was present and stated I want to thank the Mayor, the Commission, and Pulte for answering our questions. My primary question is about construction traffic. Would it be possible on this plan to create a temporary gravel road from the proposed road north of the lots in Subarea A-1 so that construction doesn't go through the Estates at Hoffman Farms? The reason I ask is because we had field dirt brought in from down Barbeau for the fields that are adjacent to our street and we had dump trucks running through there from 7:00 to 4:00 daily for a number of weeks. A lot of these trucks were speeding and we had the police down there a number of times because these guys were a little bit reckless and we had kids in the street. If this is approved, is there some way we can have it developed where the amount of construction traffic coming down our street can be minimized? It will be greatly appreciated by our community. My second question is can the proposed street connection be inverted so it just abruptly comes in from the top and not connect to our neighborhood?

Mr. Frank Hornik, 4714 Elliott Road, was present and stated we live on Elliott Road and my wife and I bought our property 25 years ago, built our dream house on it, and raised our family. When we bought that property there were certain feet restrictions that we had to abide by that included a certain size of the lot, the house, and so on and so forth. We love the rural area and that's why we've lived there for so long. It would be naïve to think that we wouldn't be getting neighbors. There will be 278 neighbors with the density ratio including the green space that isn't even attached and Subarea C having a density over 3.5 lots per acre. It doesn't seem right. You take a look at Heritage Preserve and Hampton Reserve and those are completely different and don't even come close when you look at this proposal. As far as the Big Darby Accord goes, this doesn't come close to being what their looking for and it doesn't seem right. As far as the conservation development program, when you don't include that green space it doesn't come close to what we're looking for as far as that's concerned. Why was Subarea C put there when we are the only residents that make up this entire area? Why wasn't this put in another area? We have 50-foot lots near there with a density that's far greater than anywhere else. We've got the most concentrated number of lots there which is going to mean traffic and everything else. What were they thinking? The subarea could have been put somewhere where there are no neighbors around. I'm just really upset with the entire composition of this layout and I think it needs to be revised and the density certainly has to be addressed.

Ms. Beth Clark, 2491 Walker Road, was present and stated I'm the executive assistant to the Brown Township Board of Trustees and I'm here to speak on behalf of the board. Two members are here, Chair Gary Dever and Trustee Pam Sayre, and the third trustee, Joe Martin, is out of the country. I appreciate the opportunity to speak. The Brown Township Board of Trustees believes

that the proposal before you is inconsistent with the provisions of the Big Darby Accord. The Accord is the landmark watershed master plan undertaken by 10 Franklin County jurisdictions within the territory of the Big Darby watershed. It was adopted by 6 of those jurisdictions in 2006 and later by the City of Hilliard. The Tarlton Meadows proposal is inconsistent with the Accord in at least 2 areas. The density is one and the conservation development design is the other. Concerning density, the base density should be 144 units considering the 144 acres within the Hilliard. The proposal falls within an area of the Big Darby Accord land use plan that calls for conservation development at low density at 1 building unit per acre. The maximum density bonus recommended by the Accord in this classification is 10 to 15 percent. An excerpt from page 4-16 from the Accord reads “when considering the density incentives, it’s recommended that the maximum increase in density be limited to a 10 to 15 percent increase over the gross permitted density.” Such a bonus is to be awarded based on additional open space preserved. Even rewarding the highest density possible under the Accord would result in a unit count of 166 units rather than the set 278 proposed here. This proposal represents a 67 percent increase in density over the Accord’s provisions. It should be noted that the City of Hilliard has a conservation district in its Zoning Code and that district contains language which purports to support the Big Darby Accord but contains different standards and density figures that are inconsistent with the Accord. Concerning conservation development design, the proposal presents a typical suburban development pattern. Conservation developments differ from standard developments in a number of ways including the site homes are usually on smaller lots with less emphasis on minimum lot size and the same number of homes is clustered creatively on a smaller portion on the total available land which hasn’t happened here. But beyond the proposals inconsistencies with the Big Darby Accord provisions, The Brown Township Trustees are concerned about a number of aspects of this proposal and of Hilliard’s approach and implementation of the Big Darby Accord that the city has adopted. The original document submitted to the Big Darby Accord advisory panel last May were inconsistent on the subject of enacting a Tax Increment Financing district for this proposal. Brown Township opposes the use of TIFs for residential uses in Hilliard because it undermines the revenue streams of the township, the school district, and the Norwich Township Fire Department. Further, the City of Hilliard has chosen not to participate with its jurisdictional partners in the implementation of the Big Darby Accord. The City of Hilliard staff has chosen not to participate in meetings of the Big Darby Accord working group and the Open Space Advisory Council and elected several years ago not to participate in the revenue agreement envisioned by the Big Darby Accord to assure among other things adequate revenue for mutually beneficial purposes such as open space acquisition, infrastructure, and stream restoration through the Accord area. That revenue agreement was ultimately adapted by 5 jurisdictional partners of the Big Darby Accord: Brown, Prairie, and Pleasant Townships, Columbus, and Franklin County. Finally, the City of Hilliard has chosen to decline the requests of a Franklin County Commissioner, the Big Darby Accord Advisory Panel, and 3 partner jurisdictions of Brown Township, Prairie Township, and the City of Columbus to require that the revised Tarlton Meadows proposal be heard by the Big Darby Accord Advisory Panel. Brown Township Board of Trustees is disappointed with the City of Hilliard’s stance regarding the Big Darby Accord and requests that the Planning and Zoning Commission recommend disapproval of the current proposal and recommend that it be revised to comply with the Accord and recommend it return to the Big Darby Accord for review and recommendation.

Chairman Lewie asked for any further comments.

Chairman Lewie stated Mr. Hart, it's quite obvious tonight we're not close to any type of approval. I would request that you would postpone your case for 30 or 60 days, talk to the citizens, City, and Township for some changes that can be made. Otherwise, we can't go forth with a positive recommendation at any time in the near future. Would you like to postpone for 30, 60, or 90 days?

Mr. Hart replied we've been in the process for quite some time and we understand what you said and the needs you outlined. I request a postponement for 30 days.

Chairman Lewie asked for any further comments, hearing none he called for a motion.

MOTION: Mr. Robertson made a motion to postpone CASE 2: 15-0191LR – Tarlton Meadows – 4608 and 4649 Elliott Road and the northern most 30.2 acres of land within the Estates at Hoffman Farms PUD to the March 10, 2016 Planning and Zoning Commission meeting.

Mr. Movshin seconded the motion.

VOTE: Mr. Muether, Abstained; Mr. Movshin, Yes; Chairman Lewie, Yes; Mr. Robertson, Yes; Mayor Schonhardt, Yes.

STATUS: The motion passed 4-0 and CASE 2: 15-0191LR – Tarlton Meadows – 4608 and 4643 Elliott Road and the northern most 30.2 acres of land within the Estates at Hoffman Farms PUD was postponed until the March 10, 2016.