

**PRAIRIE TOWNSHIP ZONING COMMISSION  
MINUTES OF THE JUNE 24, 2003 MEETING  
TUESDAY – 7:00 P.M.**

Members Present: Howard Balzer, Joyce Benedetto, Neil Distelhorst, Glen Hymer, and Hulda Moffitt.

Members Absent: None

Others Present: James Strunk, Zoning Inspector Prairie Township  
John Kennedy, Attorney Crabbe, Brown & James LLP  
Others: See ATTACHMENT: Sign-in Sheet

Call to Order: Howard Balzer, Chairman, called the meeting to order at 7:00 p.m.

Meeting Minutes: Moved by Neil Distelhorst, seconded by Joyce Benedetto, and unanimously approved, that the Minutes of the May 27, 2003 Meeting be accepted as submitted.

Old Business: None

New Business: See items A through C.

A. Administration of Oath to Tell the Truth

Chairman Balzer asked those persons who wanted to speak for or against the Applications for Zoning Amendment to stand and swear to tell the truth in accordance with the oath as recited by him.

B. Application 165-RZ-03

Applicant: G. S. LLC

c/o John P. Kennedy, Esquire  
Crabbe, Brown & James LLP  
500 South Front Street, 12<sup>th</sup> Floor  
Columbus, OH 43215  
(614) 229-4551

Owner: G. S. LLC & Moraitis Land Company LLC

Location: 7888 West Broad Street and  
Parcel No. 240-000018  
Galloway, OH 43119  
(Between Amity Road and Darby Creek Drive to the west and north of West Broad Street)

**PRAIRIE TOWNSHIP ZONING COMMISSION  
MINUTES OF THE JUNE 24, 2003 MEETING  
TUESDAY – 7:00 P.M.**

Rezoning: Rural to R-6 and GB

Acreage:

Acres	Current Zoning	Requested Zoning
153.4	Rural	R-6
26.9	Rural	GB
Total 180.3		

Mr. Strunk presented the Application for Zoning Amendment (“Application”), visually illustrating the subject property and highlighting key details with computerized slides.

During his commentary, Mr. Strunk pointed out that although the Township has authority over zoning, the Franklin County Planning Commission has the final word over plat approval before anything can be built.

Following Mr. Strunk’s presentation, Mr. Kennedy showed and explained the development plan to the public and to the Zoning Commission. Because it would be more in adherence with the development principles in the *Prairie Township Comprehensive Plan*, Mr. Kennedy said that initially a request for a PUD district had been considered. However, because of the complex and costly development plan procedures required for PUD approval, and the fact that approval is for a period not to exceed five years, a decision was made to ask for R-6 zoning.

Mr. Kennedy emphasized that even if the R-6 zoning was approved, development as conceptualized was dependent upon centralized water and wastewater treatment systems being available to the location, and that acquiring centralized utility service was largely dependent upon the number of houses to be served. In order to be economically feasible, the enormous expense for such a project will have to be spread over many rooftops.

Chairman Balzer asked if there was anyone among the public who wanted to speak “for” the Application for Rezoning. No person stood to be heard. Chairman Balzer then inquired if there was anyone who wanted to speak “against” the Application.

**PRAIRIE TOWNSHIP ZONING COMMISSION  
MINUTES OF THE JUNE 24, 2003 MEETING  
TUESDAY – 7:00 P.M.**

Public Comment

Speaker: Becky Miller, 387 Amity Road, homeowner.

Comments: Mrs. Miller stated that she became aware of the public hearing on the Application by reading the sign posted on the property. She questioned the notification process and wondered why she had not received a letter from the Township. Mrs. Miller expressed the following concerns:

- Increase in traffic on roadways near the development area, in particular Amity Road, that are not built to handle a greater volume of vehicles;
- Business area too close to the residential area;
- Housing density too high and not consistent with surrounding suburban style residential;
- Proposed construction not consistent with the quality, size and, value of the majority of the surrounding homes; and
- Potential for standing water problems.

Speaker: Mary Boggs, 429 Amity Road, homeowner.

Comments: Mrs. Boggs expressed her concern about stormwater runoff and drainage problems associated with high-density development in the area.

Speaker: Mark Brownson, 435/431 Amity Road, pastor of Amity Road Evangelical Church

Comments: Mr. Brownson stated that he was not anti-development but that, as a good neighbor, he favored a development with higher priced homes and less density per acre than as proposed by the applicant, and the even higher density as permitted by R-6 zoning. He said that the church's neighbors deserved a better development.

**PRAIRIE TOWNSHIP ZONING COMMISSION  
MINUTES OF THE JUNE 24, 2003 MEETING  
TUESDAY – 7:00 P.M.**

Highlights of Remarks by Mr. Distelhorst and Ms. Moffitt

- No factual information is currently available with respect to Ohio-American Water's plans and requirements for extending centralized sanitary sewer and water service in the Township beyond its current boundaries. To the best of the Zoning Commission's knowledge, Ohio-American Water has not performed an engineering study to determine the feasibility of bringing additional water and sewer service to the Township, and has made no commitment to the Township regarding utility service. Whether centralized wastewater treatment and water systems will be made available on a significant scale to the Township is tenuous, and hearsay about its extension is not a reliable basis for objective decision-making.
- No factual information is currently available with respect to the status of the Township's appeal to the Ohio Environmental Appeals Commission challenging Columbus' regional sewer plan. Until this appeal is resolved, speculation about centralized water and sewer becoming available to new development areas, as well as to existing homeowners, is premature.
- The land to be developed is located within the watershed of the Big Darby Creek, an environmentally sensitive area that should be protected from imprudent development.
- The site plan calls for 506 single-family homes to be built on 155 acres, less park and detention areas and open space, with 3.3 dwelling units per acre. However, R-6 zoning, once approved, provides the potential for up to six houses per acre.
- The *Prairie Township Comprehensive Plan* ("Plan"), as adopted by the Zoning Commission (May 27, 2003), calls for one house per acre on much of the land near the Hellbranch Run tributary of Big Darby Creek. The proposed development would have a real density in excess of 3.3 houses per acre, which is not consistent with the land-use plan.
- NOTE TO THE PUBLIC: the Board of Trustees amended the *Plan* to allow more than one house per acre when they adopted it (June 11, 2003).

**PRAIRIE TOWNSHIP ZONING COMMISSION  
MINUTES OF THE JUNE 24, 2003 MEETING  
TUESDAY – 7:00 P.M.**

- The proposed development is an example of conventional subdivision platting. It does not represent conservation development. The *Comprehensive Plan* envisions future development that seeks to preserve open space, discourage wall-to-wall subdivisions, foster high quality site design, and encourage a more diverse housing mix.

Motion on Application

Chairman Balzer inquired as to whether there were other persons who wanted to address the Zoning Commission. As there was none, he called for a motion on the Application.

Neil Distelhorst made a motion to deny Application No. 165-RZ-03 and recommend against approval by the Board of Trustees. Hulda Moffitt seconded the motion.

Chairman Balzer called for a vote on the motion:

Motion to Deny Application No. 165-RZ-03	
1. Neil Distelhorst	Yes
2. Hulda Moffitt	Yes
3. Glen Hymer	No
4. Joyce Benedetto	No
5. Howard Balzer	Yes

Chairman Balzer broke the tie and announced the vote. A majority voted “yes” on the motion; therefore, the Application is denied, and a recommendation against approval will be forwarded to the Board of Trustees.

Action by Board of Trustees

Mr. Distelhorst informed the public that the Zoning Commission’s decision to deny the Application could be overridden by a three-to-zero vote by the Board of Trustees.

**PRAIRIE TOWNSHIP ZONING COMMISSION  
MINUTES OF THE JUNE 24, 2003 MEETING  
TUESDAY – 7:00 P.M.**

Highlights of Remarks by Ms. Benedetto and Mr. Hymer

Chairman Balzer recognized Ms. Benedetto and Mr. Hymer who wanted to explain to the public why they voted “no” to deny the Application.

- The proposed development is preferable to surrendering more land to Columbus. Annexation is a real threat and would take land and tax dollars out of the Township.
- The proposed development is preferable to more apartments, condominiums, and starter homes, which are already too widespread in the Township, being built on the land.
- There are 14 months remaining on the two-year moratorium on extension of sanitary sewer services by Columbus in a district designated as an “Environmentally Sensitive Development Area,” which includes the vast majority of the Big Darby Watershed within Franklin County. Although the Hellbranch Run protection plan affects only land in Columbus, the City could be using an environmental pretext to give it time to further secure the exclusive right to control sewer service in central Ohio.

C. Application 163-RZ-03

Applicant: New Frontier Real Estate Development LLC  
 c/o John P. Kennedy, Esquire  
 Crabbe Brown & James LLP  
 500 South Front Street, 12<sup>th</sup> Floor  
 Columbus, OH 43215  
 (614) 229-4551

Owner: New Frontier Real Estate Development LLC

Location: Parcel No. 240-002534 and Parcel No. 240-002535  
 Galloway, OH 43119  
 (East of Amity Road, north of West Broad Street, and south of the Conrail tracks)

Rezoning: Rural to R-6

Acreage:

Acres	Current Zoning	Requested Zoning
67.73	Rural	R-6

**PRAIRIE TOWNSHIP ZONING COMMISSION  
MINUTES OF THE JUNE 24, 2003 MEETING  
TUESDAY – 7:00 P.M.**

Mr. Strunk presented the Application for Zoning Amendment (“Application”), visually illustrating the subject property and highlighting key details with computerized slides.

Because part of the acreage within the proposed development area is within the 100-year floodplain, Mr. Strunk pointed out that Township zoning regulations do not permit any construction in or alternation of a floodplain, such as allowing a developer to use dirt fill-in in order to build in the floodplain.

Following Mr. Strunk’s presentation, Mr. Kennedy showed and explained the development plan to the public and to the Zoning Commission. He stated that his remarks in the prior Application about centralized water and sewer in the Township were also applicable to Application No. 166-RZ-03.

The development plan for this subdivision calls for 181 homes to be built on nearly 68 acres with 2.8 dwelling units per acre. All the proposed building lots will be outside the floodplain.

Public Comment

At the conclusion of Mr. Strunk’s presentation, Chairman Balzer called for comments from those who wanted to be heard “for” and “against” the Application.

Speaker: Becky Miller, 387 Amity Road, homeowner.

Comments: Mrs. Miller asked questions and expressed concerns with respect to:

- Policies that govern Columbus’s ability to annex land.
- Availability of water and wastewater treatment services; and
- Availability of an effective stormwater plan.

**PRAIRIE TOWNSHIP ZONING COMMISSION  
MINUTES OF THE JUNE 24, 2003 MEETING  
TUESDAY – 7:00 P.M.**

Highlights of Remarks by Mr. Distelhorst

In this Application, as in the other, centralized water and sewer is an open and critical issue; however, this development plan is more acceptable than the other because the:

- Scope is smaller, fewer lots and less acreage;
- Density is less, fewer dwelling units per acre;
- Conservation style approach is more evident because of the requirement for the developer to stay out of the floodplain.

Following some general discussion among the public, Chairman Balzer asked if there were other persons who wanted to address the Zoning Commission. As there was none, he called for a motion on the Application.

Motion on Application

Neil Distelhorst made a motion to approve Application No. 166-RZ-03 and recommend for approval by the Board of Trustees. The motion was seconded by Howard Balzer and unanimously approved.

Motion to Approve Application No. 166-RZ-03	
1. Howard Balzer	Yes
2. Joyce Benedetto	Yes
3. Neil Distelhorst	Yes
4. Glen Hymer	Yes
5. Hulda Moffitt	Yes

Adjournment: Chairman Balzer adjourned the meeting at 9:00 p.m.

Next Meeting: The next meeting of the Zoning Commission will be Tuesday, July 22, 2003 at 3:00 p.m.

Submitted by: Hulda Moffitt, Clerk

E-mail Address: [hmoffitt@columbus.rr.com](mailto:hmoffitt@columbus.rr.com)