

July 16, 2024

Sent Via Email Reply

Concord Township Zoning Commission
Concord Township Board of Trustees
Administration Building
6385 Home Rd.
Delaware, OH 43015

Re: Response to Public Comment on Application ZC022024

To: Concord Township Zoning Officials,

We would like to offer some written clarification of the subject application for rezoning of the proposed 36.83 acre Planned Commercial District (PCD) property for The Emerald Farm.

We are in receipt of public comment from Brett & Terri Allen (4920 St. Rt. 257 South), Dave & Melissa Hawk, (4916 St. Rt. 257 South), and Johnny Stoychef (4912 St. Rt. 257 South). The following is a response to the comments made via e-mail, dated July 3, 2024.

***Neighbor Comments:** The March 2024 revision to the original application indicates a dramatic increase of commercial zoning from approximately 8 acres to 36 acres of commercial zoning. What necessitates this substantial increase? This leaves approximately 5 acres which will not be zoned commercial. What is intended for the 5 acres of noncommercial zoning?*

Applicant Response: The original intent was to minimize the “commercial” area dedicated to the banquet facility to only what was not agriculturally exempt but, after conversation with the township’s legal counsel and zoning officer, it was determined that this was problematic for compliance with the PCD zoning and enforcement. It is difficult to draw a line between the agriculturally exempt uses of this property and the proposed use of the large horse barn for wedding activities since they share access and parking. As a result, the township legal counsel asked the applicant to propose rezoning of the entire acreage for The Emerald Farm’s use.

The agricultural and commercial activity associated with The Emerald Farm will be limited to the new improved entrance to State Route 257. Since this property will no longer be used for residential purposes, as the old house gets renovated into offices and hospitality center, leaving five (5) acres along the shared driveway will leave the possibility that a single residential home may utilize the shared driveway in the future. The applicant has no plans to build on this lot today, but to simply maintain it as additional open space as it has been used in the past. It will be planted with additional screening. The current gated access on the drive will be used for occasional maintenance

and be maintained as emergency access to provide a second way in and out of this property. Additionally, it will provide alternative emergency access for residents on the current common access driveway, if ever needed.

Neighbor Comments: *The current gravel road, to the north of the proposed ranch, is contiguous to all of the homeowners. It is currently not maintained and has not been maintained for years. There are unsightly high weeds between the road and the existing fence, and a very large dead limb over the road near the main entrance of the driveway posing a dangerous situation. Page 18 of the Stallion Ranch booklet states that the existing road maintenance will be provided according to "historical precedence". Please clarify your perspective of the meaning of "historical precedence" and responsibility for the maintenance of the road.*

Applicant Response: As soon as the owners purchased the property last August, they applied two (2) truckloads of gravel and made efforts to remove weeds, which they will continue to do in the future. They inquired about a larger foundation fix to the driveway to remove washouts and potholes along the driveway. It was determined that the driveway may need to be closed in phases to allow for reconstruction (improvement) of the common access driveway. This will be more practical after the new improved access to The Emerald Farm is constructed. Once the new access drive is ready, they plan to work with neighbors to schedule repairs to the existing driveway to address these neighbor concerns that the applicant also shares. The concerns of a specific limb they can plan to meet onsite and address. It is our client's acknowledgment that they will continue to maintain the driveway as a "residential" common access driveway with increased access for emergency services in the future.

Neighbor Comments: *Another concern is the potential impact on transportation needs for those of us along the lane. All of us are dependent upon this gravel road to access our homes. The Stallion Ranch describes potential wedding events which would not end until 11:00 PM with another hour listed as an allowance for cleanup. We believe that arriving or departing traffic could back up along St. Rt. 257, potentially limiting or blocking access to and from St Rt. 257. It is our understanding that ODOT is currently considering the logistics of a new access road heading directly into the Event Center located between the existing gravel lane and Thompson Lane. What is the current ODOT status of this new proposed driveway? Is there a back-up plan if this request is not approved?*

Applicant Response: We are currently working with ODOT for the new access driveway and after addressing their concerns, they have indicated that this +/- 36-acre property with The Emerald Farm needs to be separately deeded for this access driveway to be approved. The traffic study indicated the need for a left turn lane that will also be required with this proposed driveway. We are confident that this new driveway, as a condition of the rezoning, shall provide sufficient access, so as to not require any use of the current driveway for The Emerald Farm's activities. Since this proposed rezoning includes a commitment to compliance with the submitted development plan, use of this driveway for anything other than a potential single-family house and emergency access will be strictly prohibited in the future.

***Neighbor Comments:** The level of noise is another meaningful concern for all residents, as this area has represented a quiet place for many decades. Events lasting until 11:00 PM with bands or other groups performing until that hour are of potential concern. There is a conflicting issue which we have observed regarding noise. Current township requirements limit such events and associated noise to 10:00 PM. The Stallion Ranch booklet identifies the event closing time as 11:00 PM, page 14. How does the Stallion Ranch intend to handle this discrepancy of the township noise limit requirements and potential noise issues? All outdoor events will follow current township requirements.*

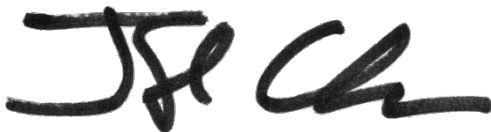
Applicant Response: We agree to comply with the noise ordinance and make any necessary adjustments to the comments made in the development text. All indoors event noise will be limited to ensure compliance and we can stipulate that any outdoor activities are similarly restricted to ensure compliance. Signs can be posted to further stipulate compliance with guests. Any event or guest who violates this ordinance may hold the applicant in violation of the development plan and we realize this may come with enforcement measures from the township, so we will take all cautionary measures recommended to ensure compliance. It is our hope that this use will be as compatible with the surrounding neighborhood as the horse farm has been in the past.

***Neighbor Comments:** The ranch area is approximately 42 acres. This has always provided a significant space for wildlife of all types. With respect to the growing reality of habitat loss, we strongly wish to preserve our wildlife, and hope that the Stallion Ranch will do everything possible to continue with the tradition of the lane.*

Applicant Response: We are all in agreement with this statement as well and feel that this proposed use will do well to protect wildlife versus the potential to develop this property into single-family residential lots, as permitted in the current zoning. This site is unique and has many amenities that are attributed to wildlife and natural resource preservation.

We look forward to a dialogue on these topics and to otherwise addressing the application with the Zoning Commission and any neighbors in attendance this evening! We are happy to provide any additional information or clarification to help highlight the great Thank you!

Sincerely,

A handwritten signature in black ink, appearing to read 'JFC', written in a cursive style.

Joe Clase, AICP
Principal

cc: Brett & Terri Allen, Dave & Melissa Hawk, and Johnny Stoychef