



CITIZENS FOR THE PRESERVATION OF CARROLL, OHIO

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November 19, 2019

Fellow Citizens of Carroll:

I am very proud to announce the formation of CITIZENS FOR THE PRESERVATION OF CARROLL, OHIO (CPCO). CPCO is a nonprofit organization dedicated to preserving the history, nature and character of the Village of Carroll and surrounding areas. We are opposed to irresponsible and overreaching development that does not promote the general welfare of all. CPCO will work to preserve the Village of Carroll and surrounding areas by opposing the current rezoning and development plan for Jackson Farm.

### **The Proposed Development**

The Jackson farmland was annexed into the Village of Carroll in 2016 and the land is currently owned by Carroll Property Partners, LLC (CPP). CPP and its developers (Celmark and G2) submitted a Planned Unit Development (PUD) proposal to the Village of Carroll for the development of Jackson Farm.

The proposed PUD is a massive and comprehensive development plan that includes: several hotels, multiple apartment buildings, nearly 100 small residential homes, strip malls, large chain retailers, offices, outpatient treatment facilities (e.g. drug treatment and mental health), call centers, collection agencies, funeral homes, restaurants, residential care facilities, and much, much more.

CPCO believes that the proposed development, if implemented, will have far-reaching and everlasting **NEGATIVE CONSEQUENCES** for the Village of Carroll and the surrounding areas. We believe very strongly that this PUD will lead to:

- a dramatic increase in all types of crime - a massive influx of opiates and other drugs into the Village, schools and surrounding areas, human trafficking and other crimes against children, as well as an increase in violent and property crimes
- overcrowded schools
- all homes in the area suffering an immense reduction in value
- an increase in pollution, noise and traffic congestion
- a rapid depreciation of public roads and streets
- water management and sewage problems

In sum, the negative consequences to the Village of Carroll, local schools and surrounding areas will be far greater than any realized benefit from the proposed PUD.

## Legally Where Things Stand

THIS IS NOT A DONE DEAL. In connection with its proposed development, an Application for Rezoning was filed by CPP requesting that the land be rezoned commercial/residential. This land cannot be developed as proposed by the PUD if it is not rezoned. In order for the land to be rezoned the zoning board must conduct a public hearing on the matter. Think of the hearing as a trial. At the hearing, evidence in favor of the zoning change would be presented and evidence opposed would also be presented. At the conclusion of the hearing the zoning board either approves the rezoning or denies the application.

Often a zoning board and/or village council takes into account public sentiment and opinion, considers the negative impact on adjacent land owners and the surrounding area, and attempts to determine if the plan furthers the general public welfare by promoting the health, safety and morals of the public. Anyone who is affected by this development may appear at the public hearing (or zoning and council meetings) and give his/her opinion about the development and also testify to the effect it will have on them personally or financially.

HOWEVER, coordinated legal opposition supported by appropriate testimony must be presented at the hearing in order to defeat the rezoning application. If sufficient and appropriate legal opposition is *not* presented at the hearing, then the application for rezoning *will* be approved. It is not enough to simply have people show up and say, “I don’t like this.”

If the application is approved, then the issue is submitted to the Village Council who votes whether or not to approve or deny the zoning change by majority vote. If the rezoning is approved by Village Council, the council’s control over the development plan is essentially lost as the land is zoned pursuant to the terms of the approved PUD, and significant changes in the plan are not easily made.

In theory, a PUD allows developers, governmental bodies, and the community to evaluate, discuss and work together over a period of time to see if an appropriate development can be agreed upon. Typically, a rezoning hearing is not held until after a full and complete evaluation of the PUD is conducted. Unfortunately, it appears that there was little public knowledge or input regarding this PUD until very recently.

In this case of the Jackson Farm PUD, the preliminary plan was submitted on 9/16/19 and the rezoning hearing was scheduled for 10/23/19. Due to the efforts of a few brave citizens who attended the hearing, the hearing was not completed. On November 13, 2019 a public meeting of the zoning committee was held. At the meeting the PUD developers presented the proposed development plan. Those in attendance clearly and loudly voiced their complete displeasure with the proposal. However, this is not enough. THERE IS STILL WORK TO BE DONE.

## **What We Are Doing**

THIS IS A LEGAL BATTLE. It is the intention of CPCO to appear and oppose the rezoning at the next scheduled public hearing. We have assembled a legal team to represent us and others at the hearing and beyond (if necessary). We are undertaking a comprehensive evaluation of all legal strategies to employ. We are also planning for and evaluating MULTIPLE forms of litigation and appeals that can be taken if the zoning change is approved. This is not the time or place to discuss the details of our legal strategy, but we will update you as we progress.

## **What We Need**

TIME TO STOP TALKING AND START CONTRIBUTING. In order to fight a legal battle, one needs lawyers. Our lawyers (other than me) do not work for free and we primarily need money for attorney fees. We also need money to raise public awareness and for evaluations, records, surveys, etc., all of which will be used to demonstrate the negative impacts of this PUD. This may be a costly battle, but it is one I believe we can win and one we must fight. We get one chance to stop this, and simply standing on the sideline or posting on Facebook will not accomplish what needs to be done. **Without sufficient funding the developers will win.**

HOW TO FINANCIALLY CONTRIBUTE: Ask yourself how much would you pay to preserve Carroll, Ohio if money was not an issue? Unfortunately, the financial realities of life make money an issue for all. We are asking those who can contribute, to contribute, and those who are blessed to enough to be able to contribute more, to do so. Contributions are being accounted for by our attorneys, but all funds are deposited into the CPCO bank account. We hope to have Paypal or other electronic methods available soon, but until then please:

Make check or money order payable to:

**“CPCO” or “Citizens for the Preservation of Carroll, Ohio.”**

Mail to: **CPCO  
c/o McTigue & Colombo, LLC  
545 East Town Street  
Columbus, Ohio 43215**

Suggested contribution levels: \$250 / \$500 /\$1,000

HOW TO DONATE TIME. If you feel you have expertise or experience that would be of benefit to us, if you are willing to help with fund raising, or you just want to donate your time, WE WANT YOUR HELP.

If you would like to help, you may contact any of the following, or come to one of our meetings:

Andrew Stevenson: (740) 653-0961  
Michael Frankhauser: (419) 345-8359  
Kyle Gleich: (614) 740-8328

Aimee Walton: (740) 225-6136  
Tyson Whitt: (614) 286-9633

WE OFFER OUR HELP. It is the intention of the CPCO that we will continue to work to preserve Carroll, Ohio and surrounding areas. To help achieve our mission, we are forming a sister organization, the Association for the Preservation of Carroll, Ohio (APCO). We have received interest from multiple individuals in joining and helping form this member-driven association. The objectives of both organizations will not be limited to just fighting the proposed PUD, but will also promote social welfare in the Village of Carroll and surrounding areas. If you are interested in participating in the formation of the APCO or in becoming a member, there will be an organizational meeting on Monday, December 2 @7:00 pm at 95 Market Street, Carroll, Ohio. You may also contact Aimee Walton (740) 225-6136 for more information. If you feel that we can be of assistance to a social welfare issue that is affecting you or Carroll, do not hesitate to contact us and we will gladly do what we can to help.

CLOSING THOUGHTS. I wish to thank the few very dedicated individuals who have worked so hard to get us up and running in such a short amount of time. Please know I have donated all of my time to this cause and have put my money where my mouth is by making the initial founding contribution to the CPCO. I believe in our efforts, and I could not look my children in the eyes if I did not do everything I could to preserve Carroll, Ohio.

Andrew H. Stevenson, Esq.  
President  
Citizens for the Preservation of Carroll, Ohio  
(740) 653-0961