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July 17, 2026 (revised Aug 23rd based on abatement data released by the City)

Members of the Worthington City Council
City of Worthington
6550 N. High Street
Worthington, OH 43085

RE: Formal Opposition to Ordinance No. 19-2026 - Rezoning 445 E. Granville Road (Boundless/Elford PUD 01-2026)

Dear Members of the Worthington City Council,

I am writing to express my formal opposition to the Boundless/Elford Planned Use District (PUD) proposal - Ordinance No. 19-2026. While I am supportive of responsible development in Worthington, this specific PUD proposal conflicts with Worthington's established zoning ordinances and the formally adopted Northeast Area Plan, and fails to align with documented community development priorities.

The objective data shows this PUD is the exact inverse of our community's goals. When evaluating the developer's application against the City's legal codes and the Worthington Together Community Choices survey, the disconnect is undeniable:

- **Environmental Stewardship:** Community Support Score: 4.37/5. **PUD Reality:** Requesting a $75,600 fee waiver to remove 135 mature trees.
- **Context-Appropriate Building Scale:** Community Support Score: 4.38/5. **PUD Reality:** 5x the footprint and 2x the roofline of adjacent single-family homes.
- **Fiscally Positive for the City:** Community Support Score: 4.04/5. **PUD Reality:** Requesting a 10-year, 75% tax abatement, creating a structural deficit.
- **Multi-Family Housing (Rental):** Community Support Score: 2.60/5. **PUD Reality:** High-density multi-family rental housing.

I respectfully ask the Council to review the following structural and fiscal facts regarding the application before casting your vote:

1. The Fiscal Deficit, Commuter Demands, and TIRC Transparency Objectives

The developer is requesting a 10-year, 75% CRA property tax abatement, **which will withhold over ~~$1.35 million~~ $743,000 in newly generated projected annual tax revenue from our city and schools**. Proponents will point out that the current tax-exempt non-profit site generates $0 in property tax. While the current tax-exempt site does not generate property tax, it also adds zero children to our schools and requires a fraction of the heavy municipal infrastructure demanded by 246 new apartments. Because high-density residential development adds new students to the district, this abatement requires Worthington Schools to absorb new operational costs while simultaneously abating the property tax revenue needed to fund them, **transferring the cost burden to existing taxpayers via future levies**. Even when accounting for post-pandemic 'Work at Home' tax capture scenarios, the City's own TischlerBise fiscal analysis proves that **100% residential development operates at an annual net loss for Worthington's General Fund**. Proponents claim that new residents will generate income tax receipts for the City. However, the City's 2026 Final Budget explicitly states: *"Worthington is largely a suburban community with only 6% of residents working in the city and 3% of the local workforce living here."* Statistically, 94% of the residents in these new developments will be outward commuters. Because Ohio municipalities grant credit for taxes paid to the city of employment, these new units will not generate sufficient income tax to offset their increased municipal service demands.

The application utilizes the City's Workforce Housing Abatement, a program intended to spur "mixed-use" commercial economic engines. Because the Elford proposal is 100% residential, it relies on an aggregation of pre-existing payroll of the institutional portion of the PUD retained by Boundless. **The developer uses the Boundless non-profit's existing $7.5 million payroll to satisfy the $5 million minimum commercial requirement to qualify for the abatement**. Furthermore, of the estimated $262,500 in annual income tax collections projected, $187,500 relies entirely on Boundless's existing payroll, meaning only $75,000 is generated by the promise of new payroll. While the developer's application suggests the expansion of 65-80 jobs on the adjacent non-profit Boundless parcel, the legal mechanics of the tax abatement do not require them to deliver. **Because the $5 million minimum payroll threshold is already satisfied by Boundless's pre-existing jobs**, the developer will easily pass the annual TIRC compliance reviews even if those promised new jobs never materialize. Using the non-profit's existing payroll to meet the commercial requirement for this tax abatement is inconsistent with the intended use of the Workforce Housing program.

The Franklin County Auditor, who chairs the Tax Incentive Review Council (TIRC), has stated that their office is *"committed to transparency and accountability regarding the various tax incentives to help residents understand how each incentive affects our neighborhoods and* *community."* Because the $5 million minimum threshold is already met by pre-existing employees, the annual TIRC compliance reviews do not provide a mechanism to enforce new job creation. The project will automatically meet compliance standards every year **without generating any new jobs**. Because the tax abatement is not legally contingent on new employment, this project is a market intervention, shifting the burden of municipal and school service costs onto existing taxpayers while subsidizing a private entity.

2. Massing and Inconsistencies with Zoning Codes

The developer proposes 246 units on a buildable footprint of just 11.2 acres. While they use a gross-acreage calculation across the entire 20.4-acre parcel to satisfy zoning math, this calculation obscures the functional intensity of the development. Clustering 246 units onto 11.2 acres of buildable land creates an **effective density of nearly 22 units per acre—significantly exceeding both Worthington's highest residential zoning of 14.5 units/acre (AR-3)** and the surrounding neighborhood density of 4–5 units per acre.

While PUDs are designed to offer zoning flexibility, that flexibility must be exchanged for a net-positive community benefit, and this PUD application does not. This concentration of density directly against an established neighborhood boundary fails to meet the legal requirements of **Codified Ordinance Section 1174.05, which mandates an "integrated and harmonious design" and an "appropriate transition in scale.**" While the developer contends that 2-story buildings with a 94-foot setback provide a structural transition, **these structures possess footprints five times larger and rooflines more than twice the height of the adjacent Colonial Hills homes**. This scale and density ratio do not constitute an "appropriate transition" and are inconsistent with the zoning code. While the developer may argue that a 94-foot setback exceeds the requirements of the parcel's previous S-1 Institutional zoning, a PUD application replaces existing zoning entirely. Therefore, the proposal must be judged solely on whether it achieves the 'integrated and harmonious design' mandated by the PUD code—a standard this massive scale disparity clearly fails.

3. Environmental Impact vs. Downstream Safety

The developer plans to pave over acres of permeable soil, remove 135 mature trees adjacent to the sensitive Rush Run riparian corridor, and request a full waiver of the codified $75,600 tree replacement fee. The Northeast Area Plan explicitly mandates that *"Rush Run should be preserved and enhanced as an open space amenity and natural riparian corridor."* Furthermore, the July 6, 2026 Regular Meeting Agenda Packet prepared by City Staff confirms that *"preservation of Rush Run was expected."* Despite these mandates, the application proposes high-density development and environmental fee waivers that conflict with these preservation expectations. The Northeast Area Plan explicitly warns that ***"accelerating heavy runoff toward***

the Rush Run corridor introduces significant high-flow erosion and flooding risks for downstream residential properties." While the developer may promise modern stormwater vaults, mechanical systems have capacity limits and long-term maintenance failure rates. Engineered stormwater systems do not replicate the absorption of mature timber and natural soil. Waiving the tree replacement fee forces the community to suffer the permanent loss of mature canopy without requiring the developer to fund the legally mandated environmental mitigation, contradicting the community's highest-rated guiding principle: Environmental Stewardship (4.37/5).

4. A Fundamentally Flawed Traffic Study

The developer's assertion that 246 new apartments will have a "negligible impact" on traffic congestion is based on a fundamentally flawed Traffic Impact Study. As highlighted by planning professionals during the public review process, **the baseline data relies on a single-day traffic count conducted on December 17, 2025—one week before Christmas, during winter conditions.** Using a single holiday-season data point is a severe methodological failure that does not accurately represent typical baseline traffic volumes on SR-161.

Furthermore, the study's trip-generation math contradicts standard residential patterns. The study estimates a mere 125 PM peak-hour trips from 246 multi-bedroom units—essentially **assuming that only one resident from half of the apartments will be driving during rush hour.** Even with these artificially suppressed numbers, the study projects failing Level of Service (LOS) D and E ratings for the intersection. The developer's proposed "solution" to this failing grade is not to fund physical infrastructure improvements, but to simply ask the City to "re-time" the traffic lights based on a seven-year-old 2019 signal study. The Council cannot in good faith satisfy its legal obligation to ensure this PUD will not disrupt neighborhood traffic patterns when the underlying data is this methodologically flawed.

5. Subsidizing a Low-Demand Housing Type

Proponents will likely cite the City of Worthington Housing Needs Assessment to argue that regional economic data demands more apartments. However, while regional housing needs undeniably exist, the City's own comprehensive planning documents dictate that high-density, multi-family rentals belong on major commercial transit corridors—not wedged against an established R-10 single-family boundary. Through the city's comprehensive Worthington Together initiative, the community explicitly established its baseline priorities. Environmental stewardship was ranked as a top priority (4.37/5), while high-density, multi-family rental housing received the lowest community support of any residential type (2.6/5). The developer is asking the Council to **ignore this documented city-wide sentiment and subsidize a rejected housing model**, rather than highly supported alternatives like senior-friendly housing (4.1/5), which aligns with much lower municipal service costs.

While the developer attempts to shield this project behind a commitment to 'Workforce Housing,' the financial reality reveals a disproportionate taxpayer giveaway. The proposal dedicates 74 units to residents making 80% of the regional Area Median Income (AMI). However, because this metric is tied to the broader Columbus region rather than local municipal data, the **capped rents for these units will remain virtually indistinguishable** from standard market rates for new construction.

To subsidize these near-market-rate units within a $52.45 million development, **the developer is seeking a 10-year, multi-million-dollar property tax exemption**. By withholding projected annual tax revenue while simultaneously demanding the city and Worthington Schools absorb the heavy infrastructure and service costs of 246 new units, this project relies on a deliberate 'Baseline Fallacy'.

Furthermore, running the actual cost-per-unit math on this 'Workforce Housing' pledge reveals a profound failure in Return on Investment (ROI) for the taxpayer. By extracting an estimated ~~$13.5~~ 7.43 million in tax abatements and fee waivers to provide just 74 units at 80% AMI, the developer is asking the taxpayers to **subsidize these near-market-rate apartments at a rate of over ~~$183,000~~ $100,000 per unit.** To put this in perspective, under the City's own Workforce Housing Tax Abatement Program Guidelines, the penalty for a developer who chooses to 'buy out' of their affordable housing requirement is just $20,000 per unit. The Council should not consider a market intervention that pays a private developer nine times the City's own legal valuation to build them. This is not affordable housing; it is an unjustifiable corporate subsidy.

6. Conflicts with the Northeast Area Plan and Public Trust

Beyond the broader community goals, the formally adopted 2024 Northeast Area Plan (NAP) explicitly designates this parcel for 'low-density' residential use. By pursuing this project, the developer seeks to bypass both the community-wide priorities established in Worthington Together and the specific localized mandates set forth in the NAP. While City Staff has pointed out internal labeling inconsistencies in the NAP and requested an 'edit' to the plan to remove the low-density restriction, **it is inappropriate to retroactively amend a publicly adopted comprehensive plan to accommodate a specific high-density application**. On June 25, the Municipal Planning Commission compounded this issue by formally voting to recommend the 'edit' to City Council. When an inconsistency exists, the Council should default to the most community-protective interpretation, rather than rewriting the rules post-adoption to justify an effective density of 22 units per buildable acre. The community participated in that planning process in good faith; editing its guidelines after the fact to benefit a private developer severely undermines public trust.

7. The Permanent Loss of a Critical Public Asset

The Worthington School District has a documented infrastructure need for a new elementary school. According to the March 5, 2024, End of 3rd Quarter Update, the district made an "*aggressive, non-contingent cash offer 30% above the appraised value*" to buy 14.7 acres of the Boundless property, noting their plan fit the current institutional zoning. Boundless rejected this offer in favor of the speculative value of the property contingent on a zoning change. By approving this residential PUD, **t**he City permanently eliminates a viable, code-compliant public asset that requires zero tax abatements and consumes zero residential municipal services, replacing it with a subsidized private development that will place unfunded capital demands on municipal infrastructure and taxpayers. While Boundless has the right to sell their land to a private developer rather than the schools, the City Council has no obligation to make that private transaction more profitable by granting zoning variances and taxpayer subsidies. Superintendent Trent Bowers explicitly addressed the tactic of using housing targets to justify structural deficits in his February 17, 2026 update, stating: *"While raising questions about abatements can be misinterpreted as opposing affordable housing or community growth, it's not that simple, and it's certainly not our intent."* Questioning a permanent structural deficit is an act of fiscal prudence, not an objection to housing.

8. Overwhelming Public Rejection & MPC Dissent

The local opposition to this PUD is not a matter of anecdotal opinion; it is a matter of documented record, sustained across multiple platforms of civic engagement. The community's rejection of this proposal is empirically overwhelming, evidenced by a **94% rejection rate in the neighborhood survey** (432 opposed versus 27 in favor). This **16-to-1 margin of opposition** is consistently reflected in the public record of the Municipal Planning Commission (MPC). During the June 25th public hearing, approximately **80% of the citizens who provided spoken testimony on the record (21 out of 27 speakers) articulated clear, data-backed opposition** to the project's density, scale, and traffic impact.

Despite this massive community consensus, the MPC moved to recommend approval in a split 4-1 vote. MPC Vice-Chair David Foust, who cast the sole dissenting vote, stated on the record: '***Listening to everybody here tonight, there are so many people who have expressed concerns, and those concerns are a wide range of concerns, that I don't think this should go to City Council with a 5-0 recommendation... I think there should be at least one no vote in here to indicate to Council that there are concerns outstanding out there*.**' We invite the City Council to recognize that a 4-1 committee vote—achieved only by bypassing the overwhelming 16-to-1 rejection rate of the residents—is not a mandate for approval. It is a sign of a procedural failure that requires this Council to exercise its oversight authority, acknowledge the clearly documented will of the community, and resolve these outstanding fiscal and zoning deficiencies before any further action is taken.

9. A Constructive Alternative: What the Community Supports

The opposition to this PUD is not an opposition to growth or affordable housing; it is an opposition to an unbalanced financial model and extreme density. The community would welcome a development that actually achieves three baseline standards:

- **True Fiscal Solvency:** Adhering to the 2024 Northeast Area Plan’s call for a mix of 'Class-A office, residential, and institutional' uses by including actual, new commercial/office space to generate the high-yield income taxes required to offset residential service costs.
- **Code-Compliant Density:** Scaling the density back to Worthington’s legal residential limits (AR-3, ~14.5 units/acre) to provide genuine architectural transitions, rather than placing 22 units per acre against 4 units per acre single-family homes.
- **No Taxpayer Subsidies:** Delivering a viable market solution that does not require 10-year property tax abatements or $75,600 environmental fee waivers.

Conclusion

As demonstrated by neighborhood rejection, the overwhelming opposition in MPC public comments, and the city-wide Worthington Together data, this proposal is fundamentally misaligned with our community's priorities.

The application fails on three critical fronts: it ignores the legal standard for "harmonious design" mandated by Codified Ordinance Section 1174.05, conflicts with the 2024 Northeast Area Plan’s vision for low-density usage and riparian preservation, and relies on a payroll loophole to capture a tax abatement without creating new commercial revenue. Furthermore, the developer’s refusal to meaningfully amend the proposal in response to community feedback, coupled with the Municipal Planning Commission’s approval process despite overwhelming opposition, represents a profound procedural failure. It is now the Council's responsibility to realign this project with community needs and fiscal realities.

In closing, following our community's successful defense of municipal zoning authority—upheld by the U.S. Court of Appeals for the Sixth Circuit in January 2026—City Council possesses full discretion to deny discretionary rezoning requests. I urge the Council to exercise that authority, reject the Boundless/Elford PUD in its current form, and uphold the following priorities:

- **Protect Fiscal Integrity:** Deny tax abatements that create permanent structural deficits and shift costs onto existing taxpayers.
- **Enforce Zoning Standards:** Require a project design that offers an appropriate, harmonious transition in scale, consistent with the surrounding neighborhood.
- **Respect Public Planning:** Uphold the 2024 Northeast Area Plan's mandates for this property.
- **Prioritize Community Consensus:** Ensure future developments align with the housing types and environmental goals prioritized by Worthington residents.

Worthington must prioritize community-derived empirical data and fiscal prudence. This vote is an opportunity to honor the documented will of the community and safeguard our municipal and school infrastructure.

Sincerely,

/s/ Martin R. Shumway

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