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PLANNING AND ZONING COMMISSION

MEETING MINUTES

FEBRUARY 21, 2013

AGENDA

CASES

1. **Coffman Reserve PUD** **Coffman Road**
12-066Z/PDP/PP **Rezoning/Preliminary Development Plan**
(Approved 7 – 0 - Rezoning/Preliminary Development Plan) **Preliminary Plat**
(Approved 7 – 0 - Preliminary Plan)

2. **Tartan Ridge, Section 5 Part 2** **7610 McKittrick Road**
12-089FDP/FP **Final Development Plan/Final Plat**
(Approved 7 – 0 - Final Development Plan)
(Approved 7 – 0 - Final Plat)

3. **BSC Office Residential District – Vrable Skilled Nursing** **4500 John Shields Parkway**
13-002 FDP/FP **Final Development Plan/Final Plat**
(Approved 6 – 1 - Final Development Plan)
(Approved 6 – 1 - Final Plat)

Chair Chris Amorose Groomes called the meeting to order at 6:30 p.m. and led the Pledge of Allegiance. Other Commission members present were Richard Taylor, Amy Kramb, Warren Fishman, John Hardt, Victoria Newell, and Joe Budde. City representatives were Claudia Husak, Gary Gunderman, Dana McDaniel, Jennifer Readler, Jennifer Rauch, Aaron Stanford, Barb Cox, Jean Ellen Willis, Alan Perkins, and Libby Farley.

Motion and Vote

Mr. Taylor moved to accept the documents into the record as presented. Ms. Kramb seconded the motion. The vote was as follows: Ms. Newell, yes; Mr. Budde, yes; Mr. Hardt, yes; Ms. Amorose Groomes, yes; Mr. Fishman, yes; Ms. Kramb, yes; and Mr. Taylor, yes. (Approved 7 – 0.)

Ms. Amorose Groomes asked if there were any corrections or amendments to the February 7, 2013 meeting minutes.

Mr. Taylor corrected on Page 5, Paragraph 5 of the draft February 7th meeting minutes, the word 'mute' to 'moot'. He said he did not think he said 'cockeyed' as reflected on Page 6, Paragraph 7. [Ms. Farley later checked the recording and he had used the word 'calculated' instead.]

Mr. Hardt amended Page 8, Paragraph 5, 'Signs shall be designed with a maximum of creativity and volume of materials and applications.' He amended on Page 10, "...it is not as though the adjacent neighbors... and corrected on Page 14, ...~~southeast~~ corner... to southwest corner; and on Page 18, the word 'varieties' to 'various'.

Ms. Kramb said that on Page 6, that she did not make the comment that was accredited to her. {After verification the comment was accredited to Ms. Newell.]

Motion and Vote

Ms. Newell moved to accept the February 7, 2013 meeting minutes as amended. Mr. Taylor seconded the motion. The vote was as follows: Mr. Budde, yes; Mr. Hardt, yes; Ms. Kramb, yes; Ms. Amorose Groomes, yes; Mr. Fishman, yes; Mr. Taylor, yes; and Ms. Newell, yes. (Approved 7 – 0.)

Communications

Claudia Husak pointed out that additional correspondence received by Planning after the packets were sent had been distributed to the Commissioners. She suggested there be a technology discussion during the Commission Roundtable. She mentioned that the next City Council and Planning and Zoning Commission Joint Work Session is scheduled for March 4, 2013 at 6:30 in Council Chambers.

Administrative Business

Ms. Amorose Groomes announced that the cases would be heard in the order of the published agenda. She briefly explained the rules and procedures of the Planning and Zoning Commission.

1. Coffman Reserve PUD 12-066Z/PDP/PP

Coffman Road Rezoning/Preliminary Development Plan Preliminary Plat

Chair Chris Amorose Groomes introduced this application requesting a new Planned Unit Development District for a residential subdivision with six single-family lots on 3.02 acres currently zoned R-1, Restricted Suburban Residential District. She said the Commission will need to make two motions for this application and both components will be forwarded to City Council for final approval.

Claudia Husak presented this application for a proposal that incorporates the existing home as Lot 1 in the PUD and on the preliminary plat. She said the proposed plan shows a new intersection off Coffman Road at the northern portion of the site and a new public road, Killarney Drive, will extend west from Coffman Road and provide access to proposed Lots 2 through 4. She said the road will end in a cul-de-sac in the western portion of the site with Lots 5 and 6. Lot 1 has a driveway off Coffman Road, which will remain with this proposal, and the vacant lot immediately north of the site will be able to access Killarney Drive should it be developed.

Ms. Husak said the proposal includes 0.29 acre of open space, with Reserve 'A' located between Lots 4 and 5 to provide an area for stormwater management. She said Reserve 'B' is 0.06-acre strip of land to the north of proposed Killarney Drive to preserve existing trees.

Ms. Husak said that Planning is recommending approval of the rezoning with preliminary development plan with the following condition:

- 1) That the development text be modified to require a minimum nine-foot tree lawn for street trees between the road and the sidewalk.

Ms. Husak said that Planning is also recommending approval of the rezoning with preliminary plat with the following conditions:

- 1) That the applicant ensure that any minor technical adjustments to the plat should be made prior to City Council submittal, including noting the open space ownership and maintenance responsibilities; and
- 2) That the applicant pay an open space fee in lieu of dedicating 0.1 acre of open space.

Gerry Bird, OHM Advisors, Architects, Engineers, introduced himself, James Barry, Bird & Bull, and Charles Ruma, Virginia Homes.

Ms. Amorose Groomes invited public comments regarding this application. [There was none.]

John Hardt noted that the Commission had received correspondence from a couple of neighbors. He said regarding their concerns, that the City had Noise Ordinances that dictated when work can be performed on the site. He said another resident was concerned about power interruptions. He asked if power was likely to be interrupted to the existing homes during construction.

Charles Ruma, Virginia Homes, said typically, they will not be losing power in this area for the duration of construction. He said cutting it off for an hour or so would be the extent of what would be needed to make the line extension.

Mr. Hardt noted that there was a provision in the proposed development text to modify the tree replacement requirements required by Code. He said that those kinds of modifications are generally sought and sometimes appropriated when there is a heavily wood site and relief from the tree replacement provisions are necessary to avoid some undue hardship. He said this site has plenty of room to plant trees, and there are not that many trees being impacted. He said he was not in favor of the requested modification to the provision in the development text.

Mr. Hardt referred to the development text architectural section and the provisions that allow aluminum and vinyl trim materials on the houses, which he did not support.

Amy Kramb noted that in the Planning Report, it said that trees above 24-inches will get replaced inch-per-inch, but in the text states that trees that measure six inches and larger in caliper will require one replacement tree for every tree.' She said that might be where there is confusion. She said it was not the typical 24-inch language used. She said she did not agree with all trees. Ms. Kramb said at a minimum, it should say 24-inch and larger trees needed the inch-per-inch replacement, however she always preferred smaller than that.

Ms. Kramb asked what would happen to the existing house that will remain if they want to make an addition or change it. She asked if they would have to meet the standard architectural requirements that are in the PUD text or would it default to Code.

Ms. Husak said they would be required to meet the standards of the PUD.

Ms. Kramb said she wanted to make sure that the resident knew that. She asked if that house was currently on well and a septic system, would it be connected to City services as part of this development.

James Barry, Bird & Bull, said the house currently has sewer and sanitary service.

Ms. Husak said that the property also had water service.

Ms. Kramb noted that the plans showed a well and septic system for the existing house.

Mr. Barry said they were old.

Ms. Kramb said that in the text, Street Access and Improvements – Adjacent Properties, it mentioned that there should be no vehicle pedestrian access to adjoining developments, except for a drive access to Lot 1 of Hemmingway Village from the proposed road. She asked where that would be located and would it be a road or just an access to one lot.

Mr. Barry indicated that the two lots north of the proposed road are already platted but they were proposing one driveway access to the contiguous lot that would come off of the proposed road and get one curb cut off of Coffman Road. He said they were eliminating one curb cut off Coffman Road.

Ms. Kramb asked how much maintenance the detention basin would take and if the six houses being forced to fund that in reality could maintain it.

Victoria Newell said she was not in support of the aluminum trim. She said she was also concerned about the detention area and how it would be maintained by the homeowners association.

Mr. Ruma said that they could take the aluminum trim material out of the text. He said that they do not use that material currently and they do not intend to use it. He said that their intention is to build to the Dublin Appearance Code.

Mr. Ruma said regarding maintenance of the dry basin, they are going to have some French drain type systems to keep the bottom dry, some simple natural grasses and some trees throughout the basin. He said regarding maintenance and upkeep, their intention is mowing to take care of the facility. He said the French drain design should alleviate concerns for major maintenance periodically.

Ms. Newell recalled past Commission conversations regarding the issue of dry basins ending up with mud at the bottom of them. She said because this is located in such close proximity to the other residences, aesthetically it needs to be well developed.

Mr. Ruma said it was not their first choice either, but the only other alternative would be to tie into the 66-inch storm sewer that would easily handle the capacity of the subdivision, but the Engineering Department did not want them to tie directly into that facility. He said that would be the cleanest, easiest way to handle the situation.

Richard Taylor commented that the requirement of a detention basin seemed like an undue hardship for a six-lot subdivision. He said if they are trying to make this look like everything else, there is no other retention basin within a mile of that lot.

Ms. Husak explained that was because the surrounding lots were approved and developed prior to Dublin's regulations.

Aaron Stanford said the applicant was trying to meet the Stormwater Code for quality and quantity control and EPA requirements for this site, and for both of those reasons Engineering is seeking some way for them to treat their stormwater. He said for those two reasons, tying in directly without treating the stormwater, from Engineering's standpoint was not an option because it would not meet the intent of the Code. He said that was why they guided the applicants to provide some sort of treatment.

Ms. Amorose Groomes asked if it was not an option because they did not want to do it or because it was impossible.

Mr. Stanford said it would not meet Code because it would not drain the stormwater and there would still be EPA requirements that he felt they could not meet by directly tying into it. He said previous plans seen by Engineering have shown an underground treatment system but because of cost and locations, he thought Engineering and the applicant backed away from that solution. He said that stormwater design is not so much the number of lots they are trying serve, but the number of acres they are disturbing and it has met both Dublin's and EPA thresholds.

Mr. Taylor said that given the size and shape of a couple of the lots, it looked like there might be a way to rearrange this in a different shape and still have six lots.

Mr. Stanford said those were definite options and there had been conversations about the ways that smaller treatment systems could be spread out across the site to lessen some of the impacts, especially visually. He said however, this is the option that was proposed, and it meets the requirements. He explained there were other ways that they could have this treated and still meet the Codes of Dublin and the EPA requirements, but this is what has been proposed.

Mr. Taylor said he understood about both sets of rules, but as far as Dublin is concerned, we are not treating the water for several hundred houses in this area. He asked what made more economic sense to Virginia Homes to spend more money to build a more elaborate treatment system and to pick up a lot and a house build, or to do this relatively inexpensive method and lose a lot.

Mr. Ruma said if they could put in a treatment facility, tie into the 66-inch storm sewer, and add another lot to the community, it would obviously be more economical and feasible.

Mr. Taylor asked if setting aside cost, would an underground treatment facility satisfy Dublin's Code and the EPA requirements.

Mr. Stanford said it could if it was designed appropriately. He said an issue with the previous design was that they were locating this underground system underneath the pavement and there were issues with maintenance and in the long term getting in there. He said there were maintenance provisions necessary for those types of units. Mr. Stanford said location being an issue, yes, there was a way to go through and look at them and provide that system, but they would not want it located underneath a public roadway.

Mr. Taylor encouraged the applicant to explore that further. He said he would rather see a house than a pond.

Ms. Husak pointed out that Planning's concern is that all of these things affect other things. She said from the start, Planning had a concern about building a home on this lot which is now shown as a reserve with a driveway and sufficient space to do something in the back yard, and tree preservation along the northern property line was a concern. She said this became important causing the road to shift down, causing the lot to get even smaller.

Mr. Taylor said if every option been explored and this was the only one that everyone agreed to, then it is what it is, but if not there is another way to do this that gets another lot, he would not have a problem with exploring that further.

Mr. Hardt said that underground storage facilities, aside from the cost implications, require a significant amount of maintenance. He said he was not sure he was convinced that a six-house homeowners association would have the funds to properly maintain something like that.

Ms. Newell said if they explore that option of looking at other storm drainage that for guidance of a homeowners association, she thought they are going to need some clear written text that describes how they need to maintain them. She said she did not think Reserve 'A' would be readily buildable with a number of constraints. She said she liked the idea of having the open area. Ms. Newell said she thought it could be a nice amenity, but her concern was that it is treated well so that it really is an amenity and it does not just become a dry ditch. Ms. Newell said with additional landscape plantings that can be achieved in a sense that they can accommodate the wet conditions is necessary. She said there should be more than a little grass and some trees.

Mr. Ruma said that they had some tree replacements, so he was sure they could plant some trees there.

Warren Fishman noted that the six lots were isolated. He asked where the bike path system was located.

Ms. Husak said that there is a sidewalk and a bikepath on Coffman Road.

Mr. Fishman asked if the two lots to the north owned by Virginia Homes would be a part of the homeowners association.

Mr. Ruma said they were platted as part of Hemmingway Village and would not participate in this homeowners association.

Mr. Fishman said he was not in favor of another lot, but he saw the frustration with the reserve because with six lots to maintain there would be a high association fee. He said if there was an entrance feature, it would have to be maintained by the association also. He suggested that there be a tabling to see what can be done about the dry basin.

Mr. Ruma said that their options were to tie directly into the storm system, as it exists today, or to come forward with some kind of dry basin. He said they would go on whatever directive the Commission and Engineering Department would like them to pursue. He said they were happy to entertain whatever is best for the City and the development.

Mr. Taylor referred to the Architecture – Trim Materials in the development text, and asked if they agreed to eliminate vinyl as well as aluminum as permitted trim materials.

Mr. Ruma agreed to remove vinyl and aluminum trim materials from the text.

Mr. Taylor said in the same paragraph of the text about trim material, the line about shutters should be removed because it is already in the Appearance Code. He said the only things it should include are things that are in opposition of the Appearance Code. He referred to Plan Approval and asked if Virginia Homes was the developer.

Mr. Ruma confirmed that Virginia Homes would be the developer.

Mr. Taylor asked if there were approved standards in place.

Mr. Ruma said in regards to the product, that there were plan approval standards that would be part of the homeowners association documents.

Mr. Taylor asked when all six lots were sold, will the homeowners association have the responsibility for plan approval for additions and improvements.

Mr. Ruma said yes.

Ms. Amorose Groomes said regarding tree preservation, it seemed like we are very quick to jump into the train of thought that will forgive all of these trees and look the other way, and it has to be over 24-inches for us to think very hard about it. She said that she thought they were deviating too far from what has made our community the Tree City that it is. She said those trees that we have required to be planted in these areas and the fees that have been paid in lieu of trees that are able to get on individual pieces of property has been used as the springboard for the City to plant throughout Dublin. She said if we cannot be green on one specific small place, we at least drive a stake into the ground to make the claim that we are going to be green holistically, and if it will not fit there, we certainly have other places in the City where trees will fit. Ms. Amorose Groomes said historically we have always taken those funds and planted elsewhere if we cannot get them on a specific site. She said that she did not know that we have planted this site to the extent that it can be planted. She said she sees a lot of area behind where the existing barn is located that could use a lot of tree plantings in those areas.

Ms. Amorose Groomes said she was not at all in favor of saying that trees between 6 and 24-inch caliper only count as the 2-inch caliper tree going back in the site. She said she did not see a great tree survey submitted, although the applicant did not have to for the preliminary development plan. She said we certainly had a long way to go on this before it becomes final, but there were 114, 6 to 12-inch trees on this property. She said the numbers add up quickly and we could get into hundreds of inches of tree caliper that are lost fast if we calculate the way in terms of a hardship. Ms. Amorose Groomes said she did not see a great hardship here. She said there were 8 trees that are 12 to 18-inch caliper and 4 that are 24-inch and over, so she was not in favor of abandoning what has made Dublin a Tree City. She said she thought we need to hold to that unless there are very extenuating circumstances, which she did not see here.

Ms. Amorose Groomes referred to the two lots purchased to the north and said she had some hesitation about the reserve being tucked into the back and it really not being an appreciable amenity to many individuals. She asked if there was any way that the stormwater could be stored on the front portion. She said she would like to pursue to see if maybe the stormwater could be handled there. She said she knew it would take a lot time to develop and look into it, but she would like to see that explored. Ms. Amorose Groomes said when there are severe storms and that water raises in the detention basins so quickly and it is tucked back where no one can see it, back in the middle of a neighborhood between two homes and there is little concern about safety.

Ms. Amorose Groomes reiterated that there was a lot of room to put trees on this property. She said she was more in favor of the fee-in-lieu and not forgiving those hundreds of caliper of inches that would be lost in this neighborhood. She said she thought what makes his neighborhood is the tree canopy.

Mr. Ruma said that 95 percent of the trees were going to remain and that they all were on the back perimeter of the property. He said there would be minimal tree removal.

Ms. Amorose Groomes said that without an actual tree survey, she could not count the number of trees. She said they might be able to get every caliper inch that they are removing back on the site. She said she did not want to throw this in and then have the chain saws appear. She said the 20-inch tree would only cost a 2.5-inch tree to put back and that makes them easy to cut down.

Mr. Barry said the property owner had planted almost the entire perimeter of this property 20 years ago with pine trees. He said the intent was to have a mature buffer for the adjoining neighbors and that the property that would be developed internal to the site. He said their intent was to preserve that perimeter of trees. He said what they are really impacting here are three beautiful pine trees towards the front, but after going back and forth with the staff on moving the road and that they had an existing house they had to work around with everything else, it became the best option to locate the road in this location and lose the three big trees, but their intent is to maintain the hundreds of pine trees surrounding the site.

Mr. Barry said that they looked at several other options, even offsite for a detention basin, including the lot to the north. He said they had a 66-inch storm sewer that crossed diagonally on the adjacent site to the north, so if because that is such a large storm sewer and it cuts diagonally, it limits their ability to put a house on that, a detention basin, and everything else that is needed.

Ms. Amorose Groomes asked how diagonally the storm sewer crossed the property.

Mr. Ruma indicated where it slanted toward the northeast. He said the 66-inch storm sewer was close to the surface, so they get to the basin by gravity and then from the basin to the pipe, and they did not have the clearances to cross anything.

Mr. Ruma said another potential option is if an easement could be granted on the lot to the north for a storage basin. He said it was not needed under pavement and could be under a grassed area adjacent to

the road with a small easement could be accommodated. He said however, they would have to have a waiver on capacity to do that.

Ms. Amorose Groomes said with respect to the trees, she saw that they will lose the three large evergreens there, but there is room for replacements.

Ms. Amorose Groomes invited public comments regarding this application.

Nancy Byron, 7056 Fitzgerald Road, said that the rear of her property abutted Lot 6. She said there was an existing storm sewer in her backyard. She said before the meeting it was not a concern. She said she spoke with Mr. Ruma who assured her that the plan was to make the drainage good enough on this development that the dry detention would stay dry most of the time and that it was there essentially to absorb a 100-year flood. She said her concern was that without houses in the field now, their backyard is soaked down toward the field and then the field soaks down toward her yard. She said as it is now, it is good design because there is not a lot of runoff. Ms. Byron said during heavy rains in the Spring they will get standing water in their backyard because the storm sewer cannot handle all of it. She said that was an issue she was worried about and she was very relieved to see that some drainage towards the back of the site was built into the plan. Ms. Byron said if it is moved towards the front, she was concerned that the asphalt and couple of houses' runoff will be running in her yard. She said she hoped that would be considered because her property is unusually sloped down.

Ms. Byron pointed out that if drainage is being considered near the street by Coffman with the proximity of the lot to the high school, there are many students that walk past that area that it might become an attractive nuisance or could be asking for trouble if it does become more of a pond than a dry basin.

Ms. Byron said she was happy when Mr. Ruma had told her that the existing pine trees that line the property would remain. She said she had alerted him that a few of them are dead or dying that probably would need to be taken care of at some time, but the thought of losing those would be very concerning to her as well. She asked if it was written anywhere that those perimeter pines would all stay for buffering except for the few discussed near the front. Ms. Byron said if it was possible to plant additional trees or even to re-grade some of that back area so if there is some runoff, it will not run into her yard that would be wonderful. She said if mounding between the pines would help keep the drainage in the field area, she would be willing to plant something to make it attractive.

Ms. Amorose Groomes said that the developer would be responsible for handling all their stormwater regardless of where the detention basin is located. She said the requirement will be upon them to get the water to the detention basin, so it is not terribly important where the basin is located because their job is to get the water to the basin. She explained that once this proceeds through the process, it will have to receive approval from the Engineering Department, and part of the standards is that they do not create water runoff onto adjacent properties. She said that the developer will have to prove that they are handling and capturing all of their own stormwater and dispersing it appropriately so that it does not come in the direction of the existing homes. She said that normally it is found that stormwater management is better after the development than it was before.

Ms. Byron said she was concerned that wildlife will be displaced into their yards when the construction begins. She said she had suggested to Mr. Ruma premeditated pre-construction trapping to eliminate and relocate those animals before they come into the existing yards. She said there were many, more destructive animals than field mice in this area.

Ms. Amorose Groomes said that typically did not fall under the Commission's domain.

Ms. Newell said the destructive rodents are in her neighborhood as well as all others and she did not think they would be getting worse with this development or go away.

Ms. Amorose Groomes encouraged the developer to work with the neighbors to do whatever they can to mitigate the impact on the wildlife.

Mike Kayser, 7080 Fitzgerald Road, asked if the dry detention basin would look similar to the one at Asherton by the pond. He said it now has trees grown up in it and mud almost level with the ground.

Ms. Amorose Groomes said that the problem was that these basins are built to become detention basins, meaning that they only detain the water for a short period before it is sent on its way. She said over the course of time, all of the perforated drain tile and all of that which takes the water away become silted and rodents build homes and then water is retained instead of sent away. She said that they are designed to detain and now they are retaining and there is really no good way to take care of them. She said detention basins not constructed properly turn into retention basins and that is when we have big problems. Ms. Amorose Groomes said there was a great detention basin in front of Bailey Elementary along Dublin Road that functioned fantastically. She said at Jerome High School, their detention basin has not been dry since the day it was constructed. She said that the Commission is trying to figure out how these things can be designed properly so that it serves as a detention basin and that was the concern with this application.

Mr. Kayser said he understood that if a house goes where the sewer line crosses diagonally on Lots 1, 2, and 3 in the future, it would be close to Coffman Road and not abutting his backyard.

Ms. Amorose Groomes said according to the drawings, the sewer had a 20-foot easement and there would be at least 8-foot setbacks from the property lines. She said it would be very difficult to get a house in the circle, but it has yet to be determined.

Bill Crecelius, 7088 Fitzgerald Road, asked if the lot behind his east property line would be developed.

Ms. Amorose Groomes said no information had been provided in this application of what is going to happen there.

Mr. Ruma said the two existing lots are about 200 feet in depth, they were platted as part of Hemingway Village in 1979, and they have never been built. He said their intention was to build a similar product on all lots.

Mr. Crecelius asked what would be the price range of the homes and what the exteriors would look like.

Mr. Ruma said for the record, their intent was to build product that is 2,400 to 3,500-square-foot in size ranging in price from \$375,000 to \$450,000. He said they all will be pre-sold homes with probably a spec home or two. He said their intent is to pre-sell these homes and the options will be determined by the customer.

Ms. Amorose Groomes invited additional comments regarding this application. [There was none.]

Motion #1 and Vote -Rezoning with Preliminary Development Plan

Mr. Taylor moved to approve this Rezoning and Final Development Plan because this proposal complies with all applicable review criteria and the existing development standards and approval is recommended with three conditions:

- 1) That the development text be modified to require a minimum nine-foot tree lawn for street trees between the road and the sidewalk;
- 2) That the aluminum and vinyl trim not be permitted in the development text;
- 3) That the repetitive language from the Appearance Code be deleted and that the development text be revised to not include a tree waiver.

Charles Ruma, representing the owner, Jack Eggspuehler, agreed to the conditions.

Ms. Newell seconded the motion. The vote was as follows: Mr. Fishman, yes; Ms. Kramb, yes; Mr. Hardt, yes; Mr. Budde, yes; Ms. Amorose Groomes, yes; Ms. Newell, yes; and Mr. Taylor, yes. (Approved 7 – 0.)

Motion #2 and Vote - Preliminary Plat

Mr. Taylor moved to approve this Preliminary Plat because this proposal complies with all applicable review criteria and the existing development standards and approval is recommended with two conditions:

- 3) That the applicant ensure that any minor technical adjustments to the plat should be made prior to City Council submittal, including noting the open space ownership and maintenance responsibilities; and,
- 4) That the applicant pay an open space fee in lieu of dedicating 0.1 acre of open space.

Charles Ruma, representing the owner, Jack Eggspuehler, agreed to the conditions.

Mr. Fishman seconded the motion. The vote was as follows: Ms. Kramb, yes; Mr. Hardt, yes; Ms. Newell, yes; Mr. Budde, yes; Ms. Amorose Groomes, yes; Mr. Fishman, yes; and Mr. Taylor, yes. (Approved 7 – 0.)

**2. Tartan Ridge, Section 5 Part 2
12-089FDP/FP**

**7610 McKitrick Road
Final Development Plan
Final Plat**

Chair Chris Amorose Groomes said the following application is a request for a plat and to develop 43 single-family alley lot within Subareas A, C and D1 of the Tartan Ridge Planned Unit Development. She said the 26.32-acre site is located north of McKitrick Road and west of Burnett Lane. She said the Commission will need to make two motions for this application and the final plat will be forwarded to City Council for approval and the Commission is the final authority on the final development plan.

Ms. Amorose Groomes swore in those intending speak in regards to this application including Charles Driscoll, Tartan Ridge LLC, and City representatives.

Claudia Husak said that the City Council and the Commission recently approved Tartan Ridge, Section 5, Part 1. She presented the proposed final plat for the site, north of McKitrick Road and east of Hyland-Croy Road continuing several streets within the Tartan Ridge development. She said the area also borders to the north, Glacier Ridge Elementary. She said a temporary detention basin was installed to the far north of the site by the applicant as part of Section 3. She said substantial tree rows are located in the center of the site, as well as along the McKitrick Road frontage there are two existing ponds in the southern portion, and a square 100-foot easement for underground Columbia Gas utilities surrounded by a chain link fence. She presented a map of the Tartan Ridge development showing the northern boundary, Brock Road, and the eastern boundary, Jerome Road. Ms. Husak said that in Section 5, Part 1, one of the first alley lots in Tartan Ridge was developed for a Parade of Homes model home. She said what remains in Tartan Ridge is 24 townhouse units and a commercial use at the corner of McKitrick Road and Hyland-Croy Road. She said there are a few single-family lots still needing to be platted.

Ms. Husak presented the final plat which included different types of lots in different subareas, finishing out development in many of the subareas. She said that there are more regular single family homes in the southern portion, continuing Enfield Trace, a public road going west, and along the school boundary, regular single family homes. She said in the center, within Subarea D-1, alley lots are shown that are required as part of the Tartan Ridge preliminary development plan.

Ms. Husak said that several reserves are being dedicated as part of the development. She said that Reserve 'R' to the south, continues a very large, passive area buffer from McKittrick Road that continues east to Jerome and wraps around. She said a center reserve preserves a tree stand and another reserve area that will not be dedicated to Dublin is a landscape island within the alleys for the alley-loaded homes. Ms. Husak said that landscape medians are on Baronet Boulevard located in the right-of-way, which will be owned by the City. Ms. Husak said that maintenance for all of the reserves are the responsibility of the homeowners association.

Ms. Husak said the final development plan conditions Planning is recommending include tree preservation incorporated in the open spaces, as well as around the existing ponds. She said that the City Forester has asked that within the landscape median for the alleys in which the applicant has incorporated visitor parking, the tree species be switched so as not to be the same as the street trees within that area. She presented a detailed drawing of the gazebo proposed as part of the central reserve near the pond which had a similar look and feel as others in Tartan Ridge. Ms. Husak said that the applicant has been requested to install a ribbon curb which is a flat curb that distinguishes the alley from the lot and aesthetically, gives it a little more separation as well as help prevent the asphalt from crumbling into the grass. She said that around the gas easement, the applicant has been requested to screen and landscape, which they have done. She said however, it should be finished out on the west side as well, thus the condition.

Ms. Husak presented a layout showing the typical alley lot. She said the homes are to be built by M/I Homes that has a similar product in the New Albany area. She said fairly large homes with three-car alley accessed garages to be built on small lots. She said the applicant provided evidence that there is ample room for vehicles to be parked within the driveways, particularly because there is a restriction against parking along Baronet Boulevard to the south. She said that the plan should also note that the alley traffic is one-way.

Ms. Husak said the development text requires the Commission to approve fences for the alley-loaded subarea. She said six-foot tall wrought iron fences are allowed in this area, generally located around the patios.

Ms. Husak said that the applicant has attempted to reconcile with Planning, the tree replacement information. She said many trees have already been planted, but they were not noted as replacement trees. She said that Planning wanted to come out at zero as part of the approval of this development because there are only a few lots left. She said that the applicant is showing trees to be removed generally in this area of the eastern boundary on the final development plan and Planning prefers that they not be removed as part of this section of the plat, and so they are proposing a condition. Ms. Husak said with the tree replacement, Planning wants to ensure that the trees counted in previous sections, especially Parts 1 and 2 that are being shown as replacement trees actually are alive. She said that if Dublin's landscape inspector finds those trees dead or dying in the Spring, that they will need to be replaced to count as replacement trees.

Ms. Husak said that Planning is recommending approval of this Final Development Plan with the following conditions:

- 1) That the diversity matrix be revised to include the alley-accessed lots;
- 2) That the applicant install ribbon curb along the pavement edge of the alleys to clearly delineate the edge of the alley;
- 3) That the plans be revised to include one-way traffic restriction notes for designated alley segments;
- 4) That the applicant provide a bikepath along the south side of Enfield Trace instead of the sidewalk shown along the northern edge of Reserve 'R';

- 5) That the applicant not remove protected trees #947 and 952 through 968 west of Lot 225 as part of this proposal and work with Planning and Engineering to relocate storm structure #3 out of the critical root zones of protected trees in the area;
- 6) That the trees on the south side of the pond in Reserve 'Q', be surveyed and either protected or replaced depending on the construction impacts from Enfield Trace;
- 7) That the plans landscaping extend along the western boundary of the fence around the Columbia Gas easement in Reserve 'R';
- 8) That the trees within the alley landscape island be revised to Japanese Tree Lilac instead of the proposed Tulip Trees;
- 9) That the applicant replace any trees found dead or dying in Sections 1 and 2, indicated as replacement trees, by November 30, 2013 based on an inspection to be performed this spring; and
- 10) That the applicant revises the landscape plans to indicate tree protection fencing on the north side of the proposed sewer and grading work west of Lot 225, remove statements regarding tree replacement credits in the legend and the plant list;

Ms. Husak said that Planning is recommending approval of this Final Plat with the following condition:

- 1) That any technical adjustments be made to the plat prior to submission to City Council, including noting specific architectural requirements for Lots 194, 199, 208, 213, and 220.

Charles Driscoll, The Edwards Company, representing the applicant, Tartan Ridge LLC, offered to answer questions.

Ms. Amorose Groomes invited public comment regarding this application. [There was none.]

Amy Kramb noted that in the presentation, Ms. Husak said the alley would be one-way, however the Planning Report stated 'It would be marked if it was one-way'.

Mr. Driscoll confirmed that it would be a one-way alley.

Ms. Kramb referred to the drawing that showed the parking. She noted that standard-sized cars would not fit into the driveways of Lots 182, 183, or 184, and however parked, they would be in the setback. She asked if there would be sight issues when backing out of the driveway. She said she was concerned that three cars might not fit lengthwise in the driveways.

Mr. Driscoll said the alley would be one-way coming off Emmet Row. He said that the drawing showed examples of houses to demonstrate that cars would fit with three car garages. He pointed out that most alleys are 12-feet wide and this one is 16-feet wide, so there are four more feet to help the sight distance. He said large trucks could park near the island.

Ms. Kramb said there were a lot of trees along the alley and it seemed tight. She asked if Engineering had considered that.

Ms. Kramb asked if the break in the island on Baronet Boulevard was for U-Turns.

Aaron Stanford said several breaks were provided to allow U-Turns and also for easy emergency vehicle access.

Ms. Kramb asked if there was a problem with the driveway on Lot 182.

Mr. Stanford said Lot 182 will be helped by the setback in that area and with the wider pavement. He said that street trees were limited on those corners to increase the sight distance. He said he did not

think the vision of drivers coming in and out of that area will be blocked by vehicles parked in the driveway for Lot 182.

Ms. Kramb asked if vehicles were allowed to park in the setback as shown on the drawing.

Mr. Stanford said that has an impact on where everything is going to be on the lot as far as the driveways and the buildings.

Victoria Newell asked if there was a bikepath on the street frontage in Reserve 'Q.' She said it looked like the bikepath terminated where the proposed street was and that there was no connection. She asked if a bike path was intended to bypass the pond along the street frontage.

Ms. Husak said yes.

Ms. Newell referred to the Landscape Plan, Sheet L-1.03 and noted that the tree replacement for Section 2, 28 were required, but provided 78. She said also in parentheses, more than once, there is a star. She said she was curious if the 78 was a typo and it was supposed to say 28.

Mr. Driscoll explained that there were 78 counted in Section 2 as replacement trees, but he thought they made a mistake because he asked what happened to the 200 trees he planted. He said they put some of those back.

Warren Fishman referred to the final development text, 'Other types of gates and trellises may be used as long as the style and intent of the feature is maintained'. He said he was concerned that the same material is used and not another material like vinyl.

Mr. Driscoll said there was no vinyl used.

Mr. Fishman asked who owns the alley.

Mr. Driscoll said the 26 alley lot homeowners association would own the alleys. He said it was a private driveway.

Mr. Fishman said he was concerned that in the future, the association would not be able to afford to maintain the alleys. He said in the past, there have been private streets where the homeowners associations requested that their streets be taken over by the City because they cannot afford to maintain them. He said in some cases, the City has been pressured to do so because the streets were falling apart and the neighbors filled the Council Chambers. He said he did not know the best answer because these alleys will not be built to City standards.

Mr. Driscoll said that they were putting a concrete curb on the outside of the five-inch concrete base on the street with three inches of asphalt on top. He said it was not substandard.

Mr. Fishman asked if there was a way to assess for the maintenance if the homeowners association did not have the money to maintain the alleys. He said he realized that the City cannot control the deed, but could the association documents.

Mr. Driscoll said he thought that was standard to assess a portion. He said he would make sure that it is included.

John Hardt asked if the alley would be built to Dublin street standards.

Ms. Husak said the alley would not be built with curb and gutter, and that was why the ribbon curb was requested.

Mr. Stanford said even though it is a private alley there is a requirement that Dublin's strength and durability requirements be met as what would normally be done for a public street, especially with the concrete base added. He said what is different from a public street is that there are no sidewalks or curbs and the width differs in that most of Dublin's streets are wider and two-way. He said the strength and durability would meet Dublin's public street standards.

Mr. Hardt asked if trash service trucks could maneuver through the alley.

Mr. Stanford said truck maneuverability would be a little tough, however the one-way alley helped. He said that the Planning Report stated that with two-way traffic, there would be an issue.

Mr. Fishman noted that there was no parking permitted in the alley.

Mr. Hardt asked if there was any reason to limit traffic from an engineering perspective. He said for example, large moving vans could attempt to use the alley.

Mr. Stanford said there will be vehicles that will not be able to maneuver in the back area. He said it would operate similar to what is seen at Greystone Mews. He said low-boy trailers and larger moving vehicles will have to operate from the perimeter of the site or the public street. He said they will not be able to move easily from the alley.

Mr. Driscoll said there would be no parking in front on the public street.

Richard Taylor asked what the proposed square footage of these homes was.

Mr. Driscoll said they would be a size similar to those in The Lands in New Albany which is 2,500 to 3,500 square feet.

Mr. Taylor recalled the Commission approving Section 3 to remove the alley from the plan. He said then, they were told there was no market for them. He asked what had changed.

Mr. Driscoll said the economy was better and that they had received an interest in the alley-loaded lots.

Ms. Husak explained that in the section to the north, the alley was an option, and here, the alley is required. She said that Planning would have preferred that the alley remain, but it was an option.

Mr. Driscoll said that when the market went down there was a panic and it was felt safer to do standard single-family houses instead of alleys which were unique.

Mr. Taylor said he shared the concern with the depth of the driveways, but he was also concerned with the aggregate width of the driveways because he saw nothing but asphalt. He asked if for this private street the Driveway Regulations apply.

Ms. Husak said that Dublin does not have driveway standards for alley accessed garages.

Mr. Taylor said he did not know that Code separates where the driveway is located, just that residential driveways shall not be more than 40 percent of the lot width.

Ms. Husak said 'front.'

Mr. Taylor said he did not know if it said 'front'. He said it stated, 'A driveway serving a residential parking area' and under 'Curb Cuts', He said he understood that is probably how it has to happen, but asked if that is in conflict with Code, how is that addressed. He said he found no reference to that in the development text.

Ms. Husak said the Driveway Code was approved in 2007, and this development was approved in 2005.

Mr. Taylor pointed out that the Commission did not have a plan showing driveways originally, but as long as Planning is satisfied that the Commission is covered on that, he is okay with it.

Ms. Husak said that Planning was satisfied with it.

Mr. Fishman said there still would be a lot of asphalt and suggested they could do something decorative such as pavers or stamped concrete for the driveways instead of asphalt. He said otherwise, this will look like a sea of driveways.

Mr. Driscoll said he understood what was being said, but on the other hand, they pulled all these cars and driveways off from where the public sees it. He said the only people that drive back there are the residents who have made the choice to live there. He said that M/I wants to build these and he cannot speak for what materials they have planned for the driveways.

Mr. Fishman said as the developer, he could commit that a more decorative material be used for the driveways.

Ms. Newell suggested that it was a good location to use a drainable paver system on the driveways. She said that the Commission cares about the aesthetics from every direction, not just the street frontage, but what it looks like back to back to other residences and to their own property.

Mr. Driscoll said it was already Cadillac to him with a curb on the alley which hardly anyone else does and trees along the alley. He said he could not deny that there was a lot of driveway surface.

Mr. Fishman said that they want the best for the residents for Dublin and committing to pavers would solve a lot of problems such as drainage.

Ms. Amorose Groomes asked if permeable pavement had been considered since there is a large portion of lot coverage between the rooftop and asphalt.

Mr. Gunderman said that he suspected that the Engineering Department assumed that it would be an impermeable surface.

Ms. Newell said since this was a private drive that the homeowners association had to maintain and that a permeable paver system has to be maintained as well, but she suspected it might have a longer durability. She said in the past, staff researched it as a viable option to get incorporated in areas in Dublin, and given the nature of this development, it is an ideal place that it could be experimented with or entertained.

Mr. Gunderman said that staff had looked into it for certain projects in the past and generally speaking they very much supported it. He said this would probably put it onto a different scale by putting it into a single-family type of unit that they have not had a real discussion on in the past.

Ms. Amorose Groomes said when looking at these tree locations, the Commission on the previous case was discussing a 10-foot lawn panel requirement, and there was no way that these trees would have the ability to survive to maturity given the very limited root zone that they will have. She said looking at the

drawings, she guessed that by the time the driveways get there, there is no place where there will be ten feet in any direction to have a root zone for these trees.

Mr. Fishman reiterated that it would be great to commit to a paver driveway. He said that would solve a lot of problems because the trees would live and it would look great.

Ms. Amorose Groomes asked if Planning looked at the requirement for the 10-foot panel for trees here.

Ms. Kramb pointed out that the Planning Report said that the applicant chose to plant the trees on the alley, but they were not required to do it.

Ms. Amorose Groomes said that any trees planted should be required to live.

Mr. Stanford said that when tree lawns were discussed for the public street side, staff explored whether they should do that in this instance. He said they chose not to for consistency of the street sections because what they are tying into has an already established tree lawn. He said since this was one of the last sections of Tartan Ridge, they opted to keep the standard street sections they have today which is 7 feet on public streets.

Mr. Gunderman said on the alley, there is no sidewalk, and so the trees are not pressed and there is roughly ten feet by five feet on either side of the property line.

Mr. Driscoll said the alley trees would have more room than a normal street tree.

Ms. Amorose Groomes pointed out that the areas for trees between Lots 187 and 188 were very tight.

Ms. Husak explained that those were not the final locations for the lot trees.

Mr. Fishman said he would support this application with a paver driveway which would break up the asphalt.

Mr. Driscoll said these lots were 55 to 60 feet wide, the driveway is 24 to 27 feet, and there could be 50 feet between the driveways so there was more grass than the Commission imagined from the drawing.

Ms. Amorose Groomes said some of the lots were roomy and some were tight, depending upon what house is built on what lot.

Mr. Hardt referred to the exhibit and asked if the intention was to have a three-car driveway and three-car garage on every lot.

Mr. Driscoll said that was the intention.

Mr. Fishman reiterated that pavers on the driveways would solve a lot of problems.

Mr. Driscoll agreed to do paver driveways. He pointed out that they were only 20 feet long.

Ms. Amorose Groomes said she disagreed that 6 to 24-inches should be only be replaced tree for tree. She said although a lot of trees had been planted, there was still a lot of room for beautiful trees to happen in this development as a whole. She said that they would not get them all on this piece of property, but there is plenty of room.

Ms. Husak said that the Tree Waiver had been approved as part of the development text.

Mr. Gunderman explained that this was a final development plan and the rules were established at the preliminary development stage.

Ms. Amorose Groomes referred to the Landscape Plan Sheet, L-2.01 where the shrubs, labeled 'EA' were listed around the center island. She noted that the Plant List, L-4.01 there is no EA on the plant material list. She said that burning bush should be added to the list of plant materials. Ms. Amorose Groomes on the same sheet, noted for the hedge, the only shrubs listed were 5–6-foot Norway spruce, which is not a shrub but an evergreen. She asked if the hedge detail is really for the euonymus alatus.

Mr. Driscoll said there were several different hedges proposed. He said they propose one for each street.

Ms. Husak said that Sheet L-3.01 had been in every final development plan thus far, and the only change is the type of hedge in the plant list according to which street the final development plan is including.

Ms. Husak said L-3.01, in the plant material list box, it said 'green velvet boxwood' and the street name is required. She said that each final development plan, as they have been approved has included that box and the street that is in the final development plan. She confirmed that burning bush and boxwood hedges were proposed for these streets. She said they would be the same plants in the previous sections that included the streets.

Ms. Amorose Groomes commented that the sidewalk and hedge detail on Item 4 showed the hedge being planted two feet to the center of the shrub, off of the back of the sidewalk. She said that it also said to maintain a one-foot clearance between sidewalk and the base of the hedge. She said if burning bushes are planted two feet off of the sidewalk and a foot clearance is needed, that is only 12 inches of that hedge which is not maintainable. She said it might be planted okay at that time, but as it grows, there is no way that it is going to be maintained in that space.

Mr. Driscoll asked if she was saying that the burning bush hedge should be planted back farther.

Ms. Amorose Groomes said yes, because there is only 12 inches of room to grow. She said if they were planted 24 inches off the back of the sidewalk, it will infringe upon that in very short order.

Mr. Driscoll asked if the solution was to plant them 3 feet off.

Ms. Amorose Groomes said it would be nice if they were 4 feet off the back, and even if initially, there was a mow strip in front of them between the sidewalk and the plant beds. She said as proposed, there would not be any room to shovel snow or use yard equipment.

Mr. Driscoll agreed.

Ms. Amorose Groomes referred to Sheet L-2 (Darien Square enlargement of the parking areas) and said she thought it would be very difficult, particularly in snow events to have anywhere to put any plant material unless the hedges are backed-off at least 5 feet from the back of the curb because it was getting very tight. She said it would be a challenge when it snows period with what they are going to do with all of that material and still keep it passable if there is a 4 to 6-inch snow. She suggested the ones on the radii on either end could be backed up to create storage space.

Mr. Driscoll asked if 5 feet was the right distance.

Ms. Amorose Groomes said she thought that would be good.

Mr. Driscoll said he thought moving them back another foot would not be obvious to everybody, but if they go back three feet and the streets have already been started, it would look funny.

Ms. Amorose Groomes said that the five feet really pertained on the island for snow protection purposes. She said that the three added conditions are as follows:

- 11) That the applicant revise the plant list;
- 12) That the applicant install decorative pavers in the alley loaded driveways;
- 13) That the hedges be placed at least three feet off the sidewalk along the frontage of the homes, and at last five feet off the curb alley along the landscaped island, subject to approval by Planning.

Ms. Amorose Groomes requested two motions.

Motion #1 - Final Development Plan

Mr. Fishman moved to approve this Final Development Plan because it complies with all applicable review criteria and the existing development standards and approval is recommended with 13 conditions:

- 1) That the diversity matrix be revised to include the alley-accessed lots;
- 2) That the applicant install ribbon curb along the pavement edge of the alleys to clearly delineate the edge of the alley;
- 3) That the plans be revised to include one-way traffic restriction notes for designated alley segments;
- 4) That the applicant provide a bikepath along the south side of Enfield Trace instead of the sidewalk shown along the northern edge of Reserve 'R';
- 5) That the applicant not remove protected trees #947 and 952 through 968 west of Lot 225 as part of this proposal and work with Planning and Engineering to relocate storm structure #3 out of the critical root zones of protected trees in the area;
- 6) That the trees on the south side of the pond in Reserve 'Q', be surveyed and either protected or replaced depending on the construction impacts from Enfield Trace;
- 7) That the plans landscaping extend along the western boundary of the fence around the Columbia Gas easement in Reserve 'R';
- 8) That the trees within the alley landscape island be revised to Japanese Tree Lilac instead of the proposed Tulip Trees;
- 9) That the applicant replace any trees found dead or dying in Sections 1 and 2, indicated as replacement trees, by November 30, 2013 based on an inspection to be performed this spring;
- 10) That the applicant revises the landscape plans to indicate tree protection fencing on the north side of the proposed sewer and grading work west of Lot 225, remove statements regarding tree replacement credits in the legend and the plant list;
- 11) That the applicant revises the plant list to include "EA-Dwarf Burning Bush";
- 12) That the applicant install decorative pavers on the alley loaded driveways;
- 13) That the hedges be placed at least 3 feet off the sidewalk along the frontage of the homes and at least 5 feet off the curb along the alley landscape island, subject to approval by Planning.

Charles Driscoll, Tartan Ridge, LLC, agreed to the conditions.

Ms. Newell seconded the motion. The vote was as follows: Mr. Taylor, yes; Ms. Krumb, yes; Mr. Hardt, yes; Mr. Budde, yes; Ms. Newell, yes; Ms. Amorose Groomes, yes; and Mr. Fishman, yes. (Approved 7 – 0.)

Motion #2 - Final Plat

Mr. Fishman moved to recommend approval of this Final Plat because it complies with all applicable review criteria and the existing development standards and approval is recommended with one condition:

- 1) That any technical adjustments be made to the plat prior to submission to City Council, including noting specific architectural requirements for Lots 194, 199, 208, 213, and 220.

Charles Driscoll, Tartan Ridge, LLC, agreed to the condition.

Ms. Newell seconded the motion. The vote was as follows: Ms. Kramb, yes; Mr. Taylor, yes; Mr. Fishman, yes; Ms. Amorose Groomes, yes; Mr. Hardt, yes; Mr. Budde, yes; and Ms. Newell, yes. (Approved 7 – 0.)

Ms. Amorose Groomes called a short recess at 8:36 p.m.

3. BSC Office Residential District – Vrable Skilled Nursing 13-002 FDP/FP

4500 John Shields Parkway Final Development Plan/Final Plat

Chair Chris Amorose Groomes introduced this application requesting a new 131,455-square-foot skilled nursing facility with associated site improvements on 6.34-acres on the south side of Tuller Road, 375 feet west of the intersection with Riverside Drive. She said the Commission will need to make two motions for this application. She said the final plat will be forwarded to City Council for approval and the Commission is the final authority on the final development plan.

Ms. Amorose Groomes swore in those intending speak in regards to this application including James Muckle, Vrable Healthcare Companies, 3248 Henderson Road, Columbus, Ohio, James Michael Milligan, JMM Architects, (4685 Larwell Drive, Columbus, Ohio), Linda Menerey, EMH&T, (5500 New Albany Road, Columbus, Ohio), and Ben W. Hale, Jr., Smith and Hale, (37 West Broad Street Columbus, Ohio), representing the applicant, Allan Vrable, Vrable Healthcare Companies, 3248 West Henderson Road, Columbus, Ohio), and City representatives.

Jennifer Rauch presented this final development plan and final plat application and stated the Planning and Zoning Commission recommended approval of the preliminary development plan and preliminary plat in January, 2012 with City Council approval in February, 2012. She said site features include significant grading and topography with a change of 32 feet across the site. Ms. Rauch said there are trees located on the perimeter of the site will be removed as part of the roadway improvements and a large cottonwood tree located in the center of the site that will be removed with the building and site construction. She said the final plat portion of this application is to create one lot for the development of the nursing care center and also the dedication of right-of-way for two new public streets. She said proposed Mooney Street will run north and south on the west side of the site, and proposed John Shields Parkway will run east and west on the south side. Ms. Rauch said there was some minor dedication at the intersection of Tuller Road and Tuller Ridge Drive.

Ms. Rauch said Planning is recommending approval of the Final Plat with one condition:

- 1) The plat be revised to eliminate the setback requirements and incorporate the minor technical amendments identified by Engineering, prior to the final plat submission to City Council.

Ms. Rauch said the proposed final development plan is very similar to the preliminary development plan with an increase in square footage due to internal modifications. She said the skilled nursing center is located in the center of the site with the main building entrance and covered drop-off area located on John Shields Parkway. She said an additional covered drop-off area and turnaround is located on the southeast corner of the site with parking for visitors located along the John Shields Parkway frontage. Ms. Rauch said an access point will lead out onto Mooney Street. She said to the rear of the building, there is an additional entrance on Tuller Road and a secondary building entrance is located to the

northeast corner with a covered drop-off area. She said all of the service components are located in the western portion of the site. Ms. Rauch said the applicant is working with the City on finalizing an economic development agreement regarding the timing, construction, and details of the two public streets, and there is a condition of approval that the applicant continue to work with the City to finalize this agreement.

Ms. Rauch said there was concern raised by a resident regarding the removal of the 42-inch cottonwood tree located in the center of the site. She said during the preliminary development plan stage in 2008, there was significant discussion regarding preservation of the tree at a staff level. She said given the grading that needs to happen on this site and the location of the proposed building, it was determined it was not possible to save the tree due to the impacts of construction.

Ms. Rauch said the site plan includes four courtyard areas located at the various wings of the building with access provided from the interior part of the building. She said three courtyards are surrounded by a four-foot high wrought iron fence with brick decorative posts with gates. She said the easternmost courtyard is not fully enclosed, with the proposed fence located on top of the retaining wall.

Ms. Rauch said the approved development text requires a street wall along John Shields Parkway and the original intent for the wall was to screen the parking lot; however, due to the grading the parking is located on the top elevation of the wall. She said to meet the screening requirements the applicant is proposing landscaping on top of the wall. She said Planning is satisfied with how that has been incorporated. She showed the details of the proposed stone-faced street wall with brick pillars, which matches the courtyard areas pillars.

Ms. Rauch said two bio-retention basins are proposed in the west portion of the site. She presented the details of the extensive planting plans. Ms. Rauch said Engineering has worked intensively with the applicant to incorporate the design principles and green initiatives outlined within the stormwater manual for the Bridge Street District. She said the proposal meets these requirements and fits well within the urban context outside of this site in the District.

Ms. Rauch presented the proposed elevations which are similar to the preliminary development plan showing the multi-story building. She said the text requires the building elevations to incorporate 75 percent masonry materials on all elevations. She said this proposal meets this requirement with brick and stone are the primary materials. She said the elevations also incorporate hardiplank siding, stucco, and EIFS details as well. Ms. Rauch said the proposed color palette is neutral with yellow and green tones throughout, with a red accent on the rear of the building.

Ms. Rauch said the two main identification ground signs permitted by the text are proposed at the north and south entrances. She explained the text permits the signs to be 50 square feet in area and six feet in height, but the applicant is proposing 12 square feet, and three feet in height. She said Planning had a condition of approval that they work with the applicant regarding the final details, but the applicant has submitted information indicating the sign will include a beige background with bronze lettering mounted on the stone base that matches the building.

Ms. Rauch said the applicant is also requesting as part of the final development plan, the addition of a wall sign, which was not previously contemplated. She said the text permits the Commission to approve sign modifications as part of the final development plan, not requiring separate action. She said the applicant is proposing a 20-square-foot wall sign located on the main building entrance canopy in the same bronze, pin-mounted letters. Ms. Rauch said Planning supports the inclusion of a wall sign.

Ms. Rauch said Planning recommends approval of the Final Plat to City Council with one condition and the Final Development Plan with five conditions, as listed in the Planning Report, modifying Condition 2 as

requested by the applicant regarding the waterline extension along Mooney Street to state it will be in conjunction with the future infrastructure and roadway improvements.

Ben W. Hale, Jr., Smith & Hale, said the applicant sold the City approximately 13 acres and the Digger and Fitch building in January to facilitate future park construction. He said the reason the development agreement is pending is that the City has engaged consultants who are working on the Riverside Drive alignment. He said it makes it difficult to make some decisions until the City has made fundamental decisions about exactly where Riverside Drive will be located. He said the decision regarding the roadway relocation is complex because of the grade. He said they are continuing to work with the City to finalize the development agreement. Mr. Hale said they would be before City Council with a development agreement and a TIF agreement once the roadway decisions are made. Mr. Hale said they were in agreement with the final plat condition and have been working with Planning regarding the final development plan conditions.

Ms. Amorose Groomes invited public comments regarding this application. [There were none.] She noted that one written comment had been received by the Commissioners.

Victoria Newell said she liked the design of the building, but she had concerns because it would dominate the site and it had very large roof expanses. She asked what would be done to ventilate the attic space and whether they would use hip vents.

James Michael Milligan, JMM Architects, said they had not finished the final design to verify all of the ventilation requirements. He said all of the eaves and ridges will have vents, but they will not be using hip vents.

Ms. Newell requested since there was not a good way to screen hat vents from the road view, a condition be added that no hip or hat vents will be used on the roof. She said the roof structure alone is going to be very prominent.

Mr. Milligan said that ridge vents usually meet the requirements, but when they do not, they use power venting. Ms. Newell said she doubted, given the expanse of roof, that they could accommodate proper ventilation using ridge vents alone and soffit vents in conjunction with each other.

Ms. Newell expressed concern regarding the insulation of the entrance canopy using EIFS. Mr. Milligan assured Ms. Newell that it would meet the energy code for insulation.

Ms. Newell asked if the three-story storefront window frames would be white, to match the window frames on the remainder of the windows. Mr. Milligan confirmed this.

Joe Bude complimented the applicant on the excellent building design and said it would be a tribute to Dublin.

Amy Kramb said she liked the building and the final site layout from the earlier versions presented to the Commission. She asked about the height of the 'Vrable Inn' sign and if the '12-foot 8-inch Maximum Vehicle Height' signs were proposed for all of the drive-thru canopies on all sides of the building. Ms. Rauch said as measured on the plan, the 'Vrable Inn' sign is 14 feet to the top of the signs. She said the maximum height signs would be located on either side of the entrance canopies. She explained they were not regulated by the text but they were allowed per Code.

Ms. Kramb asked if there was any intent to put any additional signs than the two proposed internal signs closer to the roadways or at the intersections. Mr. Milligan stated there would be internal directional sign, but no additional main identification signs. Ms. Rauch stated that if the applicant wanted to modify the signs they would be required to come back to the Commission for review and approval.

Ms. Kramb said she was fine with the wall sign being added.

John Hardt said this was a handsome building with quality materials. He said at the preliminary review stage he had commented that it would be a fantastic addition if only it were not in the Bridge Street District, and he said he still felt that way, but understood that the Commission had to review the project based the applicable requirements. He said the improvements made by the applicant were nice.

Mr. Hardt noted there was a reference to painted brick on the third page of the proposed packet of finishes. He asked where it was being used and what was the rationale for painting the brick in that one location. Mr. Milligan said the painted brick was proposed to be on the side of the building in the courtyard to provide a little variety. He said it would be painted the same color as the shingles in that area. Mr. Hardt said that it seemed like an odd choice on the building that was constructed entirely of nice durable materials, and they are potentially giving themselves a maintenance headache on the one wall. He suggested they may want to make a difference choice there.

Mr. Hardt stated the page 2 of the proposed materials includes fiber cement trim for windows and he asked if that was dimensional trim surrounding the windows. Mr. Milligan confirmed it was.

Mr. Hardt asked whether it would be a rough or smooth texture harditrim material. Mr. Milligan said it would be a textured harditrim finish material.

Mr. Hardt asked if the cottonwood tree was a Landmark Tree. Ms. Rauch said the tree was considered a Landmark Tree because it was over 24-inches; however, there were no Code requirements regarding that designation. She said only when there is a tree waiver are landmark trees treated differently. She said the resident's correspondence referred to the tree as an oak tree, but it was surveyed as a cottonwood tree.

Ms. Amorose Groomes asked if the tree was tagged through the Landmark Tree program. Ms. Rauch said she was in the process of verifying this.

Ms. Amorose Groomes asked if the Landmark Tree Map had been removed from the City's website. Ms. Rauch said it appears it had.

Ms. Amorose Groomes asked the applicant to return the numbered tag from the tree so that it could be taken off the map.

Mr. Hardt said when he looked at the Tree Preservation Ordinance, he understood the Landmark Trees were not absolutely protected, but it was clear that the intention of it was to make every effort possible to save those trees. He said considering this project began with a blank sheet of paper, and the tree has been there for 100 years, there was certainly the opportunity to design a project considering it. He said especially with all the courtyards, gardens, and things surrounding this building, he found it disappointing that they are not respecting the tree's existence, and he was not sure that was something he could get over. He said there were other cases in Dublin where roadways have been moved and redesigned for developments. He said he had moved buildings and redesigned buildings to fit around trees during his professional career, but in this case, they seemed to just say the tree was in the way. Mr. Hardt said he had a serious problem with that.

Mr. Hale said the significant grade of the site needs to be taken into consideration, which results in the need to remove the tree. Mr. Hale recalled being involved in the redesign of Hard Road and the preservation of the oak tree. He said that where possible, the community has tried to preserve those trees and Dublin does a better job than anyone else in the county or region about protecting trees and has the toughest replacement requirements. Mr. Hale said the reason the ordinance was written is

because occasionally there is a situation like this where because of the grade of the site and what has to be done to build the facility there, a tree is not going to make it. He said there was nothing they could do to make that tree make it.

Mr. Milligan said the tree was indicated to be removed during the preliminary development plan and it was not identified as an issue. He said they have tried to address every issue that had been brought up and made a number of adjustments accordingly. He said they had a 32-foot slope on a six-acre site where they needed to put a large building. Mr. Milligan said if money was no object, and the program was so optioned, the tree could be saved, but that is not the case. He said this is not a specimen tree that is a wonderful feature on their site.

Mr. Hardt said he had designed a hospital on a site with a 90-foot grade change and they saved the trees. He said they would have to agree to disagree on that issue.

Ms. Amorose Groomes said regarding what constitutes a beautiful tree, she would be remissed if she did not say she found the comments a little insulting. She said as things age and degrade, you do not throw them away. She said we respect them and that is what they do here.

Ms. Amorose Groomes referred to page L1-6 on the submitted plant list and asked that the common names of 'Hydrangea quercifolia' and 'Hydrangea Macrophylla 'Forever Pink' be corrected so that the right shrubs are located in the right place.

Ms. Amorose Groomes said regarding the applicant's request to use ornamental trees as substitutes for the larger trees, there are only 38 shade trees proposed for this 6.34-acre site, and she did not think that was enough canopy. She said she had concerns about using ornamental trees as replacement trees. She said she understood that residents might want to walk and see pretty trees, but if enough shade trees are planted, pretty things can be planted underneath them. Ms. Amorose Groomes said she would like to get more than 38 trees worth of canopy on this site. She said that is not even one tree for every inch caliper of the large cottonwood tree that is being removed. She said she was not supportive of the use of ornamental trees and she wanted to see large canopy shade trees planted on this site.

Mr. Fishman said he agreed because ornamental trees have a much shorter life.

Mr. Milligan said they would switch the ornamental trees out with larger canopy trees. He said they thought the ornamental trees in those areas would be more settling and soothing for the residents.

Ms. Amorose Groomes suggested the use of supplemental plantings underneath such as ornamental shrubs. She said she did not want to rob the residents of the experience of having something ornamental to see. Ms. Amorose Groomes noted that there were areas where supplemental plantings could be located.

Linda Menerey, EMH&T, said in the larger courtyard areas, they might be able to add some shrubs. She said another suggestion from Planning was to try to infill more around the perimeter of the building and they did not have a problem with that. She said they would work with Planning to add or switch plantings accordingly.

Ms. Krumb suggested Condition 4, 'The applicant use larger trees in lieu of the proposed ornamental trees to meet the Tree Replacement Requirements'.

Ms. Amorose Groomes asked if there were other comments. [There were none.]

Motion #1 – Final Development Plan

Ms. Krumb moved to approve this Final Development Plan because it complies with the applicable review criteria and the development standards with six conditions:

- 1) The applicant continue to work with Planning and Engineering regarding the final design, construction, and timing of the public roadway and infrastructure improvements based on the approval of an economic development agreement;
- 2) The waterline be extended along Mooney Street in conjunction with the future infrastructure and roadway improvements;
- 3) The applicant work with Planning to identify where additional replacement trees could be located on site to supplement the required landscape and revise the plans accordingly;
- 4) The applicant use larger trees instead of the proposed ornamental trees to meet the tree replacement requirements.
- 5) The applicant work with Planning to finalize sign colors for the ground signs that complement the proposed building; and
- 6) That hip and hat vents not be used to ventilate the roof.

Ben W. Hale, Jr. Smith & Hale, on behalf of Allan Vrable, Vrable Healthcare agreed to the conditions.

Mr. Budde seconded the motion. The vote was as follows: Ms. Newell, yes; Mr. Hardt, no; Mr. Fishman, yes; Mr. Taylor, yes; Ms. Amorose Groomes, yes; Mr. Budde, yes; and Ms. Kramb, yes. (Approved 6 – 1.)

Motion #2 - Final Plat

Ms. Newell moved to recommend approve to City Council of this Final Plat because it complies with the applicable review criteria and the development standards with one condition:

- 1) The plat be revised to eliminate the setback requirements and incorporate the minor technical amendments identified by Engineering, prior to the final plat submission to City Council.

Ben W. Hale, Jr. Smith & Hale, on behalf of Allan Vrable, Vrable Healthcare agreed to the condition.

Ms. Kramb seconded the motion. The vote was as follows: Mr. Hardt, no; Mr. Taylor, yes; Mr. Fishman, yes; Mr. Taylor, yes; Ms. Amorose Groomes, yes; Mr. Budde, yes; and Ms. Newell, yes. (Approved 6 – 1.)

Commission Roundtable

Claudia Husak asked that any of the Commissioners who want to use a different iPad cover other different than the original one supplied, should return it and if they have found a another cover they prefer, the City can purchase it for them.

Ms. Husak recalled that at the last Commission meeting, Mr. Fishman had requested that the 'no paper – drop dead date' be pushed out a little. She said she was okay with doing that.

She said that it was seriously being considered not to have a second meeting in March. She said that Planning is trying to get the one applicant to focus on the first meeting in March.

Ms. Amorose Groomes asked if the previously rescheduled second meeting on Wednesday, March 13 would be probably cancelled.

Ms. Husak indicated that the Commission, the first week of March would be informed if the March 13 meeting was cancelled.

Ms. Husak said Ms. Newell, Mr. Hardt, and Ms. Amorose Grooms are going with just plan sets, which is what all of the Commissioners will receive in the future. She said that Planning internally has reduced their number of copies.

Ms. Kramb said she was fine with just getting the plans, although she preferred the paper copies.

Mr. Hardt asked 'paperless' referred to circumstances like what he just experienced, paper generated by the City, absent the plans.

Mr. Gunderman said it was everything but the drawings.

Ms. Amorose Grooms said that she struggled this time because the load times were really slow.

Ms. Husak said that she also had noticed that they were slow loading; especially those for Tartan Ridge which were large plans that had never been reduced. She said it was discussed internally that they needed to get that discussed earlier and not on Friday at 5 pm.

Mr. Hardt said in addition to the download issues he had a couple of documents that he could not download except on his computer. He said he also struggled with PDFs that had different sized pages. He said when he tried to scroll through them on the iPad it was difficult.

Ms. Husak said she had the same thing happen to her. She said they were disappearing. She said that they need to work through those issues. She thanked the Commissioners for sticking with the program. She asked if they found it confusing if things were called 'attachment' and 'overview' which were names used internally.

Ms. Amorose Grooms said she preferred one case to have all the documents on one case.

Ms. Husak said that would get too large and it could not be done that way.
Ms. Amorose Grooms said that in iAnnotate, it kicks off things like minutes where she made her notes. She said she just opens from DropBox and she annotates.

Ms. Husak said if she went to 'Library' and went to her imported documents, that is where they should be found. She said she preferred the Commissions to link their iAnnotate to DropBox so that they do not ever have to go to DropBox and everything would just be in iAnnotate.

Ms. Amorose Grooms and Mr. Fishman said that they would come to the Planning office for a demonstration.

Mr. Fishman asked if they would still get paper packets.

Ms. Husak said they would get paper packets in March and April.

Ms. Amorose Grooms said if Mr. Fishman needed the paper later, he would be accommodated.

Mr. Hardt said in terms of the names of the documents, he could not discern what was what. He said it made sense to him to have one file that is all the City produced stuff – the Planning Report and past minutes, etc. and another file of things submitted by the applicant in the PDF file.

Ms. Husak said what Planning calls the overview, for example is staff created things such as snapshots of materials, etc. behind the Planning Report. She said if it was called the Planning Report and it had all of those things including the history, she thought it would make the most sense.

Ms. Newell said that she liked the way it was set up, and while she did not recognize right away, what was meant by 'overview,' after she opened a couple of them, she figured out what was done. She said she liked it in the smaller pieces.

Ms. Husak suggested perhaps, 'Plans and Materials' or 'Plans and Details' be used.

Mr. Hardt said he was fine with the overview, Planning Report, and Resident Correspondence.

Ms. Husak said that Planning met with IT to review and re-evaluate how the program is going. She said that the Planning Commission is the only Board or Commission at this time that is using the iPads at this time. She said other Boards and Commissions will receive iPads after the bugs are resolved.

Ms. Husak said that IT has the program, AirWatch that will allow them to manage the content of the iPads behind the scene, so that there were be no 'You need to update your iAnnotate application' and the random 'City of Dublin Employee' password. She said it also allows IT to immediately, if Planning is contacted to find an iPad and lock it down if someone were to lose theirs or get them stolen. She said there is an additional security level to that.

Ms. Husak said the iPads were City devices for the Commission to conduct City business, so it has been contemplated and discussed the number of applications that is being pushed towards the Commissioners' device to conduct City business. She said not that it is going to be limited, but it is going to be one of those things that they will have a set of approved applications for them to use that is put on the iPad and managed.

Ms. Husak said that a concern that IT and Planning is having is the DropBox with personal information on it with your personal email attached to it and your work items mingling with the City of Dublin items specifically for records requests.

Jennifer Readler explained that the City has had very real, very painful experience. She said there were public records requests and discovery requests in lawsuits. She said a discovery request for a lawsuit was made and they had to go on public officials' private computers and wade through a lot of personal data and business data in order to get a response done. She explained that the City has liability when we cannot be sure that all documents are produced. She said there are civil penalties and monitor penalties, and so it is very, very important to have all of the documents in a publically managed system. She said conversely, they want to make sure that they have all the public documents for responses to records and discovery requests. She said that the City has a Records Retention schedule and it has to make sure that the documents are destroyed pursuant to that, otherwise the City would be responsible for producing the outdated documents that should have been gotten rid of.

Mr. Gunderman reiterated that IT has noticed with experience with the Commissioners and others in the City with iPads and now they are looking at other Boards and Commissions and City Council, so there will be a lot of iPads with City business on them. He said IT essentially focused on one piece of software, but fundamentally, it is their system for gaining control, and it has some good advantages. He said there was an issue of what they had to go out and buy and application to get it on the iPad given to the Commissioners, and now, this will take care of that, because it can be done in a corporate setting and they can put it onto their iPads without the person being there. He said in a lot of cases they can replace programs that you have trouble with and have to delete and put it back. He said there are lots of good management tools for IT to be able to control the iPad systems. He said essentially, Planning will need the iPads back from the Commissioners to get the new software installed and to get the list of things on the iPad down to the control group that IT wants to have.

Ms. Amorose Groomes said that while she realizes that the City wants to protect itself, there has to be a give and take in where the Commissioners are protected from the City as much as they are protected

from the Commissioners in privacy. She said if she was being asked to take the iPad where she goes, then they do not really have the business when she is not working for the City of the time of tracking her moves. She said she would like to see some data produced from IT of what they were doing to secure the Commissioners' privacy as well. She said it had to be a give and take.

Ms. Newell said because she had her personal iPad and an iCloud account, it automatically linked those together. She said her personal DropBox is exactly intermingled between her business DropBox. She said everything City-related is in a completely separated folder and all the email correspondence she had was through her Dublin email, not her business email. She said it was making her carry two iPads with equally, there is a convenience for the Commissioners using the iPad, but it is going to be very difficult for all of them that work during the day to have to switch and respond. She said she caught things that Planning loaded with the meeting minutes just yesterday because it pops up and tells her that is there. She said it gives her the opportunity to be more responsive in this position, having a little bit of co-mingle between that because most of the Commissioners are working during the daytime before they arrive at the meeting.

Mr. Hardt said that was the other side of it. He said he used an iPad for personal reasons, reading, and all the things that people do and he also used it for business. He said he worked for a company that does a lot of real estate deals which he was not sure would want the City look at no more than the City wants other people to see City business. He said if the choice is to carry around two iPads or allow City access to everything else he was doing, he frankly would rather return the iPad. He said it would not work for him to carry around two devices all day. Mr. Hardt said he would rather bring the Planning Reports up on his home computer and print them out on his personal computer the old fashioned way if that is what it is going to come down to because he cannot function that way.

Joe Budde agreed with Mr. Hardt that if it cannot be co-mingled, he would give his iPad back and the reports could be emailed to him and he would print them on his own and he would work from paper. He said he just did not see the practicality of that working.

Ms. Readler said obviously there are those factors to balance. She said that convenience is one. She said that the City just wants to protect the Commissioners' privacy and the City from liability, and the safest way to do that is to have the two separate pieces apart.

Mr. Hardt said he understood that entirely, and he was perfectly happy to separate them, but if he was going to carry something around with him, he was going to default to the thing that he used 28 days a month, not the thing that he used two days a month.

Ms. Newell said that this device was not designed to be separated. She said it was designed to be synchronized with everything under the sun, so it is not a problem that the Commissioners are creating, it was a problem with newer technology. She said she thought it was a very difficult aspect, and in some respect she thought you have to respect their professionalism in being able to separate that.

Ms. Husak said that they did.

Ms. Amorose Groomes said she had some concern about if IT can look at everything on her document, it was really nobody's business the notes that she made on the Planning Reports until she made them public. She said she was not comfortable with anyone having access to what her thoughts area before she had expressed them when she was good and ready. She said if someone is going to have access to do that, then they can have the iPad back because she was out.

Amy Kramb said that was a good point. She asked if a note that a Commissioner makes becomes a public record.

Ms. Readler said in the Ohio Public Records Law, purely personal notes are not public records.

Ms. Kramb said the only way they can make a note is on the document in iAnnotate and it becomes public record. She said she would stop making some of the notes she makes because she would not want that.

Mr. Taylor and Mr. Fishman said they already had the AirWatch program installed on his iPad.

Ms. Husak said it was not active yet.

Mr. Taylor said that when the City checks in on the iPad, they are going to find it sitting next to his couch 110 percent of the time. He said he used it for the City stuff, playing Words with Friends, and that was it. He said his only request was find out how to separate his DropBox from the City's DropBox. He said he used DropBox everyday with all of his clients and he had to find a way to do that. Mr. Taylor said he did not mind having the iPad for reports and all that, but he enjoyed the paper more, but his solution for this problem was he was going to do what he did when he first began as a Commissioner. He said he had a yellow pad on which he made his notes and brought it to the meeting. He said that iAnnotate made him nuts. He said he spent more time trying to scroll through trying to find things.

Ms. Kramb asked how he kept track of what page his notes were regarding.

Ms. Amorose Groomes pointed out that sometimes, there are documents relating to the same case that have the same page numbers.

Mr. Taylor said that he liked having the Internet access at the meetings because he could look up the Zoning Code and the City's website.

Ms. Husak said that she would share the Commissioners' feedback with IT. . She said that Planning would schedule a meeting with the IT division and the Law Director's office to discuss items brought up by the Commission.

Mr. Gunderman asked the Commissioners to share their suggestions about applications that they feel the Commission can benefit from and would like to have included.

Mr. Taylor noted that new 'Notice of Public Hearing' signs are being used and an improvement over the previous signs.

Ms. Husak said that Ms. Rauch had worked with Dublin's sign shop to modify the signs to simplify the signs yet still provide contact information for the public.

Mr. Taylor thanked Ms. Rauch for her work.

Ms. Newell said that the access code to get into the iPads was onerous.

Ms. Husak said that Planning had that conversation with IT and they are requesting that the access code be required.

Ms. Kramb asked if IT had been told that the Commission meetings are lengthy and unlocking the devices every five minutes is problematic.

Ms. Amorose Groomes said her iPad did not require an access code.

Ms. Husak explained that her iPad was issued prior to IT requiring the access code.

Ms. Kramb asked if IT could deactivate it for the meeting dates.

Ms. Husak said that IT extended the time frame to fifteen minutes which is the longest duration available for the devices

Mr. Fishman respectively asked that paper packet be provided until the iPad issues are resolved.

Ms. Amorose Groomes said that these were technology issues that needed to be resolved to the City's and the Commissioners' satisfaction.

Ms. Amorose Groomes said she hoped that she expressed enough concern regarding tree waivers that the that the Commission does not see similar requests in the future.

Ms. Amorose Groomes said she wanted to vote 'no' but felt that would unjustly be penalizing the applicant. She stated that she respected that Mr. Hardt. for disapproving the waiver

Mr. Fishman said that the Commission relies on Planning to make those recommendations based on their analysis of the sites.

Ms. Amorose Groomes said that the Commission relies heavily on Planning's opinion.

Ms. Amorose Groomes asked if there were any other issues. [There were none.] She adjourned the meeting at 9:42 p.m.

As approved by the Planning and Zoning Commission on April 4, 2013.