City of Dublin

13-093AFDP
Amended Final Development Plan
Estates of Scioto Crossing
Scioto Crossing Boulevard

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CITY OF DUBLIN

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Creating a Legacy

PLANNING AND ZONING COMMISSION

RECORD OF ACTION

AUGUST 18, 2011

The Planning and Zoning Commission took no action on the following case at this meeting:

1. NE Quad, Subarea 4C – Estates at Scioto Crossing **Essex Gate North**
11-032AFDP **Amended Final Development Plan**

Proposal:	Modifications to the previously approved architecture and landscape design for 53 condominium units in Subarea 4C of the Northeast Quadrant Planned Unit Development District. The site is located northwest of the intersection of Scioto Crossing Boulevard and Essex Gate Drive.
Request:	Review and approval of an amended final development plan under the provisions of Code Section 153.050.
Owner:	Scioto Crossings Development, LLC.
Applicant:	Jim Ohlin and Brandon Felger, NVR, Incorporated; represented by Randall Woodings, Kontogiannis and Associates.
Planning Contact:	Dan Phillabaum, AICP, ASLA, Senior Planner.
Contact Information:	(614) 410-4662, dphillabaum@dublin.oh.us

MOTION #1 Text Modification for Architectural Styles and Materials and for Garage Percentage: To approve the following minor text modifications because they meet the review criteria, with no conditions:

1. To permit a modification to the architectural styles and materials depicted in the previous development text as depicted in the Planning Report;
2. To permit a modification to the exterior façade materials specified in the development text allowing for a broader range of exterior materials as outlined in the Planning Report; and
3. To permit a modification to the Residential Appearance Standards allowing front loaded garage doors to comprise not more than 50% of the linear distance of the front elevation of the home.

VOTE: 6 – 0.

RESULT: The minor text modifications were approved.

PLANNING AND ZONING COMMISSION
RECORD OF ACTION
AUGUST 18, 2011

1. NE Quad, Subarea 4C – Estates at Scioto Crossing **Essex Gate North**
11-032AFDFP **Amended Final Development Plan**

MOTION #2 – Amended Final Development Plan: To approve this amended final development plan because with the three previously approved text modifications, it meets the rest of the development text and will provide a more diverse type of housing choice within the subarea, with 15 conditions.

1) That the condominium declarations and by-laws require that no more than two units can be owned by one owner or entity;
2) That any future additional models have the same architectural character and quality as the proposed models, subject to Planning approval;
3) That any recreation amenities proposed for the central green be approved by the HOA prior to being submitted to Planning for approval;
4) That the land owner coordinate with Planning to identify locations for additional tree replacements or that a fee be paid in lieu of replacements ($100/inch) and coordinate the plant quantities in the plant list with the quantities listed in the landscape summary prior to the issuance of building permits;
5) That the existing trees in good health within the tree stand at Sawmill Road be preserved, the dead or dying plant material and understory plant material be removed, and the area be mulched or seeded before to the end of November 2011,subject to approval by Planning;
6) That street trees be added along Sawmill Road in coordination with the City of Dublin City Forester before the end of June 2012;
7) That the northern bike path connect to the central green along the east side of Avaleen Circle (South);
8) That the duplex unit depicted on the engineering drawings between the existing and proposed condominiums be removed from the drawings prior to applying for building permits;
9) That the grading plan be revised to eliminate grading activities within the wetlands prior to submitting for building permits;
10) That the applicant work with Planning to visually break up the space between the sides of the units;
11) That the ornamental trees adjacent to the central green be relocated to the back of the walk or bikepath or the interior of the park;
12) That all landscape beds adjacent to individual units, be a minimum of 3½ feet wide;
13) That the ornamental trees planted in the lawn areas be substituted for a shade tree species;
14) That the plant list be revised to correct the plant categorization; and
15) That whenever possible, the air conditioning units be located along the sides of the homes, subject to approval by Planning.

* Brandon Felger, NVR Incorporated, agreed to the above conditions.

VOTE: 6 – 0.

RESULT: This amended final development plan was approved.

STAFF CERTIFICATION

Dan Phillabaum, AICP, ASLA
Senior Planner

Page 12, paragraph 7: ~~Mr. Taylor~~ Ms. Kramb suggested designating a couple of parking spaces with five-minute limits be used for delivery and pickup of students.

Mr. Zimmerman seconded. The vote was as follows: Ms. Kramb, yes; Mr. Budde, yes; Ms. Amorose Groomes, yes; Mr. Fishman, yes; Mr. Zimmerman, yes; and Mr. Taylor, yes. (Approved 6 – 0.)

Administrative Business
Communications
Ms. Amorose Groomes noted that there were three Administrative Approvals included in the meeting packet. She confirmed that there were no Commission comments with respect to them.

Ms. Amorose Groomes asked if any dates for future meetings with City Council had been set with respect to the Bridge Street Corridor.

Ms. Husak said that Planning had no knowledge of any meeting being set for the topic.

Ms. Amorose Groomes announced that all four cases tonight were eligible for the consent agenda; however, Mr. Zimmerman had pulled Case 1 for comments or questions. She announced the amended agenda order: Case 2, 4, 3, and 1. [The minutes reflect the order of the published agenda.] Ms. Amorose Groomes briefly explained the rules and procedures of the Commission.

1. NE Quad, Subarea 4C – Estates at Scioto Crossing — Essex Gate North
11-032AFDFP — Amended Final Development Plan

Chair Chris Amorose Groomes introduced this application for modifications to the previously approved architectural and landscape design for 53 condominium units in the Northeast Quadrant Planned Unit Development District, located northwest of the intersection of Scioto Crossing Boulevard and Essex Gate Drive. She explained that motions for the minor text modifications and the amended final development plan application are required. She swore in those intending to speak on this application, including the applicants, Jim Ohlin and Brandon Felger, NVR, Incorporated, their representative, Randall Woodings, Kontogiannis and Associates, and City representatives.

Ms. Amorose Groomes asked if a full presentation was needed for this consent case.

Todd Zimmerman said his questions could be answered without a presentation.

Amy Kramb requested a summary of the changes to the application since the Commission had last seen it.

Dan Phillabaum explained that the case was previously postponed at the request of the applicant so that contractual issues could be resolved between the parties. He reported that there have been no substantive changes to the last Planning Report. He said however, a procedural revision had been brought to Planning's attention at the advisement of the City's counsel, to provide a cleaner record of the minor text modifications related to architecture.

Mr. Zimmerman noted that the Planning Report describes the windows as a double-hung window in a two-over-two style. He noted that the plans depict them as single-hung windows and these were acceptable.

Mr. Zimmerman said the previous proposal was targeted more for retirees. He said the patio home style now had a different customer base, but there were only four extra parking spaces outside of parking spaces in individual driveways, and that on-street parking was not permitted. He asked if that was for Fire Department access.

Mr. Phillabaum said that there were issues with the roadway width and the spacing of the driveways which would make on-street parking difficult in most of the areas.

Mr. Zimmerman pointed out that parking for two cars in the driveway is not enough during the holidays.

Ms. Amorose Groomes recalled that for a previous case, Greystone Mews, the applicants requested relief from their parking, and she would hate to create another similar problem here.

Mr. Phillabaum suggested that if that becomes an issue, the northern portion of the central green could incorporate parking spaces, however, it would slightly reduce the size of the central green.

Ms. Kramb asked if at the development to the south, on-street parking was permitted. Mr. Phillabaum said it was not permitted. Ms. Kramb said she did not want the parking to overflow into this development.

Ms. Amorose Groomes asked if the applicants had concerns about additional parking being needed.

Jim Ohlin, NVR, Incorporated, the applicant, said their similar developments had not had any issues with the amount of parking. He said the less parking there was, the nicer the projects looked.

Ms. Amorose Groomes suggested that if parking concerns arose at a future date, they could be installed in the central green area.

Mr. Zimmerman asked if the homeowners association was forced and funded. Mr. Ohlin said that the homeowners would be required to pay into the homeowners association.

Mr. Zimmerman asked if each unit would be required to maintain their own yard, or was it maintained by the association.

Brandon Felger, NVR, Incorporated explained that each unit maintains its own yard, but overall it is managed by the homeowners association who can take care of it and bill the homeowner in the event the homeowner is not doing so satisfactorily.

Mr. Zimmerman said many times for patio homes, mowing and landscaping are done by the homeowners association so that everyone has the same level of maintenance. He said it was important for uniformity because patio home communities are tightly clustered.

Mr. Felger said in other communities they have had difficulties in achieving a consistent landscape character when it was left to the individual homeowner. He said with this project the developer will do all the initial landscaping and mulching for the units, and this would help with uniformity but that they will not be able to tell everyone when to mow their yards.

Mr. Zimmerman said it was nice when a homeowners association mowed all the grass at the same time. He said that it created value and keeps up the original condominiums.

Ms. Amorose Groomes asked if that was in the Commission's purview.

Jennifer Readler explained that the responsibilities of the homeowners association were whatever the developer chooses to require.

Mr. Zimmerman asked if the applicants would be willing to address the maintenance concerns in the homeowners association documents. Mr. Felger said that in their experience, handling maintenance in this way allows customers to spend that money on the actual house as increased borrowing ability, rather than as a monthly maintenance fee. He said they wanted the community to look good.

Mr. Zimmerman said his concern was not about day one, but about the appearance five to ten years in the future. He referred to the standard maintenance package at Weybridge in Muirfield which provided a nice uniform look to the 20-year old development.
Ms. Amorose Groomes suggested the deed restrictions could list the type of mulch to be used.

Mr. Zimmerman left the decision up to the applicants. He said he hoped that they would consider following the model established by the neighborhood to the south, where the homeowners association mowed and landscaped, considering it was originally the same project. Mr. Ohlin said this was their first project in Dublin, and they wanted to come back and build more projects here. He said it was something that they would look at, but that they have found that a monthly maintenance fee is a shock to many owners because they like to take care of their own lawns.

Warren Fishman questioned whether the Commission could make that a condition. Ms. Readler explained that the criterion that addresses landscaping just says that it has to be adequate.

Richard Taylor said he thought these buildings were much better than what was done before. He said they were all well composed residences. He noted there was an option for a chimney and that it had to be masonry.

Randall Woodings confirmed that if the chimney is opted for, that it must be either brick or stone based on the design of the particular home.

Ms. Kramb asked if the west property lines facing the park were shielded or open and that her concern was that the back side of the houses all looked almost identical. She said she did not want a huge identical wall to be visible.

Mr. Phillabaum said that the mound would screen the first floor of these units.

Mr. Woodings said approximately 50 percent of the buyers add breakfast rooms or additions on the back of the houses, so that there will be architectural variety at the rear of these units.

Ms. Amorose Groomes referred to Condition 5 in the Planning Report and asked that additional language be added to remove any existing Ash trees in this tree stand. She believed that there may be four or five, and requested that they be replaced with another tree variety of the applicant's choice.

Ms. Amorose Groomes referred to the landscape plans for the units. She noted that the HVAC units were located on the back of every unit, and she preferred that they be located at the sides of the units wherever possible. She said if they were put on the side that the adjacent unit could also locate its HVAC unit in this area to group them together. She said this way everyone will not see all the air conditioners in the back and allow for better use of this space at the rear of the units.

Mr. Felger said they would like to do that, but explained that grouping them in this way would leave little room for grading proper drainage swales in this side yard area.

Mr. Fishman said that he had seen projects graded before the air conditioning units are installed.

Mr. Zimmerman suggested that the air conditioner be on a metal stand, next to the house.

Mr. Felger said that they could use a metal stand and hang the air conditioners on the house.

Ms. Amorose Groomes referred to a similar project in Wedgewood called The Barringtons, and said those air conditioning units are staggered and it works really well. She also recommended that some wing walls be added similar to those at the Barringtons because the sight lines between the units tend to be unsightly. She said typically the soil is very poor and based on the orientation some of these areas get

very little sun and the grass does not germinate very well. Ms. Amorose Groomes suggested the wing walls be staggered, front and rear. She said it could be a wooden fence or other type of screen.

Mr. Woodings said that the previous project had wing walls between the units, but that he did not think wing walls would go well with the new architecture and would prefer not to do that. He said they added picket fences in front of a number of the units to give the landscape more character and to add privacy in some areas. He proposed that they move some taller landscape plants in those areas and not do the wing walls.

Ms. Amorose Groomes said that with the amount of space between the units there was not much opportunity for plant material in that area. She suggested a wing wall to the front that would extend maybe four feet off a building and off the back of another building from the corners of the homes to break up the vistas.

Mr. Woodings said he did not see that as looking that great, having something extending off the back and the front of the building.

Mr. Taylor noted that the majority of the units were two-story, so that would make a dark tunnel between them. He said one way or another, something projecting toward that area would be helpful to close down that corridor because there is going to be a lot of them.

Ms. Amorose Groomes pointed out that the air conditioning units would be moved to the side and be required to be screened. She suggested that it would be possible to alternate and screen them and this could help close down the view between units.

Ms. Amorose Groomes asked how the applicants would like to solve their problem. Mr. Woodings asked if she was talking about a solid screen or fence and requested to submit a solution for planning staff to approve in order to avoid tabling the application.

Ms. Amorose Groomes recalled that Mr. Woodings indicated that a wooden structure would be very aesthetically pleasing. She said it could be picket fence-looking, but taller or that it could be board-on-board. She said she just wanted to break up the ten-foot tunnels next to every unit. Ms. Amorose Groomes asked if it was understood what the intention was.

Mr. Phillabaum asked if this treatment was being requested in all locations, or specific ones, due to the sun orientation.

Ms. Amorose Groomes clarified that the treatment should be only where there is a structure adjacent that is less than 16 feet away and it would not be needed on the end units.

Mr. Woodings said he would rather not have a different wall with the architectural element they had brought in already. He asked if something like the picket fence could be used.

Ms. Amorose Groomes said it could be the same fencing but perhaps on a taller scale, such as six feet.

Steve Langworthy asked if she was looking for the same treatment on every unit, or could there be a variety of different treatments to achieve the same thing.

Ms. Amorose Groomes said she thought the treatment would have to be consistent. She said otherwise, it would look haphazardly done.

Mr. Zimmerman suggested that at the corner of the house, the landscaping could turn the corner instead of ending at the front elevation, and help to narrow the view on each side.

Mr. Woodings suggested placing a taller element at the corner of the home and then transition to a row of lower plant material linking the homes with landscaping. He said he saw a wood fence being a maintenance concern and stone or brick becoming very expensive to do at every unit.

Ms. Amorose Groomes said that stone or brick was probably overkill. She said it was done with cedar at the development she mentioned earlier, and it was very attractive. She said it could be conditioned to work out with Planning, she would like someone to look at how the problem had been resolved very well at that development.
Mr. Woodings said they were clear what the goal was and would look at it and would resolve it like that.

Ms. Amorose Groomes noted that on the central green, Cleveland Select Pears were proposed between the sidewalk and the roadway. She said a pear is not a tall shade tree, it is an ornamental tree that grows out primarily to a maximum height of 35 to 40 feet with a width much greater than that. She said she was concerned about the pears being so close to the roadway and suggested they be moved to the other side of the sidewalk.

Mr. Woodings agreed to move the pear trees to the other side of the sidewalk.

Ms. Amorose Groomes noted that in the front yards shade and ornamental trees were alternated as street trees. She asked if the trees in these front yards and tree lawn areas could be shade trees as well. She pointed out that on Tara Hill, the mature Honey Locust provided a nice canopy over the road. Ms. Amorose Groomes said she preferred to see an oak tree variety because there were already maple trees proposed on the street. She said it would be nice in ten years to have some in-growth and green shading of the rooftops and things of that nature.

Mr. Woodings agreed to switch the ornamental trees for larger shade trees in the street tree areas.

Ms. Amorose Groomes referred to the individual unit landscaping and said she was concerned about the proximity of the sidewalks to the buildings. She said that it would result in plant beds about two feet in width between the walk and the home. She recommended that in order to adequately support shrubs in this location the planting beds should be at least 3½ feet wide.

Mr. Woodings agreed to make this revision to the individual unit landscape plans.

Ms. Amorose Groomes noted that listed on the Plant List certain plants were incorrectly categorized and needed to be revised. She said under Perennials and Groundcovers, were a Little Princess Spirea and an Emerald Green Arborvitae and said the spirea was listed as a groundcover and the arborvitae as a perennial. She said the arborvitae should be listed with the evergreen trees and shrubs and the Little Princess Sprirea should be listed with the deciduous ornamental shrubs.

Mr. Phillabaum modified Condition 5 listed in the Planning Report:

5) That the existing trees in good health within the tree stand at Sawmill Road be preserved, the dead or dying plant material and understory plant material be removed, and the area be mulched or seeded before to the end of November 2011, subject to approval by Planning;

Claudia Husak provided the language for Condition 10:

10) That the applicant work with Planning to visually break up the space between the sides of the units;

Mr. Phillabaum provided language for the following added conditions:

11) That the ornamental trees adjacent to the central green be relocated to the back of the walk or bikepath or the interior of the park;

12) That all landscape beds adjacent to individual units, be a minimum of 3½ feet wide;

Ms. Amorose Groomes provided the language for the next condition:

13) That the ornamental trees planted in the lawn areas be substituted for a shade tree species;

Mr. Phillabaum provided language for the next condition:

14) That the plant list be revised to correct the plant categorization.

Ms. Husak provided the following language for the last condition:

15) That whenever possible, the air conditioning units be located along the sides of the homes, subject to approval by Planning.

Ms. Amorose Groomes asked if there was anyone wishing to speak to the Commission with respect to this application. [There was no one.]

Motion #1 and Vote – Text Modification for Garage Percentage [Motion was later amended.]
Mr. Taylor made the motion to approve the proposed text modifications because they meet the review criteria, with no conditions.

Mr. Zimmerman seconded the motion.

The vote was as follows: Mr. Fishman, yes; Mr. Budde, yes; Ms. Amorose Groomes, yes; Ms. Kramb, yes; Mr. Zimmerman, yes; and Mr. Taylor, yes. (Approved 6 – 0.)

Motion #2 and Vote – Amended Final Development Plan
Mr. Taylor made the motion, to approve this amended final development plan to revise the proposed architecture of the detached condominium units and landscaping because it meets the development text and will provide a more diverse type of housing choice within the subarea, with 15 conditions:

1) That the condominium declarations and by-laws require that no more than two units can be owned by one owner or entity;
2) That any future additional models have the same architectural character and quality as the proposed models, subject to Planning approval;
3) That any recreation amenities proposed for the central green be approved by the HOA prior to being submitted to Planning for approval;
4) That the land owner coordinate with Planning to identify locations for additional tree replacements or that a fee be paid in lieu of replacements ($100/inch) and coordinate the plant quantities in the plant list with the quantities listed in the landscape summary prior to the issuance of building permits;
5) That the existing trees in good health within the tree stand at Sawmill Road be preserved, the dead or dying plant material and understory plant material be removed, and the area be mulched or seeded before to the end of November 2011, subject to approval by Planning;
6) That street trees be added along Sawmill Road in coordination with the City of Dublin City Forester before the end of June 2012;
7) That the northern bike path connect to the central green along the east side of Avaleen Circle (South);
8) That the duplex unit depicted on the engineering drawings between the existing and proposed condominiums be removed from the drawings prior to applying for building permits;
9) That the grading plan be revised to eliminate grading activities within the wetlands prior to submitting for building permits;

10) That the applicant work with Planning to visually break up the space between the sides of the units;
11) That the ornamental trees adjacent to the central green be relocated to the back of the walk or bikepath or the interior of the park;
12) That all landscape beds adjacent to individual units, be a minimum of 3½ feet wide;
13) That the ornamental trees planted in the lawn areas be substituted for a shade tree species;
14) That the plant list be revised to correct the plant categorization; and
15) That whenever possible, the air conditioning units be located along the sides of the homes, subject to approval by Planning.

Brandon Felger, NVR, Incorporated agreed to the above conditions.

Mr. Zimmerman seconded the motion.

The vote was as follows: Ms. Kramb, yes; Mr. Budde, yes; Ms. Amorose Groomes, yes; Mr. Fishman, yes; Mr. Zimmerman, yes; and Mr. Taylor, yes. (Approved 6 – 0.)

Ms. Kramb noted that technically, there were additional text modifications proposed besides the two concerning the garage percentage.

Jennifer Readler suggested that the original motion be revised for clarification.

Revised Motion #1 and Vote
Mr. Taylor made a motion to approve the text modifications as outlined in the Planning Report:

1. To permit a modification to the architectural styles and materials depicted in the previous development text as depicted in the Planning Report;
2. To permit a modification to the exterior façade materials specified in the development text allowing for a broader range of exterior materials as outlined in the Planning Report; and
3. To permit a modification to the Residential Appearance Standards allowing front loaded garage doors to comprise not more than 50% of the linear distance of the front elevation of the home.

Mr. Zimmerman seconded the motion.

The vote was as follows: Mr. Budde, yes; Ms. Kramb, yes; Ms. Amorose Groomes, yes; Mr. Fishman, yes; Mr. Zimmerman, yes; and Mr. Taylor, yes. (Approved 6 – 0.)

2. Camberlane Office Park – Oreste Health & Fitness 11-044CU — **6017 Post Road Conditional Use**

Chair Chris Amorose Groomes introduced this conditional use application involving an approximately 2,500-square-foot physical fitness center on the ground floor of an existing office building located on the south side of Post Road, approximately 1,150 feet east of Commerce Parkway. She swore in those intending to address the Commission on this case, including the applicant, Rusty Brunicardi, 5501 Riverside Drive; representing Post HSO LLC, and City representatives. Ms. Amorose Groomes said that a presentation was not necessary for this application since it was included on the consent agenda. She asked if there was anyone who wished to speak with respect to this application. [There was no one.]

Motion and Vote
Mr. Taylor made the motion to approve this conditional use proposal because it complies with all applicable review criteria and the existing development standards within the area, with no conditions.

Mr. Zimmerman seconded the motion.