



City of Dublin Planning and Zoning Commission

Planning Report

Thursday, March 26, 2015

Stansbury at Muirfield Village

Case Summary

Agenda Item	1
Case Number	14-009FDP/FP
Site Location	10799 Drake Road East side of Drake Road, 200 feet south of the intersection with Springburn Drive.
Proposal	To plat and develop 12.3 acres with 18 single-family lots and 4.5 acres of open space.
Applicant	Jason Francis, M/I Homes.
Case Manager	Claudia D. Husak, AICP, Planner II (614) 410-4675 chusak@dublin.oh.us
Requests	Review and approval of a <u>final development plan</u> under the provisions of Zoning Code Section 153.050. Review and recommendation of approval to City Council for a <u>final plat</u> under the provisions of the Chapter 152, Subdivision Regulations.
Planning Recommendation	In Planning's opinion, this proposal complies with all applicable review criteria and the existing development standards and approval is recommended with three final development plan conditions and two final plat conditions.

Approval of Final Development Plan: With 3 Conditions

Approval of Final Plat: With 2 Conditions

Approval of Minor Text Modification

In Planning's analysis, this text modification is minor in nature and the development text contains specific sign requirements. Planning recommends approval of the following minor text modification:

To allow staff determination of locations where metal or wood tree protection fencing is appropriate.

Condition

Final Development Plan

- 1) That the plans be updated to include a reference to the approved tree waiver, and;
- 2) That the plans include definitions for the Tree Preservation and Tree Planting Zones, and;
- 3) That the applicant work with Planning to update the Landscape Plans prior to submitting the construction drawings in accordance with the comments in the Planning Report.

Final Plat

- 1) That the applicant ensure that any minor technical adjustments to the plat, are made prior to City Council submittal, and;
- 2) That the plat includes definitions for the Tree Preservation and Planting Zones.



 <p>City of Dublin</p>	<p>14-009FDP/FP Final Development Plan/Final Plat Stansbury at Muirfield Village 10799 Drake Road</p>	<p>0 200 400 Feet</p> 
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Facts	
Site Area	12.362 acres
Zoning	PUD, Planned Unit Development District (approved as Ordinance 50-13 on June 10, 2013)
Surrounding Zoning and Uses	The site is surrounded by single-family residences of Muirfield Village, which are zoned PUD, Planned Unit Development District. To the north is Section 12 with 11 lots; to the west and south are parts of Section 7 with three and eight lots respectively. To the east are three lots in Section 8. All lots were platted in the late 1970s and developed as single-family residences in the early to mid-80s. A Muirfield Village bikepath is located adjacent to the site on the west and south boundary between the site and the residential lots.
Site Features	<ul style="list-style-type: none"> • Rectangular shaped site • Slopes up almost 30 feet from the southeast corner and 20 feet from the northeast corner • A vacant house and outbuildings on the east portion of the site were recently removed • A Stream Corridor Protection Zone extends from the western portion of the site toward the southeast corner • Limited tree clearing was permitted by the City after approval of the preliminary development plan
Site History	<p>2015 On January 5, 2015, City Council approved a tree replacement waiver request to allow tree-for-tree replacement of non-landmark trees for the site.</p> <p>2013 City Council approved Ordinance 50-13 on June 24, 2013 for the rezoning with preliminary development plan and a preliminary plat for the site from R, Rural District to PUD, Planned Unit Development District to establish an 18-lot single-family detached residential development with approximately 4.5 acres of open space. The site is east of the existing Drake Road right-of-way was partially vacated by Ordinance 51-13 at the same Council meeting. Ordinance 52-13, also approved on June 10, 2013 changed the name of Drake Road to Stansbury Drive.</p> <p>The Planning and Zoning Commission recommended approval to City Council for the rezoning to establish a 19 lot single-family detached residential development on April 4, 2013.</p> <p>2012 The Commission reviewed and commented on a Concept Plan proposing a new Planned Unit Development for 11.75 acres to be developed with 19 residential lots.</p>

Facts

The applicant informally presented a proposal for 24 cluster lots to the Planning and Zoning Commission on August 9, 2012. Adjacent residents expressed their concerns regarding the proposed density, potential environmental impacts to existing trees, drainage, and traffic.

2003

The Planning and Zoning Commission recommended approval to City Council of a rezoning application to R1, Restricted Suburban Residential District for the property since no formal Dublin zoning had been established after annexation. During review of the rezoning ordinance at City Council, the property owners requested Rural District zoning to keep horses on the property. Ordinance 66-03 (Amended) established Dublin R, Rural District zoning on the property.

Details

Final Development Plan

Process

The final development plan conforms with and provides a detailed refinement of the approved preliminary development plan. The final development plan includes all of the final details of the proposed development and is the final stage of the PUD process.

Proposal

The final development plan includes:

- 18 single family lots as provided in the approved development text
- 4.5 acres of open space
- Stormwater management facilities in Reserves B and C with open space design details
- Tree preservation and replacement details

Layout

The proposal includes a single public road, Stansbury Drive, serving all lots, extending south of the intersection with Springburn Drive. Stansbury Drive extends to the east and creates a loop turnaround at the west end of the site.

The proposal includes 4.5 acres of open space in four reserves all of which will be owned and maintained by Muirfield Village.

- Reserve A is located between Lots 5 and 6, north of Stansbury Drive and includes a 55-foot wide Stream Corridor Protection Zone.
- Reserve B is 3.45 acres south of Stansbury Drive in the western portion of the site. This reserve also encompasses the 55-foot wide SCPZ, existing trees and a stormwater management pond.
- Reserve C is 0.225-acre the bulb of the cul-de-sac in the western portion of the site and includes a rain garden with landscaping for stormwater management.
- Reserve D is a 0.341-acre strip of land for the former Drake Road right-of-way vacated by City Council as part of the rezoning of the site.

Details	Final Development Plan
Development Standards	<p>The approved PUD development text includes specific requirements that address the zoning and development details.</p>
Use/Density/Lot Sizes/Setbacks	<p>The development text permits 18 single-family detached homes, open spaces and related park features.</p> <p><u>Lot Minimum Requirements</u> Area: 10,000 square feet Depth: 120 feet Width: 62 feet at the building line</p> <p>Lots vary in size from 0.25-acre to 0.58-acre and are similarly sized as lots in adjacent sections of Muirfield Village.</p> <p><u>Yard Requirements</u> Front Yards: The proposed development text requires a 10-foot Build Zone front yard setback within which a portion of the front elevation must be located. Except for Lots 15 and 16, all lots require a Build-Zone between 20 and 30 feet. The Build-Zone for Lots 11 and 12 is between 35 and 45 feet due to the larger size of these lots. Front yard setback Build Zones have recently been used in several residential developments and enable the staggering of homes as required by the Subdivision Regulations.</p> <p>Side Yards: 7.5 feet for all lots.</p> <p>Rear Yards: Setbacks differ depending on the lot location. Lots 1 through 5 are required to have a 50-foot rear yard setback and Lots 6 through 12 require 45 feet. Lot 13 requires 10 feet and Lots 14 through 18 require 15 feet.</p>
Tree Preservation Zone/Tree Planting Zone	<p><u>Tree Preservation Zones Width</u> Lots 1-5: 35 feet Lots 6-12: 30 feet</p> <p>No buildings, structures, fences, patios or recreational or athletic facilities are permitted within the zone. No activity is permitted that would alter the natural state of the zone except to remove dead or noxious vegetation. This zone is also used for many of the replacement trees.</p> <p>The development text requires wood or metal tree protection fencing along the Tree Preservation Zone. Given its length of over 1,500 feet, the applicant has requested a minor text modification for relief from this requirement.</p>

Details	Final Development Plan
	<p><u>Tree Planting Zone Width</u> Lots 1-5; 14-18: 15 feet Lots 6-12: 10 feet</p> <p>The Tree Planting Zone is in addition to the Tree Preservation Zones and not required by Code or the development text. This zone is proposed at the rear of the lots, outside of easements, setbacks, the Tree Preservation Zone and is intended to provide additional protected areas for tree replacement. The final development plan should be updated to include a definition for both zones.</p>
Traffic and Access	<p>Stansbury Drive is a public street with a 50-foot right-of-way and pavement width of 28 feet terminating in a cul-de-sac in the east portion of the site. The street will be designed to Dublin Standards and include curb and gutter.</p>
Sidewalks	<p>The Subdivision Regulations require a sidewalk or bikepath along all public streets. Though not typical for a Muirfield Village neighborhood, the preliminary development plan was approved with a four-foot, public sidewalk along all street frontages, except where homes do not front the street. The sidewalk will extend along the frontage of Lot 13 and terminate at the driveway for this lot.</p> <p>An eight-foot asphalt bikepath is proposed in Reserve 'B' to connect the sidewalk along Stansbury Drive through the reserve to the Muirfield Village bikepath along the south site boundary.</p>
Street Trees and Tree Lawn	<p>The Zoning Code requires a minimum seven-foot tree lawn. The City Engineer has recently requested that nine-foot wide tree lawns be designed to allow more room for trees to grow and less interference with the sidewalk. The development text requires and the plans show a nine-foot tree lawn.</p>
Parking	<p>On-street parking will be allowed only on the north side of the street opposite of the water line and fire hydrants. Due to limited maneuvering space and driveway locations, on-street parking is not allowed within the cul-de-sac bulb.</p>
Architecture	<p>The development text describes the general character of the development as 1, 1½, and 2-story homes and requires compliance with the Residential Appearance Standards of the Zoning Code. The text prohibits the use of vinyl.</p> <p>The Muirfield Village Association will have individual plan approval rights for the subdivision. The proposed text addresses diversity and does not permit the same or similar front elevations on two lots on either side of a lot, three lots across the street from the subject lot, or on any lot on the cul-de-sac.</p> <p>No fences other than those required by the Building Code around swimming pools are permitted.</p>

Details	Final Development Plan
Architecture	<p>Lot 1 at the entrance to the plat includes a requirement that the home be oriented toward the south and a side-loaded garage on the west side.</p>
Tree Preservation	<p>The applicant is proposing to remove 162 protected trees, or 1,508 inches. Code defines protected trees as any tree that is in fair or good condition and 6 inches or above in diameter. The proposal reflects the removal of 1,480 caliper inches of non-landmark trees and 28 inches of landmark trees (one 28-inch tree).</p> <p>On January 5, 2015, City Council approved a tree waiver request for tree-for-tree replacement of trees that are less than 24 inches in diameter rather than replacement on an inch-for-inch basis, as required by the Tree Preservation requirements of the Zoning Code; and inch-for-inch replacement for trees less than 24 inches in diameter (i.e. Landmark Trees). In part, this was approved as Planning determined that some of the required replacement trees would not adequately fit on the site in protected locations.</p> <p>Under the tree fee waiver, a tree-for-tree replacement may be permitted for trees less than 24 inches in diameter. With the tree replacement requirement waived by Council, the minimum replacement required is 430.5 inches. The applicant is proposing to replacement 496.5 caliper inches. The planting plan should reference the tree waiver to explain the discrepancy between replacement inches required and provided.</p> <p>With the consultation of an arborist, the City previously permitted the applicant to clear trees that were dead or in poor condition that were not considered protected trees prior to the start of the Indiana Bat nesting season.</p>
Open Space and Landscaping	<p>The proposed plan includes 4.508 acres of open space and the development text states that this open space will be owned by and maintained by the Muirfield Association.</p> <p>The landscape plan includes various deciduous and evergreen trees as replacements within the tree preservation zones, the stormwater management pond and the detention area in the cul-de-sac bulb. Street trees are proposed to consist of varied species, which is a policy in the City given the experience with the Emerald Ash Borer.</p> <p>The applicant should work with Planning to field locate replacements trees to buffer existing homes to the north and incorporate more evergreens along the northern property line. The landscape plans should be updated to clarify the treatment of the Tree Preservation Zone in terms of ground cover and the removal of dead and unhealthy trees. The proposed spruce trees should also be more diverse and the basin planting should include a variety of deciduous trees and shrubs with perennials arranged in natural masses with an</p>

Details	Final Development Plan
	appropriate detention basin mix as ground cover.
Utilities and Stormwater Management	<p>This site will have access to adequate public water supply for both domestic use and fire protection through the proposed water main extension from the existing eight-inch water main located along the east side of Drake Road and the installation of five new fire hydrants.</p> <p>Sanitary sewer service is provided through the proposed sanitary sewer mains which will connect off-site to the existing sanitary sewer located to the west of Cruden Bay Court.</p> <p>The applicant has submitted a stormwater management report that demonstrates compliance with the City of Dublin Stormwater Management Code. The proposed stormwater improvements of storm sewers, catch basins, and stormwater retention and detention ponds with permanent stormwater quality control devices will provide for adequate stormwater quality and quantity control. The City guidelines for stormwater runoff control, or the amount of water that this site would release to the existing ditch, require that the proposed site will detain the site stormwater and release it at a rate no greater than the predevelopment condition. As such, there are no anticipated additional impacts to downstream culverts.</p>
Stream Corridor Protection Zone	<p>A Stream Corridor Protection Zone currently exists on this site. This zone is intended to preserve the flood water capacity of existing drainage ways and limits stream erosion. The width of this zone is determined by the contributing drainage area upstream of the segment. This zone has been sized at a total width of 55 feet centered on the existing channel. This zone will be established by the execution of the plat. There are many uses and facilities prohibited in the stream corridor protection zone, including but not limited to:</p> <ul style="list-style-type: none"> • Disturbance of Natural Vegetation • Buildings • Stormwater Management Facilities <p>In accordance with the Stormwater and Stream Protection Code, the applicant requested that a small portion of the Stream Corridor Protection Zone be exempted or removed. The City Engineer has determined this portion does not meet the definition of a stream and will no longer be defined as a Stream Corridor Protection Zone.</p>

Analysis Plan	Final Development
Process	Section 153.050 of the Zoning Code identifies criteria for the review and approval for a final development plan (full text of criteria attached). Following is an analysis by Planning based on those criteria.
1) <i>Consistency with the approved preliminary development plan.</i>	Criterion met: This proposal is consistent with the requirements of the proposed preliminary development plan.
2) <i>Traffic and pedestrian safety</i>	Criterion met: The proposal provides safe vehicular and pedestrian circulation.
3) <i>Adequate public services and open space</i>	Criterion met: The proposal has all necessary public services.
4) <i>Protection of natural features and resources</i> Conditions 1 & 2	Criterion met with Conditions: City Council approved a tree waiver for the site, which should be referenced on the tree planting plan. The applicant has included tree protection zones in the plans. The definition of the zone should be added to the plans.
5) <i>Adequacy of lighting</i>	Criterion met: No lighting other than street lighting is proposed.
6) <i>Signs consistent with preliminary development plan</i>	Criterion met: No signs are proposed as part of this plan.
7) <i>Appropriate landscaping to enhance, buffer, & soften the building and site</i> Condition 3	Criterion met with Condition: The proposal includes differing tree species for street trees and replacement trees. Replacement trees are adequately spaced where proposed for preservation and planting. The applicants will be required to work with Planning to incorporate more evergreens along the northern property line. The landscape plans should be updated to clarify the treatment of the Tree Preservation Zone in terms of ground cover and the removal of dead and unhealthy trees. The proposed spruce trees should also be more diverse and the basin planting should include a variety of deciduous trees and shrubs with perennials arranged in natural masses with an appropriate detention basin mix as ground cover.
8) <i>Compliant Stormwater management</i>	Criterion met: The proposal meets the requirements of the Code.

Analysis Plan	Final Development
9) <i>All phases comply with the previous criteria.</i>	Not applicable.
10) <i>Compliance with other laws & regulations.</i>	Criterion met: The proposal appears to comply with all other known applicable local, state, and federal laws and regulations.

Recommendation	Final Development Plan
Approval	In Planning's analysis, this proposal complies with the proposed development text and the final development plan criteria. Planning recommends approval with two conditions.
Conditions	<ol style="list-style-type: none"> 1) That the plans be updated to include a reference to the approved tree waiver; 2) That the plans include definitions for the Tree Preservation and Tree Planting Zones, and; 3) That the applicant work with Planning to update the Landscape Plans prior to submitting the construction drawings in accordance with the comments in the Planning Report.

Details		Minor Text Modification
Proposal	The Stansbury at Muirfield Village development text requires wood or metal fencing as tree protection fencing along the Tree Preservation Zone, which is over 1,500 feet long. This requirement has typically been included in the development text around Landmark Trees to be preserved rather than along entire protection zones. The applicant has requested relief from this requirement. Planning supports a minor text modification that would allow the applicant to work with Planning to determine on site where protection fencing is needed in the more sensitive natural areas (e.g., areas near the Stream Corridor Protection Zone).	
Text Modification	Planning recommends modifying the text to allow City staff to determine where metal or wood tree protection fencing is appropriate.	

Analysis		Minor Text Modification
Process	Code Section 153.053(E)(2)(b)4b permits the Commission to approve a modification to the development text and Zoning Code if they determine that all of the appropriate provisions are satisfied.	
Request	To modify the development text to allow City staff on-site determination for where protection fencing is needed in the more sensitive natural areas.	

Recommendation		Minor Text Modification
Approval	Planning recommends approval of this request to modify the development text to allow City staff on-site determination for where protection fencing is needed in the more sensitive natural areas.	

Details		Final Plat
Process	The purpose of the final plat is to assure conformance with the requirements set forth in Sections 152.085 through 152.095 of the Code, exclusive of other standards in the Code.	
Plat Overview	<p>The proposed preliminary plat subdivides 12.362 acres of land into 18 single-family lots and 4.5 acres of open space. The plat also provides right-of-way for the extension of Stansbury Drive (formerly Drake Road) to serve the site.</p> <p>The plat should be revised to include a definition of the Tree Preservation and Planting Zones.</p>	
Open Space	<p>The Subdivision Regulations require open space dedication of 1.28 acres; 4.5 acres are provided, owned and maintained by the Muirfield Village Association. The development text permits the open space dedicated to Muirfield Village to fulfill the open space dedication requirements stipulated in the Subdivision Regulations Sections 152.086 and 152.087.</p> <ul style="list-style-type: none"> • Reserve A: between Lots 5 and 6, north of Stansbury Drive, includes a 55-foot wide Stream Corridor Protection Zone (SCPZ). • Reserve B: 3.45 acres south of Stansbury Drive in the western portion of the site, includes a 55-foot wide SCPZ, existing trees and a stormwater management pond. • Reserve C: 0.225-acre on the bulb of the cul-de-sac with a rain garden with landscaping for stormwater management. • Reserve D: 0.341-acre Drake Road right-of-way vacated by City Council as part of the rezoning of the site. 	

Analysis		Final Plat
Process	The Subdivision Regulations identify criteria for the review and approval for a final plat. Following is an analysis by Planning based on those criteria.	
1) Plat Information and Construction Requirements <i>Conditions 1 and 2</i>	<p>Criterion met with Conditions: This proposal is consistent with the requirements of the Zoning Code and all required information is included on the plat. The applicant should ensure that any minor technical adjustments to the plat are made prior to City Council submittal, including reflecting open space ownership and maintenance responsibilities and setback information.</p> <p>The plat should also include definitions for the Tree Preservation and Planting Zones.</p>	

Analysis	Final Plat
2) Street, Sidewalk, and Bike path Standards	Criterion met: Street widths, grades, curvatures, and intersection signs comply with the appropriate Code sections and engineering requirements. Sidewalks or bikepaths are required on both sides of all public streets in compliance with City construction standards, and are included on the preliminary plat.
3) Utilities	Criterion met: Utility lines are adequately sized and located to serve the development and provided within appropriately sized and accessible easements.
4) Open Space Requirements	Criterion met: The open space provided exceeds the requirement stipulated in the Subdivision Regulations. The applicant will be dedicating the open space to Muirfield Village, as has been common practice with parks in this area. The proposed development states the open space dedication to Muirfield Village fulfils all dedication requirements.

Recommendation	Final Plat
Approval	This proposal complies with the final plat review criteria and approval of this request is recommended with two conditions.
Conditions	<ol style="list-style-type: none"> 1) That the applicant ensure that any minor technical adjustments to the plat, are made prior to City Council submittal, and; 2) That the plat includes definitions for the Tree Preservation and Planting Zones.

FINAL DEVELOPMENT PLAN CRITERIA

Review Criteria

In accordance with Section 153.055(B) *Plan Approval Criteria*, the Code sets out the following criteria of approval for a final development plan:

- 1) The plan conforms in all pertinent respects to the approved preliminary development plan provided, however, that the Planning and Zoning Commission may authorize plans as specified in §153.053(E)(4);
- 2) Adequate provision is made for safe and efficient pedestrian and vehicular circulation within the site and to adjacent property;
- 3) The development has adequate public services and open spaces;
- 4) The development preserves and is sensitive to the natural characteristics of the site in a manner that complies with the applicable regulations set forth in this Code;
- 5) The development provides adequate lighting for safe and convenient use of the streets, walkways, driveways, and parking areas without unnecessarily spilling or emitting light onto adjacent properties or the general vicinity;
- 6) The proposed signs, as indicated on the submitted sign plan, will be coordinated within the Planned Unit Development and with adjacent development; are of an appropriate size, scale, and design in relationship with the principal building, site, and surroundings; and are located so as to maintain safe and orderly pedestrian and vehicular circulation;
- 7) The landscape plan will adequately enhance the principal building and site; maintain existing trees to the extent possible; buffer adjacent incompatible uses; break up large expanses of pavement with natural material; and provide appropriate plant materials for the buildings, site, and climate;
- 8) Adequate provision is made for storm drainage within and through the site which complies with the applicable regulations in this Code and any other design criteria established by the City or any other governmental entity which may have jurisdiction over such matters;
- 9) If the project is to be carried out in progressive stages, each stage shall be so planned that the foregoing conditions are complied with at the completion of each stage; and
- 10) The Commission believes the project to be in compliance with all other local, state, and federal laws and regulations.

MINOR DEVELOPMENT TEXT MODIFICATION

Code Section 153.053(E)(2)(b)4,b permits the Commission to approve a modification from the development text and Zoning Code if they determine that all of the following provisions are satisfied.

- (i) The Planning and Zoning Commission determines that, for this Planned District, the code compliance is not needed in order to ensure that the Planned District is consistent with the Community Plan and compatible with existing, approved, or planned adjacent development; and
- (ii) The Planning and Zoning Commission determines that the proposed modification does not significantly alter the list of permitted or conditional uses, cause an inappropriate increase in density or cause inconsistencies with the Community Plan;
- (iii) The proposed modification results in a development of equivalent or higher quality than that which could be achieved through strict application of the requirement(s);
- (iv) The principles of § 153.052(B) are achieved; and
- (v) The development, as proposed on the amended final development plan, will have no adverse impact upon the surrounding properties or upon the health, safety or general welfare of the community.

FINAL PLAT CRITERIA

Review Criteria

Approval of Final Plats is governed by City Code Chapter 152: *Subdivision Regulations*. The evaluation of the Final Plat is based on the conformance of the plat with the requirements set forth in the Code, which are summarized below:

- The proposed final plat document includes all the required technical information.
- Construction will be bonded and completed in an appropriate time frame, inspections will be conducted by the City in accordance with Engineering standards for improvements, and maintenance will be completed as necessary.
- The proposed lots, street widths, grades, curvatures, intersections, and signs comply with the standards set forth in these Code sections.
- The proposal includes provisions for water, storm drainage, sanitary sewer, electric, telephone, and cable supplies in accordance with approved standards.
- The proposed development complies with the open space and recreation facility requirements or payment into the Parkland Acquisition Fund is made in lieu of dedication.

In addition, the Planning and Zoning Commission is to determine that the final layout and details of the final plat comply with the approved preliminary plat. The Commission is to consider several factors in making its recommendation:

- 1) The final plat conforms with the approved preliminary plat;
- 2) The plat conforms to the adopted Thoroughfare Plan and meets all applicable parkland dedication and open space requirements; and
- 3) The final plat conforms to the subdivision and zoning regulations, municipal stormwater regulations, and other applicable requirements.