

## PLANNING AND ZONING COMMISSION

### MEETING MINUTES

APRIL 9, 2015

#### AGENDA

- 1. Riviera** **8025 Avery Road**  
**14-068Z/PDP/PP** **Rezoning/Preliminary Development Plan (Approved 7 – 0)**  
**Preliminary Plat (Approved 7 – 0)**

The Chair, Victoria Newell, called the meeting to order at 6:31 p.m. and led the Pledge of Allegiance. Other Commission members present were: City Council Representative Amy Salay, Christopher Brown, Robert Miller, Deborah Mitchell, Cathy De Rosa, and Stephen Stidhem. City representatives present were: Jennifer Readler, Philip Hartmann, Steve Langworthy, Alan Perkins, Gary Gunderman, Claudia Husak, Tina Wawszkiewicz, Aaron Stanford, Marie Downie, Sue Burness, and Laurie Wright.

#### Administrative Business

##### Motion and Vote

Ms. Newell moved, Mr. Brown seconded, to accept the documents into the record. The vote was as follows: Ms. Salay, yes; Ms. De Rosa, yes; Mr. Miller, yes; Ms. Mitchell, yes; Mr. Stidhem, yes; Chris Brown, yes; and Ms. Newell, yes. (Approved 7 - 0)

The Chair said there were no consent cases on the evening's agenda. She said two cases were postponed, prior to the meeting; they are expected to be heard on May 7, 2015.

#### Previously Tabled

- 1. Riviera** **8025 Avery Road**  
**14-068Z/PDP/PP** **Rezoning/Preliminary Development Plan**  
**Preliminary Plat**

The Chair, Ms. Newell, said the following application is a request for a rezoning of approximately 152 acres from R, Rural District and R-1, Restricted Suburban Residential District to PUD, Planned Unit Development District for the potential development of the site with up to 185 single-family lots and approximately 76 acres of open space. She said the site is on the west side of Avery Road, north of the intersection with Memorial Drive. She said this is a request for review and recommendation to City Council for a Rezoning with a Preliminary Development Plan and also a request for review and recommendation to City Council for a Preliminary Plat under the provisions of the Subdivision Regulations. As City Council is the final authority on these requests, she said applicants do not have to be sworn in.

Claudia Husak said there are quite a few steps for the applicant in the approval process after tonight's meeting. She explained this is step 2 of the Planned Unit Development process, which is the Rezoning with the Preliminary Development Plan as well as a Preliminary Plat. She presented a process overview and said two actions were being requested this evening:

- 1) Recommendation to City Council on the Rezoning with the Preliminary Development Plan

2) Recommendation to City Council for the Preliminary Plat

Ms. Husak presented the site and pointed out the three Dublin schools adjacent to the site: Deer Run Elementary, Grizzell Middle School, and Dublin Jerome High School. She said the major residential developments surrounding the site are: Tartan West, Muirfield Village, Shannon Glen, and Belvedere.

Ms. Husak presented the plan as it was reviewed by the Commission on March 26, 2015, and ultimately tabled to take care of a lot of the conditions as well as the concerns that were raised by some of the residents and the Commission. At that meeting she said, 15 conditions were proposed for the Preliminary Development Plan that Planning had identified as areas of concern that would need to be taken care of as the application moves forward to City Council. She added there were two conditions proposed by Planning for the Preliminary Plat. She said the major four points that were requested to be changed and the applicant has taken care of as part of this proposal were relocation of Lots 135, 136, and 185, which she indicated on the slide. She said the concerns were mainly about the Hyland-Croy street connection and traffic hitting Lot 185 and opening up some areas just north of that street connection to open vistas. She said the other points commented on were the architectural standards, tree preservation, and the alignment of Timble Falls, which she indicated on the slide. She explained that many of those conditions from the meeting on March 26, 2015, have been eliminated. She said 11 conditions were either taken care of in the revised development plan or the applicant has incorporated the requirements/requests in the development text. She said infrastructure agreement conditions were left because those are a separate action with City Council.

Ms. Husak said Staff had requested the following:

- Realignment of Timble Falls Drive
- Update all the street names and noted correctly in all of the plans
- Add language in development text to require all the existing cart paths to remain to meet City standards
- Show willingness to work with Dublin City Schools to provide a path to Jerome High School
- Include garage limitations for lots that are facing or side-loaded to Avery Road
- Provide membership information for the Architectural Review Committee
- Add language on tree preservation to identify appropriate measures at the Final Development Plan

Ms. Husak said it is a very subtle change in the proposed development plan but the applicant has relocated those three lots area to the north and south of Timble Falls Drive, west of the Avery Road entrance. She said the applicant has removed one of the access points between the lots to the interior open space in Reserve X, which allows for more open space and tree preservation.

Ms. Husak highlighted the architectural character. She said the applicant has taken cues from the Tartan Ridge development text. She stated they have listed and shown examples of: Midwestern Vernacular, Colonial Revival, Classical, European Country, American Period Revival, and Age Targeted styles of architecture. She said there are a lot of additional requirements and illustrations within the development text that the applicant has provided to show the kind of style and architecture they are proposing within this development.

Jeff Brown, attorney with Smith and Hale, representing the applicant, expressed his thanks to Staff and the neighborhood partners. He said we have a much better project to present to the Commission than what they started with. He said when they left the meeting last month there were two major concerns expressed by the Commission: 1) where the three lots would be relocated to; and 2) architecture better described in the development text with language and illustrations. He said the documents that have been submitted to the Commission and reviewed by Staff addressed those points and a lot of the other

conditions that Staff had identified with the previous report to the point of elimination of those conditions.

Greg Chillog, Edge Group, 350 W. Bridge Street, Columbus, Ohio, showed where three lots had been relocated to at the front of the development in Sections 1 & 2. He explained that Lot 69 will require reshaping of the pond and Lots 40 and 41 were flip-flopped. He covered the elements that were added or deleted from the text relative to the architecture. He said vinyl has been eliminated as a trim material, driveway material text has been added "permitted primary pavement materials include: asphalt, concrete, brick, concrete pavers, color imprinted concrete, prohibits the use of gravel, and permits secondary materials as accents: brick or stone", added text language relative to Avery Road pedestrian crossing, and added images. He said a picture is worth a thousand words but it is also worth a thousand interpretations. He said they clarified the text to state the images are included as supportive information to express the design intent and vision for the architecture but they should not be used to interpret what the limitations of the text represent or even the exceptions. He said they have added material samples, colors, styles, intent of material configurations, four-sided architecture, decorative garage doors, awning style windows, lighting and accessories.

Charles Ruma, Davidson Phillips, said at the March 26 meeting, they looked at Tartan Ridge as a gold standard for architectural standards. He said they now have 13 pages of architectural standards that spelled out their intent and includes diagrams or pictures. He said vinyl windows were discussed at the March 26 meeting and recalled saying he would eliminate vinyl windows but he has talked to a dozen builders in the past two weeks and all of them use vinyl windows. He said there are vinyl windows in Tartan Ridge, Wellington, Wellington Reserve, Tartan West, Belvedere, and Shannon Glen. He said they are permitted in Celtic Crossing, which has been approved, which is the last zoning this Commission approved. He indicated it comes down to the choice of individual homeowners; a lot of customers like vinyl over wood per the maintenance.

Mr. Ruma noted Lot 41 where there is a concern about two trees on that lot, one of them being a 28-inch Red Oak. He said they purposely put these lots up front to get them away from the back of the community and more likely to be using Avery Road rather than Timble Falls or Firenza Drive. As a result, he said they considered those two trees specifically. He said the 28-inch Red Oak is sitting in a triangle between three cart paths that come together at the end of the 18<sup>th</sup> hole and where it goes down to the 10<sup>th</sup> hole and across to the 9<sup>th</sup> hole. He indicated when those cart paths are removed and grade changed, the tree will probably be lost.

Mr. Ruma reiterated that they have 76 acres of open space and the preservation of trees on this site is phenomenal because of the large amount of open space. He restated that 800 plus trees were planted by the owner and the 28-inch Red Oak is one of them. He said there are other places he can relocate a lot if that becomes an issue but he believes the lots are in the right location.

Ms. Husak said the application has been reviewed based on all of the 16 criteria for the Rezoning with a Preliminary Development Plan, which is detailed in the back of the Planning Report. She noted the applicant has incorporated a lot of key requirements that Planning previously identified into the development text. She said approval is recommended with four conditions, as proposed in the Planning Report as well as shown on the slide:

- 1) That the applicant enter into an infrastructure agreement with the City, prior to submitting the first Final Development Plan, for development thresholds and public project contributions including the necessary sanitary sewer system improvements;

- 2) That the applicant work with the City to program a direct site connection to Hyland-Croy Road to the satisfaction of the City Engineer prior to the approval of a Final Plat that includes the Firenza Place connection to Tartan West;
- 3) That the developer update the traffic impact study to the satisfaction of the City Engineer prior to a City Council hearing of the rezoning;
- 4) That as part of the development of Section 1, the applicant provides a northbound left-turn lane on Avery Road into the site and a pedestrian crossing system for Avery Road, to the satisfaction of the City Engineer;

Ms. Husak said approval is recommended for the Preliminary Plat to be forwarded to City Council with one condition:

- 1) That the applicant ensures that any minor technical adjustments to the plat are made prior to City Council submittal.

Ms. Husak said that concluded her presentation.

The Chair invited public comment.

Tim Albright, 8145 Timble Falls Drive, said he is one of five homeowners that live on Timble Falls Drive. He said he had three concerns: 1) safety – because of increased traffic, specifically high school students. He said high school students will find the path of least resistance. He indicated since the Avery/Brand Road intersection is such a mess that could encourage the student coming southbound on Avery Road to cut through Belvedere to cut down on drive time. He indicated the same can be predicted if this plan goes forward. He said all of the all the high school students in the 185 houses, will probably use Timble Falls Drive to go to high school because it is the path of least resistance and there is no stop sign; 2) effect of quality of life – there is a beautiful buffer zone of mature trees that line the border of Belvedere and what used to be Riviera Golf Course. He said he was not certain if it could be determined who owns those trees but some are right in the middle, right on the property line. He asked if Dublin or the developer could guarantee that these trees will be saved; and 3) property value – lot sizes in the proposed plan along Timble Falls Drive are much smaller than the existing lots on that street, approximately by 30%. He said he had hoped if this property was ever to be developed, it would be estate lots and that obviously is not the case. He said it appears there will be smaller lots with smaller houses.

Mike Bickley, 5839 Moray Court, Dublin, said he had three concerns: 1) cost - he feels he has been robbed as a taxpayer. He said Mr. Ruma met with the City Schools and offered to give them 15 acres for free. As a taxpayer, he said he votes for school levies, his kids and grandkids go to school in Dublin, and they all support the schools. He indicated Mr. Ruma offered the schools this land based on the student demand for this development. He said it feels like a card trick. He said Mr. Ruma has taken it off the table and hidden it now. As a citizen he said, Mr. Ruma should stand up to his word and follow through on that commitment. He said the taxpayers are being asked to subsidize this for profit development now; 2) trees - what Mr. Ruma did at Wellington cannot happen again to the trees in the City of Dublin, clear cutting a site like that was criminal. He said in this case, we have even better trees. He said the most impressive and historic trees in the City of Dublin are left today on this site. He said they are beautiful because they were planted and the canopies were left alone to grow, absolute specimens. He said early on, there was a discussion about the City hiring an arborist to supervise the trees and that is important. He said an independent person inspects all these trees and reports back to this Commission or City Council and holds Mr. Ruma accountable for these trees. He recalled Mr. Ruma stating at the March 26 meeting how lovely the trees look in Wellington. He said they look like the trees in the nursery parking

lot, an inch and a half or two inches in diameter. He said his house is Phase 1 of Muirfield, and he finally has shade on his front driveway, 40 years later. He said they are beautiful trees but it took 35 – 40 years to accomplish. He suggested that the Commission somehow address, based on Mr. Ruma's previous experience, to take the tree preservation to a different level. He said Mr. Ruma cannot be trusted on trees; and 3) Hyland-Croy connection – he said everyone but Mr. Ruma agrees there should be a road here. All the residents, he said, reluctantly are accepting this proposal. He indicated they do not like it but it is happening, it has improved drastically, but we have to live with this for a long time. He said there is going to be five to six years of construction traffic. He asked the Commission to consider creating a service entrance. He said there will be dump trucks, gravel trucks, and concrete trucks creating dust, dirt, and noise. He noted the busiest park in Dublin; he said sometimes you can hardly get down Avery Road because of the soccer traffic. He noted the schools, daycares, and churches. He pointed out the failing interchange, which he knows Dublin is looking into something different, problem is, it takes a couple of years to build a roundabout. He said during those years, this will be restricted to trucks so what is the detour. He said at 7 am in the morning, you have gravel trucks racing kids to high school. That is why he said he is recommending a service road be built right away; it can be gravel or a base coat and be finished in a couple of years. He summarized that the residents are reluctantly accepting this and asked that the service road be considered as a solution.

Kevin Walter, 6289 Ross Bend, said he represented a coalition of nine neighborhood groups, homeowners associations, and civic groups from across northwest Dublin. He thanked Mr. Ruma for his willingness to work with his group. After the last meeting, he said it was clear to his group that the Commission is well-informed and is generally in alignment with their thinking. He reported at this late stage in the proceedings, they have decided to change their position from one of advocacy to one of vigilance. Rather than to push for changes and alterations to the plan, he said we chose to act as stewards of the legacy of Riviera Golf Club and stand watchful. He requested that the Commission keep a running tally of all the agreed upon items and conditions to this application. He said he wanted attention paid to 11 items:

- 1) Asphalt driveways – he said in the last meeting, there was near unanimous support for the elimination of asphalt driveways. He asked that the development text be changed to require concrete or paver driveways only and eliminate asphalt as an acceptable paving material.
- 2) Welling of trees – where grade changes will impact the tree base, that trees be protected by the use of tree wells rather than simply re-grading.
- 3) Architectural renderings – the development text now includes pictures that depict the text, but the pictures have no text that link the pictures to the development text. He said the pictures need to be captioned or annotated.
- 4) Mailboxes and lamp posts – he referred to AS15 in the lighting section of the development text showing three lamp posts; the text does not indicate which posts would be used and at what location in this development. He asked that the lamp posts be consistent within each subarea and that mailboxes be uniform throughout the development. He asked that the lamp posts be gas or photocell that are non-switched to ensure they will always light the way.
- 5) Side-loaded garages – he asks that the development text appropriately reflects the Commission's desire for side-loaded or carriage garages indicated by subarea or lot number.
- 6) Vinyl – He asked that vinyl be categorically eliminated as an acceptable material for windows and shutters.
- 7) Percentage of materials – he asked for further discussion and clarification
- 8) Open space removal – he said there is this change in the plans that removes the open space that was set between Lots 17 & 18. He said he does not understand Staff's recommendation and asked that it be returned to the plan.
- 9) Open space hardscaping – he said the developer verbally committed to delineate the open space that exists between the private lots between 17 & 18 so he asked that a condition be added requiring that hardscape.
- 10) Lots 40, 41, & 69 – he asked that these lots be eliminated and referred to the tree survey. He said by relocating lots 40 & 41 the community will lose not only open space but also three large

trees in good condition. He said trees 26, 27, & 442 will be lost by the relocation. He said tree 442 is a 28-inch Oak Tree. He said as a slow growing specimen, it is special. He said it can grow to reach hundreds of feet tall and would be a wonderful landmark tree for the community. He said the other two trees are smaller at 17 and 22 inches in diameter but they have been there for the life of the course. He said Lot 69 was added across the street and it appears the water basin has been shifted in size and shape in order to accommodate this lot, which would be substantial. Additionally, he said the view shed would be greatly reduced. He indicated the view sheds will be the hallmark of Riviera.

- 11) Hyland-Croy connector – Mr. Ruma objected to the need for this connector but said if he was forced by the City he would build it. He asked the Commission to require the applicant to pay 50% of the cost into an infrastructure fund to support the development of that connector as recommended by Staff.

Mr. Walter thanked his planning group, City Staff, the Commission, and Mr. Ruma for bringing forward what they hope to be a development worthy of the legacy of Riviera.

Mike Bickley said windows influence how a building looks and there is a long list of windows in the development text. He said he went to the WDMA website (Window and Door Manufacturing Association) where they listed the same so Mr. Ruma listed every single window available in North American today as a suitable window for his site. He said a real standard would be like an "Anderson 400-series Low-E4 glass, clad or equivalent"; something that really tells us a quality product. He said this is not a list of standards; this is a list of available building materials.

Lisa Judson, 8018 Summerhouse Drive West, said her home is at the T-intersection with Abbey Glen, and when construction is started for a roundabout at Avery/Brand, she asked how construction vehicles will get up to where they are needed and how much of it is going to go through Belvedere, specifically in front of her home. She asked about refurbishing Brand Road. She asked if big trucks would travel up through Hyland-Croy from Post Road, the road there on the right side traveling north is giving way and crumbling already. She asked how soon any of this, like a four-lane highway would be taking place to support all of this.

Clifford Ursich, Flexible Pavements of Ohio, 6205 Emerald Parkway in the Camden Professional Center, said he is with a trade association, the asphalt paving industry. He said they have been in Dublin since 2008. He said he wanted to address the issue of the driveways. He said he is the President and Executive Director. He said he is a civil engineer by education, a registered professional engineer, and practiced in transportation engineering field for 32 years. He indicated he has had the opportunity to work with Dublin's engineering staff and ensure the performance of Dublin's roadway network, which is composed entirely of asphalt from the top of the pavement to the base.

Mr. Ursich said he wanted to address the elimination of asphalt in the Riviera development. He said Dublin has fared well with its performance of its roadway system while Columbus and other communities are struggling to keep their roads in good shape. He reported Dublin serves as a model for a cost-effective and efficient roadway system. He indicated he understands the issue is driveways, not roadways. He said it is a fact that asphalt pavement can provide long-term durability and owner satisfaction. He said concrete or other driveways are not a panacea. He said with concrete, there is a scaling and flaking of the surface from road salt deposit from automobiles; pop out of stone and driveway surface; rust stains from aggregate; broken and tilted slabs; and reflectivity. He said fixes for these problems are substantial in cost and commotion. He noted sustainability is to reduce, reuse, and recycle. He said most recyclable material in the US is asphalt pavement, more than paper, aluminum, and steel. He noted each asphalt driveway paved in Dublin, Ohio contributes to the City's efforts to being a sustainable community. He juxtaposed that every broken slab of failed concrete driveway ends up in either a construction demolition debris landfill or a bone pile such as the one at interstates I-70 and I-270 on Columbus' west side, all to be repurposed as a non-specification aggregate or slope protection.

Mr. Ursich said there appears to be no legitimate justification for eliminating asphalt and requiring concrete or other such material. He said property values are not impacted based on driveway pavement types; the auditor does not give consideration of this in property valuation. He indicated Dublin would suffer no economic hardship using asphalt driveways; however, concrete pavement requirement would increase homeowner costs. He noted communities of the caliber of Dublin regularly use asphalt driveways; communities that have residences that exceed a million dollars in valuations. He said as a Dublin local business, choice made regarding this matter does have a direct monetary impact on his association and business, Flexible Pavements of Ohio. He indicated restricting the use of asphalt pavement for driveways on Riviera development will affect their revenue since their association income is based on the number of tons of asphalt produced. He indicated as an association, they have provided pro-bono service to the City of Dublin, by assisting on issues pertaining to the specifying and construction of the City's asphalt roadway system.

The Chair invited other public comment. [Hearing none.] She closed off the public comment portion of the meeting.

Steve Stidhem indicated this is his first time being a part of this and inquired about the area to the west of Section 4.

Ms. Husak said that area is currently owned by the Riviera Golf Club and not included in this proposal tonight. She said the western portion of Riviera is zoned R, Rural, which permits single-family homes on 40,000-square-foot lots and various agricultural uses. As part of this proposal moving forward, she said this would be a 15-acre lot that would be created by this area being zoned, which could be used for a variety of uses as permitted by the Zoning Code.

Chris Brown said we all know the applicant's history of Wellington Reserve; he is sure it is regrettable now and does not want to see the applicant repeat that. He said there are trees that join the associated neighborhoods that are designated as being preserved and the applicant has obligated himself to the City to come up with the proper means to do so. He said he counted at least 32 major trees on specific lots and emphasized the preservation is a condition that will go through the Final Development Plan. He restated the applicant has a reputation; he has done well in the past but not the last time out.

Mr. Ruma said there were 120 trees saved in Wellington. He explained they needed to get engineering approvals and it took him nearly six months to get engineering plans approved in the City of Dublin, which included grading plans that dictated where streets went and what the grades were. He explained that site fell severely from west to east, so much so, that every time it rained, the backyards of those lots that abutted the property in Wellington pooled up to the amount of two to three feet. He said that grading caused the destruction of those trees. He said he fulfilled his obligations of replacing those trees required under the law. He indicated he knows a 30-year old tree does not grow back in two years. He said Wedgewood was an entirely different situation because grades were different.

Mr. Brown said if you go back to when Wellington Reserve was being reviewed, if the Commission at the time knew that was going to happen, they probably would have said no to the plans. He said what the Commission is trying to ascertain here is whether that is going to repeat itself or whether we can go through specific measures to make sure that does not happen.

Ms. Husak explained Wellington Reserve was an 18-acre site that was wooded throughout and there were more trees preserved than were shown on the plans to be preserved. She reported there was one tree in question that truly was not supposed to be removed and it was, now whether it was the contractor or the builder, it was not supposed to be removed. She said the site had to be graded out throughout based on the shape of the site, utility requirements, and whether a road was going to go on that site. She said the trees in the center of Wellington Reserve were always shown to be removed. She

said the view of that site, as an adjacent resident, as someone driving through it, is a shock she said but the tree removal was part of the development.

Mr. Brown said he understands tree removal in the center of the site but his understanding was there was supposed to be a tree buffer up against the adjacent neighborhood.

Ms. Husak said there is. She explained that once there is scrub cleaned out, and clean up taken care of, that will have a very different look to it. She added Wellington Place had drainage issues way beyond what any neighborhood should experience in the City today. She said a lot of stormwater management pipes were put into the rear of the lots. She reported the applicant has worked with each and every resident to put in the buffer that was approved by Planning and Zoning Commission to the point of staking areas and determining exactly where trees should be planted. She said there is a lot of information out there in the community that as a Staff, we have worked hands-on with a lot of those residents and any time we have received a complaint they have taken care of those concerns. She said that development is still under construction and does not look very pretty with all the runoff into both of those stormwater management areas. She said after four days of rain while something is under construction, it is not something you want to put on a postcard; but it is going to get better.

Mr. Ruma said they did install two storm sewers on properties that were adjacent to Wellington Reserve, not on our property and fairly extensive to end their stormwater problems. He said he submitted the Final Plat that the Commission approved and the tree removal plan was part of it.

Mr. Brown said there have been trees there for 45 years that were planted; those are important to him; not just the ones that were originally there. He believes they are important to everybody in this room including the golf club. He said through the Final Development Plan, he wants to preserve as many of those as possible and will be addressing all of them.

Victoria Newell indicated as an architectural professional, when looking to develop this land, she would prefer it stay as a golf course. She said she feels for the residents that expected and anticipated this to be a golf course for the future but un-built-on land does not always remain the way you envision it; just like living next to a cornfield. She restated this site is zoned for residential so even if our applicant is not here to develop this property, and we do not change this to a PUD, it does not mean it will not develop.

Ms. Newell said the applicant made a concerted effort to preserve trees. She said she has saved each of the applications and has reviewed the tree preservation aspects of each. She said every large tree cannot be preserved while developing this site. She said for Staff's comments to realign the drive, it curved before because the applicant was preserving trees that are now going to be lost by straightening out that "wiggle". She said she has to consider Staff's recommendation to straighten the drive for safety; that is more important than salvaging those trees. She said from an aesthetic standpoint, she would have preferred the drive exactly as it was presented by the applicant. She said the other trees now getting affected are the ones that are up at the front of the site, specifically where Lot 41 was relocated. She said there was due diligence on the applicant's part to preserve trees. As an architect, she said when she sees a tree on a site where a house is to be built, she does not anticipate that tree is going to get salvaged. She said the reality is the applicant has to be able to grade that site to provide a proper drainage way for the residents. She said trees that are right next to the property line, she would expect those trees to remain; those would all be salvageable.

Mr. Ruma pointed out the various tree stands on the perimeters, and assured the Commission they are absolutely going to be safe. He also noted a cart path along the 8<sup>th</sup> hole that will also be preserved as that grade is not changing. He said the most significant trees are along the creeks.

Mr. Brown said he did not mean to infer that the applicant had not done a good job of laying out the lots. He said his reference to some trees are in fact on the edge of those building lots so depending on

grading, some of those trees most likely can be preserved. He said his point/intent is that when the applicant is doing that, if they could be preserved and welled, then leave it to the eventual owner whether that stays or goes.

Mr. Ruma said that is why we have an Architectural Review Committee (ARC) and why the developer is part of it, but at the same time, we need to make sure when we engineer the site, that engineering requirements do not step on a zone.

Amy Salay said she did not know what happened with Wellington, but knows what can happen here. She said what the Commission is called to do because of these trees on this site is not a wood lot where you cannot see individual trees; this site is all about the individual trees. She said where we are committed to saving a tree, we as City and Staff, need to figure out a way to ensure the trees are fenced and preserved when the contractor is doing the work. She said a developer cannot control what a contractor does on site as the developer is not there 24/7. She said between now and the final, she would like Staff to come up with a very detailed plan. She said it would be a shame to develop Lot 41.

Ms. Salay said she was at the Council Retreat on March 26 and when she left the Council Retreat she went home and immediately got on her computer to watch the live-stream so she caught the last hour or hour and a half of the meeting. She said she heard the discussion about moving the lots. She said there are three trees on Lot 41, which should be saved in her view. She suggested a lot be added to the applicant's senior/empty-nester product or maybe get rid of the lot altogether. She said she is not sure about the re-grading of the pond with Lot 69 but if trees are being impacted, she is not in favor of developing that lot.

Ms. Newell indicated if Lot 41 was eliminated, aesthetically, you would want to look at Lot 40 to preserve that line; it would look out of place to leave Lot 40 sitting by itself. She said she does not think Lot 69 impacts any trees.

Mr. Brown said his impression of it is where the clubhouse sits and the way they would have to probably grade that, it is going to be a struggle. He said he hates losing any tree that size, obviously, but does not mind the lot relocation.

Ms. Salay said the Commission can ask that the tree be welled when they do the re-grading.

Mr. Ruma asked to address these comments and the Chair invited the applicant to speak.

Mr. Ruma said they have alternate positions to put two lots. He said they can move Lot 41 across the street and if they desired to move both, could replace Lot 41 behind Lot 165 at the entrance of the court, and in both cases, trees would not be affected at all.

Ms. Salay said view sheds are affected and that is the whole point for the space between Lots 145, 144, 164, and 165.

Mr. Ruma said in his last proposal, they had lots all along there.

Ms. Salay said that plan was not accepted, the applicant tabled the application, went to rework the plan, and she asked that we talk about this plan.

Mr. Chillog said with regard to view sheds, 90 feet will be lost on either side but also gaining back on the other sides. He said they are not taking it away, it is being moved around. He said you get more open space in the front at the cost of less open space here and the applicant maintains the lot count.

Ms. Salay suggested two lots could be lost or there is space in the empty-nester section because more single-family homes in Dublin are not needed so much as empty-nester products. She said the Commission looks at the impact on the schools, traffic, and view sheds, which are absolutely crucial. She said the one thing that stands out while driving through Belvedere today are the beautiful view sheds of the park land. She recalled that was a very long process the Commission went through to get Belvedere approved.

Mr. Ruma said it is give and take. He stated he cannot lose three lots. He said they are at 1.22 units per acre; there is no such thing as this density anywhere in the City, except for River Forest that is 80 years old. He restated he cannot lose three lots.

Cathy De Rosa asked if there was potential around Lot 64 or 55.

Mr. Ruma said there are big trees there.

Deborah Mitchell said she agrees with the need for empty-nester housing. She said from an economic standpoint, that preserves the applicant's number of lots.

Ms. Husak said in the senior housing area the pinch point there is the stream and Stream Corridor Protection Zone. She said there may be an area for one lot if all the other lots were reduced in size; it is tight in terms of open spaces.

Ms. Salay agreed. She asked how wide the lots are on the top of that curve. Mr. Ruma answered they were 60-foot lots.

Ms. Husak said it appears for least impact would be to remove the one lot with the trees and relocate it. She recommended keeping the other one in place.

Mr. Brown said he believes it is the 'lesser of all evils'.

Ms. Newell agreed. She said there is one really significant tree, the 28-inch Red Oak. She said taking away the views at the other areas to relocate those two lots, that is worse than losing the one Red Oak, as beautiful as that tree may be.

Mr. Walter noted the point-by-point debate. He said the Commission is not obligated to make this financially work for the applicant but are obligated to make this work for the residents and the City. He said if the applicant loses three lots, you can make that up through a lot premium of \$5,400 spread across other lots. He indicated we will be here for days and they have not addressed asphalt, vinyl, or anything. He said he would like to hear how the balance of the Commission feels, make conditions, and let the applicant accept or reject them.

Ms. Newell said she appreciated his input and was happy to move onto architectural issues. She said her biggest heartburn is leaving vinyl in the text. She said the Commission has asked a lot of applicants who have come forward recently to eliminate vinyl. She said her concern with vinyl windows is the text does not address quality. She said when you leave vinyl, in particular, while she would admit, professionally there are good quality vinyl windows, it is also one of the most affordable windows you can put in residential or commercial because there are so many lower-end windows available.

Ms. Salay asked Ms. Newell as an architect, if she has a specification for vinyl windows. Ms. Salay recalled discussing vinyl siding being a certain thickness as a quality material. She said she is open to vinyl windows; they are in the finest homes. She suggested the Commission could specify a type or certain quality.

Ms. Newell said requiring a thickness to how that window is constructed is not a good way to delineate that. She the problem is you are identifying them more for manufacturer and then there is the risk that the same manufacturer makes a very low end product and high end at the same time.

Mr. Miller asked Ms. Newell if she set a basis for design for a project that includes a window schedule that you line out for a commercial project that sets a standard for equal type products for that design project.

Ms. Newell said she would but generally you are picking out specific manufacturers. She said you can look at any window manufacturer and they will run a gamut of quality of products they offer.

Mr. Miller asked if a basis could be set for a design minimum that would allow the Commission to be comfortable. He stated he thought vinyl windows were fine; they are found in \$800,000 to \$1 million homes. He suggested the low-end vinyl windows could be eliminated by setting a basis for design.

Ms. Salay asked if some windows could be specified during the Final Development Plan.

Ms. Husak explained that typically for a single-family development, the architectural details for each lot are not provided at the Final Development Plan. She said in certain areas of the City, there have been allowances for alternative materials or alternative types being permitted with demonstration of high quality at the Final Development Plan stage. She said that is something the Commission could entertain. She said it is then going to have to be applicable to however many lots are included within that Final Development Plan. She said if the applicant is amenable to that we could do that; allow everything that is proposed except for the vinyl windows and then have some language added that with the proof of high quality provision, that could be approved at the Final Development Plan.

Mr. Miller said there are a lot of different ways to specify a window and one thing we never touch on, but certainly accentuates a house are the muntins. He said it is a very difficult to specify at this level; hopefully the rest of the architectural standards are high enough that the better home builders are attracted that provide a better standard anyway. He said drawing the line on this is difficult to put into text.

Ms. Newell said that is why she has always sided on just eliminating vinyl and Staff has to enforce what is written into this text. She said the fair and reasonable thing to do would be to eliminate that product.

Ms. Husak said if vinyl windows were eliminated at this stage, that would not mean the applicant could not come at the Final Development Plan with an acceptable specification where the Commission could then do a text modification to allow that specific type of vinyl window.

Ms. Newell confirmed Ms. Husak was suggesting eliminating it now but allowing it to be brought back.

Mr. Brown said he would support eliminating the complete vinyl window but not opposed to a vinyl clad. He said he is opposed to a vinyl shutter. He asked if a condition could be written in those terms he would be supportive.

Ms. Newell said it sounds like the Commission needs to eliminate vinyl altogether.

Mr. Ruma said vinyl shutters should not be in the text; it was an oversight on their part.

Mr. Ruma restated that every major builder in the City of Dublin uses vinyl windows and listed them. He said they use windows by well-known manufacturers. He said the Commission is dictating a buyer's choice. He said we are in zoning, not building a house. He said this is still America you know, with certain

freedoms and one of them ought to be at least to choose windows that are good high quality and are being used throughout any other single-family communities this Commission has approved.

Ms. Newell said she did not agree. She said the Commission has this same issue with vinyl siding that they constantly eliminate from text for the same reason; there are inherent problems with vinyl; it does not hold up tremendously well in the long-term.

Mr. Ruma emphasized that vinyl windows are better in terms of maintenance, they are long lasting, and better materials in terms of longevity and energy efficiency. He said wood is great but vinyl windows are equally as good. He told the Commission not to diminish the product without getting a real sense of it.

Mr. Brown reported he was an architectural building product representative for 15 years, which included representing 12 different lines of windows. He said he knows a thing or two about windows.

Mike Hanson said Silver Line Windows is a division of Anderson Windows. He said he appreciated the gentlemen's endorsement of our 400-series, which is a great product but vinyl is also something very acceptable. He said the Commission speaks of thickness and things like that of your concern and words cannot define a vinyl window unless it includes certain things. He said there is a better quality of product depending on the manufacturer themselves. He said through attrition of years of some of the brands you heard here today, whether it is Silver Line, Simonton, or Jen-Weld, they all have good brand identification as a result of performance. He said there is never painting and it does last a long time.

Ms. Newell restated her concern with regards to a vinyl window is that she cannot control the quality in the text.

Mr. Brown said he is not entirely opposed to vinyl windows but he would take Ms. Husak's recommendation and maybe help Mr. Ruma write a Final Development text that defines a quality standard that the Commission can find acceptable.

The Commission as a whole agreed.

Ms. Newell said eliminating asphalt was discussed at the March 26<sup>th</sup> meeting.

Mr. Miller said he thought there was a 100% agreement on eliminating asphalt as a permitted pavement material for driveways.

Ms. Newell said asphalt still appears in the applicant's text.

Ms. Salay recommended that asphalt be removed from the text as a permitted driveway material.

Ms. Newell said she appreciated that the applicant added the elevations of the buildings but asked that they expand on their text in regards to how those should be interpreted. She said in architectural standards, AS-1, it says "images have been included as supportive information to the written text to express the design intent and architectural vision for the development. Limitations shall be expressed in written text. The included imagery shall not be used to interpret limitations or exceptions of any standards." She said she would like to entertain revising that text as a condition so that it read "the included imagery shall not be used to interpret limitations or exceptions of any standards but are intended to exhibit the minimal level of detail of architectural features and embellishments and provide pictorial examples of architectural reference styles." She said she thought that made the standard more complete where it was lacking description in regards to images and still related to the text.

Ms. Salay said she appreciated that language and would like to add a "certain percentage of masonry on the fronts of the houses". She referred to the European Country Homes, the two on the right where there

is way too much stucco and the windows are really small. She said she did not want an all stucco home with just a stone water table. She said one scattered throughout, or 10 or 20 in the development is okay.

Ms. Newell asked if the text stated there had to be two materials.

Ms. Salay said there is not a percentage for building materials. She said if you have a stone water table, the rest of the house can be siding. She said a number of neighborhoods are popping up like that; she appreciates the classical farmhouse if it is not every house. She said people that may desire the most inexpensive way to build a house use siding and so you end up with a neighborhood of mostly siding. She said high quality neighborhoods around Dublin and most of the homes in Tartan Ridge have mixed materials, for the most part. She said she would like to call out a percentage of masonry, on the front, of 75% of the homes or something like that so we get that mixture and level of quality that she is after.

Ms. Newell reminded everyone that there is going to be an Architectural Review Committee (ARC). She said she does not object to an all-siding home.

Ms. Salay said she did not either, just did not want the neighborhood to build out like that. She asked if there was a standard that could be added like “no more than 20% of the homes will be all siding.”

Ms. Husak said from a staff approval perspective, percentage per home is extremely difficult to administer. She said Ms. Newell kind of hinted to that; there is the architectural diversity matrix required, which will eliminate that style repetitiveness.

Ms. Salay questioned whether the matrix requirement would give her the result she is asking for. She restated she wanted more stone and masonry on the front of homes. She said she does not see a problem with requiring this in the text.

Ms. Husak said maybe it is one of those things where the styles have to be evenly distributed. She said if you had enough of one style and not another you would get there also.

Ms. Mitchell said she wondered if the houses can be categorized by type rather than the literal interpretation in the matrix.

Ms. De Rosa asked if the goal of the Architectural Review Committee is to manage this particular issue. She said personally, she likes all the farmhouses with all siding. She said if that is the goal of ARC then they can do an effective job of fixing that.

Ms. Salay said it is but language has to be added to the text so that mix happens, otherwise things left to the market and if the market wants all siding, then that is what we will end up with.

Ms. De Rosa asked how this can be accomplished with sufficient latitude to the committee.

Ms. Mitchell asked if it is possible to define types by the percentage of the degree of which there is siding versus something else. She said then it is type not as much by style as it is by the composition of the materials and have a design matrix based on the composition of the materials.

Mr. Ruma said the words in his text are exactly the same as what is written in Tartan Ridge.

Ms. Salay said you can always do better. She said Tartan Ridge has a lot of other features.

Mr. Ruma said he did not know how to give the Commission the criteria to define they are not going to have all siding houses on every street. He said what he says is subject to what the ARC is going to be doing, looking at each and every plan. He said there will be all custom houses in Section 1, expecting

those houses to start at \$750,000 using a myriad of materials. He said the age-targeted housing area is expected to be a themed community.

Ms. Salay said they just approved a theme community of empty-nester style housing and they required a percentage of stone; it was a European Country style on the façade but she did not remember what that percentage number was. She reported they had said there is too much stucco on this house just like we would have said there is too much siding.

Mr. Ruma said he could do that with a themed community because they will be proposed as a specific style.

Ms. Salay said she has spent a lot of time in Jerome Village. She recalled a section where the homes start at \$750,000, had a very small water table of stone, and then the rest of it is siding, and that is the community. She said there was a home in there that sold for upper \$900,000s. She indicated they are very high-end homes but there is too much siding, which is not attractive, not Dublin, and not what she is hoping for, for this site. She indicated this is a gem. She said the applicant is creating one of the finest neighborhoods in our community ever. She said she wants to make sure the architectural standards are there. She said she appreciates that the applicant is going to have an Architectural Review Committee but she does not want a street where the houses have all siding. She said the homeowners will spend their money maxing out the inside. She wants this to be the absolute best quality she can get.

Mr. Ruma suggested “no more than 25% of the houses that are outside of the age-targeted group can be all siding.”

Ms. Salay said that was fine with her.

Ms. Newell asked if that would be enforced then by the ARC and not going back to the Staff.

Ms. Husak said she would be satisfied with that arrangement.

Mr. Ruma said if there is any change to that, they will have to come back before the Commission to gain approval of a variance.

Ms. Newell questioned the Architectural Review Committee section. She started to read in the middle of the paragraph “...The ARC shall undertake a review of these elevations and plans for compliance with the commitments made in the development text such as built not limited to setbacks, building heights, diversity, types of materials, and color.” She said right in between the words materials and colors she said the following should be inserted “architectural character, level of detail of architectural elements”. She said this will relate it back to the styles to make it a little more concrete when you are the ARC looking at what is in this text and how it is going to be enforced.

Ms. Newell showed Ms. Husak what she had written and said for clarity.

Ms. Salay asked to discuss Mr. Walter’s point to the lights and eliminate the yard light posts that are wood, vinyl, or whatever.

Mr. Brown said the light posts do not bother him, but the mailboxes having consistent form does. He indicated if he had a Colonial Revival home, he would want a Colonial Revival lamp post and not a community standard.

Ms. Newell agreed the lamp posts should match the individual character of the homes.

Ms. De Rosa inquired about the strength of the language in AS-11. She said side-loaded garages had been discussed and not front-facing garages on Avery Road. She said the wording is “are encouraged and that did not feel strong enough for her as that is a requirement.

Mr. Chillog said the next line, G3, specifically addressed Avery Road garages.

Ms. De Rosa confirmed side-loaded garages are prohibited.

Mr. Chillog explained front-facing garages are eliminated unless they are court-loaded configuration and if there was a side-load, it would face west. He said the some could have north or south facing sides.

Ms. Salay confirmed front-loaded garages are not permitted on Avery Road.

Mr. Stidhem inquired about the mounds on the south side of the site, asking how much of that will be maintained. He said it would create a natural buffer between neighborhoods.

Mr. Ruma said most of those mounds are going to be in the building pad of those lots.

Mr. Stidhem referred to Lots 170 and 171. He said it is hard to see the existing trees there again, between the neighborhoods and is assuming nothing will be removed there.

Mr. Stidhem inquired about the location of the Avery Road pedestrian crossing and how it would be affected by the hill.

Mr. Ruma said it is taken directly across from where the Memorial Drive intersection is. He said it has to be moved north of that intersection by about 15 to 20 feet. He explained that the grade change between the existing cart path and Avery Road is about two feet. He said he anticipates a 25 – 30% grade going back out to the road. He said on the other side it is basically level, falling down just a little, but it has to go around because there is a storm sewer, light, and landscaping and connects to a private path. He said public people are being put onto a private path that is restricted to Muirfield residents. He emphasized he is against this.

Ms. Wawzkiewicz said the access drive is farther north on Memorial Drive and the Muirfield path on the east side of Avery Road is significantly east of the road; it does not come up along the edge of the road. She said Engineering thought this would work out a little easier as far as connections and existing facilities. She said it does have existing paths on both sides.

Mr. Stidhem inquired about the land uses noted in the development text in section DO-4. He said it states proposed uses of the residential open space/community gardens. He asked if that would be similar in the maintained by the homeowner’s association.

Ms. Husak explained Planning has been working with the Parks and Open Space staff on all of the language for the potential future development of the open spaces. She indicated that if there was a community garden permitted, it would be the homeowner’s association responsibility.

Mr. Stidhem indicated he was a big fan of community gardens and assumed the ponds would be maintained by the City.

Ms. Salay stated she would like to put that in as a condition. She indicated there are some neighborhoods where the homeowner’s association is required to maintain the pond and it is problematic; there are questions of how it is maintained and it is technically part of the City’s stormwater system and that is a burden to put on homeowners.

Mr. Stidhem inquired specifically about the one in the northeast corner, near Lots 69 and 70. He said it was laid out in the plans that it would be maintained by the homeowner's association. According to the plan, he said the rest would be maintained by the City.

Ms. Salay said all ponds that are part of our stormwater system should be maintained by the City. She said at the end of construction, we could ask that someone dive in and retrieve all the construction debris recalling an issue in Ballantrae where a pond was clogged with construction debris and did not function correctly.

Mr. Stidhem asked about the timing of the programming referred to on BS-8. He said there are a lot of possibilities in the open space and depending on the type of neighborhood, especially if you look at 123 – 109 area. He said some interesting things can be done to create community for that target market.

Ms. Husak said at this point there is not really a timeframe established but it would be the Parks staff identifying when programming would occur and she is not sure when the threshold is to engage the community.

Mr. Stidhem said he is sure great things will happen and the community will be involved. He referred to the very top of that same page where it states "generally wire or two-rail fencing shall be used to protect special landmark trees." He asked if that was a temporary condition.

Ms. Husak confirmed it would be temporary fencing. She said in normal circumstances, orange silt fence is used for tree protection, which is not very sturdy; wind, rain, or a backhoe could knock it down. She said that fence is a sturdier, more permanent fence to protect trees on any temporary condition during construction.

Ms. Husak explained it is being done now at the Stansbury at Muirfield Village site where inspectors are working with the developer to identify areas for the more heavy-duty fence to protect the existing trees.

Mr. Miller said he is good with the application and believes the developer is really close. He stated he is not opposed to vinyl windows. He indicated he has had wood windows and would not again but giving the homeowner the opportunity to choose is okay. He said he really appreciates the four-sided architecture but there was a letter submitted by a resident, which included a picture of a home in the Virginia Homes section of Tartan West, and said this is not four-sided architecture. He said he does not interpret the text as defining this as four-sided architecture and not what the residents are looking for.

Mr. Ruma said he had nothing to do with the approval of Tartan West. He said all he did was buy those lots and sold them to his son. He said the house Mr. Miller is referring to is the house they built for 'Home for Hope' for The James Cancer hospital and he said he did not know if they had four-sided architecture requirements in Tartan West or not but the plans submitted were approved.

Mr. Miller said he wanted to bring this up because the residents took the time to write a letter to the Commission and there were multiple purposes for his letter but one of the areas is the lack of aesthetics. He said he believes the all masonry fireplaces, the masonry material on the fireplaces itself is going to help carry the four-sided architecture around the home is going to help. He said he does not have a problem with it; he just wanted to say there is a resident out there that does not believe this is four-sided architecture. He said he did not think that is what Mr. Ruma's text is inferring; he just wanted to go on record with that information.

Mr. Miller asked about a flood plain study that was coming or would come after because some of these homes are currently in the flood plain. He asked if a new study would be presented to Council.

Ms. Husak said the requirement is that there will be a Letter of Map Amendment (LOMA) for changes to that flood plain boundary submitted to us and subsequently to the Commission at the Final Development Plan stage when the applicant had a chance to finalize the grading for those lots and get in touch with FEMA to get that taken care of.

Ms. Newell said with regards to four-sided architecture, if the text is silent in regard to something, it refers back to the provisions that are in our own Zoning Code.

Ms. De Rosa asked about the Hyland-Croy Road connection. She read the condition “to work with the City to program a direct site connection”. She asked if that meant “it will be done” or it will be “prepped to be done”.

Ms. Husak said it means it will be done; it just depends on by whom and exactly where.

Ms. Wawzkiewicz added “programmed” is a very specific term that engineering uses with City Council for projects that are included in the Capital Improvement Plan in a five-year window.

Ms. De Rosa asked about “to accelerate” or “make sure” whatever possible that the improvement at Brand and Avery Roads get into the plan because that has been stated over and over again. She noted the safety concerns that were brought up and she shares that concern.

Ms. Husak said Staff had a meeting this morning with residents in Belvedere where that was one of the discussion topics that we honed in on because the avoidance of that intersection causes a lot of the internal traffic within Belvedere so she said she hoped that Council was aware of that need and to move it up in the CIP.

Ms. Salay said that was definitely on Council’s radar and believes Engineering is working on a design and as soon as they are ready with a design, Council would support construction.

Mr. Miller said one of the residents brought up using that anticipated road as a construction entry and he thought that was very logical. He asked if that is something that can be included here.

Ms. Husak said the tough thing about it is that the first phase of development is intended to be this southeastern section so having 1,500 feet of drive just to get to the site plus another 1,500 feet to get to the construction area, might be a tad difficult. She said the construction staging area/entrances will be something that Engineering takes a look at as part of their acceptance of the construction drawings. She said they will get it out of the main roads of travel but will traffic have to take Avery Road to get there, most likely that is going to be the route.

Mr. Brown addressed the Hyland-Croy connector. He said part of the land that Mr. Ruma does own, if working with the City to connect that, how is that particular property that needs to become a road, deeded, accessed, or granted permission by the City to fully utilize and take over for road construction.

Mr. Ruma said he thought it would all be part of the infrastructure agreement.

Mr. Ruma addressed something mentioned earlier when he said he had no problems specifying mailboxes and lamp posts. He said they have done that in the past and generally includes it in the deed restrictions to ensure homeowners comply. He said they generally specify a brand and a picture and state this is what the homeowner is to put in front of their house. He said it was fine with him to add it to the text, if that was requested.

Ms. Newell asked if there were further questions or concerns. [There were none.]

Ms. Husak said there were originally four conditions proposed that are included in the Planning recommendation shown on the screen, and conditions 5 through 13 have been added. She read the conditions:

Ms. Husak said approval is recommended for the Rezoning/Preliminary Development Plan with 13 conditions:

- 1) That the applicant enter into an infrastructure agreement with the City, prior to submitting the first Final Development Plan, for development thresholds and public project contributions including the necessary sanitary sewer system improvements;
- 2) That the applicant work with the City to program a direct site connection to Hyland-Croy Road to the satisfaction of the City Engineer prior to the approval of a Final Plat that includes the Firenza Place connection to Tartan West;
- 3) That the developer update the traffic impact study to the satisfaction of the City Engineer prior a City Council hearing of the rezoning;
- 4) That as part of the development of Section 1, the applicant provide a northbound left-turn lane on Avery Road into the site and a pedestrian crossing system for Avery Road, to the satisfaction of the City Engineer;
- 5) That the development text be revised to eliminate vinyl as a permitted window option and allow the applicant to request approval of specific vinyl window products at the Final Development Plan stage if so desired;
- 6) That the development text be revised to eliminate vinyl as a shutter material;
- 7) That the development text be updated to eliminate asphalt as a permitted driveway material;
- 8) That the development text be updated to address the language on page AS-1 in accordance with the Commission comments;
- 9) That the development text be updated to limit all siding as the building material to 25% of the total homes within Subareas A and B;
- 10) That the development text be updated to limit stucco to no more than 50% of the primary façade of a home;
- 11) That the development text regarding the review authority of the Architectural Review Committee be updated to revise page AS-1, Section II. B. 1. to add architectural character and level of detail of architectural elements to the review authority of the ARC;
- 12) That the stormwater management areas be maintained by the City of Dublin and the development text and plans be updated accordingly; and
- 13) That consistent mailboxes be submitted for review and approval at the final development stage.

Ms. Newell referred to the second paragraph that she suggested editing was under the ARC paragraph B-1. She asked Ms. Salay to confirm what her issues were.

Ms. Salay said siding and percentage of stucco were her issues.

Ms. Newell said right now, what that applies to is siding.

Ms. Salay said she was interested in masonry on the front of the house.

Ms. Husak suggested “and that homes using the European Country style use high level of masonry on the façade”.

Ms. Salay suggested “75%”.

Ms. Husak said she did not think it was feasible to calculate percentage of materials during permit review.

Mr. Brown asked if it would be easier to designate that “any particular elevation not be completely stucco”.

Ms. Salay said the problem is the whole elevation. She asked Ms. Husak to recall what was stipulated on the recent Deer Run application.

Mr. Ruma said we can eliminate all stucco houses. He suggested “on 75% of the houses there will be masonry features on the front.”

Ms. Salay asked if masonry was the primary material.

Mr. Ruma said not as primary; it may be stone and siding on the side.

Ms. Salay said that is what she wanted to get away from; she does not want too much siding. She clarified she wanted most of the homes in this neighborhood to have masonry fronts the primary material; you might have siding or stucco accents but when the house is viewed, it will be a brick or stone house.

Mr. Ruma suggested “75% of the houses will have facades with at least 50% stone or brick”.

Ms. Salay said we are tied into the percentage of materials calculations.

Mr. Ruma said he is not trying to create all stucco or all siding houses but there will be some houses that will be mostly siding.

Ms. Salay said what we are after is a very high quality built environment that you see the stone and the brick and do not see the stucco. She noted some examples in the applicant's development standards that do not work for her because there is too much stucco. She said the text needs to be modified.

Mr. Ruma indicated we are on dangerous ground. He said the best thing is to leave it up to the Architectural Review Committee.

Ms. Mitchell said a moment ago, someone said at least half must be masonry or stone and siding or stucco could be accents. She asked if that was a solution.

Ms. Husak said Staff would be comfortable having a requirement for having masonry for certain styles. She said all European Country homes have to have that, which is fairly easy to administer. She said what is difficult is when it gets to 75% of the homes have to have that because for 185 homes minus the empty-nester homes, we have to have a matrix in the office that says this home in this area affects this home over here, and this over there, etc. She said if you have to take into account the 50 homes that have already been approved that dictate what the 51<sup>st</sup> home has to have, it gets difficult.

Mr. Brown said of all the pictures of homes that are represented, the only one he has an issue with is the middle one on AS-3, European Country.

Ms. Husak said for Tartan Ridge there was some language in there for the prominent facades because that is the piece that sticks out the most out of that entire elevation.

Ms. Salay noted “the prominent façade has to be stone or brick”.

Ms. Newell said she reviewed the architectural diversity standards and understands Ms. Salay's goal that a whole bunch of stucco or siding homes is not what she wants to be left with but it is ok to have a home that was predominantly siding. She suggested “The architectural character of the community must

provide diversity of styles and use of materials so that for the overall development, does not create a predominant use of a single material”.

Ms. Husak said it has to be except for the siding because on the Colonial elevation, it is appropriate.

Ms. Newell said she meant throughout the whole development. She said her intent was if there are four homes in a row, there would not be four homes that were all going to be siding so viewing the development as a whole, stucco was not repeated throughout the development. She said in the architectural character, they would have to make that assumption. She explained as the building gets out, and there is a resident that wants to come in and there is a lot of siding homes, someone on that ARC has to say that the home needs to be a different material because of a predominance of a single material.

Ms. Newell invited public comment.

Robert Fathman, 5805 Tarton Circle North, said on this most recent discussion, he heard the applicant say he is okay with 50%. He noted Ms. Husak said she has some difficulty working with it but personally he said he liked what Ms. Salay said about 75%. He said somewhere between 50% – 75% is okay and most of the Commission seems to want that. He suggested picking a percentage and go with it since Mr. Ruma agreed to work with it and let us be done with that issue.

Mr. Fathman said he did not see on Ms. Husak's list here a point #13, which is Lots 40 and 41. He said there has been a great amount of discussion and then we moved off that and he would like to see those lots eliminated. He said our group of these nine homeowner associations wanted to eliminate six lots and Staff wanted to eliminate three lots. He said he would like to see at least those two eliminated.

Ms. Salay suggested “75% is stone or brick on the front façade.”

Mr. Brown said he did not want to eliminate the Colonial Revival style.

Ms. Newell said she did not have an objection to a home being all siding.

Ms. Salay said she did not mind either but in Jerome Village there is very high-end homes and it is a fine look and she does not have an objection; it is just when you get too much of it.

Ms. Husak said the problem we will run into is if a certain style of home or architectural character is required then nobody builds that particular home. She said we had that happen at the Conine property there off Summit View where the text required if there was masonry used on the front; it had to be on all sides. She said it ended up being that nobody used masonry on any of the homes.

Ms. Salay restated her primary concern is with front facades. She said we have the four-sided architecture and the pictures of sides and rears; she does not want too much stucco on a façade of a house.

Mr. Brown suggested “no primary façade should contain more than 50% stucco.”

Ms. Newell reminded everyone that we do have an ARC that will be making judgements. She said it is hard to regulate architecture that is why we are all struggling to come up with the proper text language.

Mr. Brown agreed.

Ms. Newell said it is equally hard for Staff to enforce that because there will be a quantitative and a subjective decision needed to be made in regards to what those provisions are, which is equally the task

of the ARC. She said if the goal is not to end up with a predominant material throughout the development that we simply just add that to the text.

Ms. Salay said we covered the siding.

Ms. Newell said that would apply to whether it was siding or stucco, equally would apply then if there was masonry. She said that would not limit the materials but it would limit every single house in the development from being masonry.

Ms. Salay said if every single house in this neighborhood is either the 25% siding farmhouse style and every other home was brick or stone, it would not be a bad thing.

Ms. Husak said she tried to incorporate what Mr. Brown was suggesting in condition #10. "That the development text be revised to limit stucco to no more than 50% of the primary façade of a home." She said what this does not get at, to some extent, is if people then chose not to build any of the European Country styles because they would have to add more masonry to it. She said there is the diversity requirement that similar facades cannot be across from each other, next to each other, and so forth that would potentially get us more of the styles that do not use stucco primarily as a building material whether that is the more Craftsman style home or the Colonial Revival home. She said that would be the only issue she would foresee with that language as such that this could potentially eliminate the European Country style from the neighborhood or diminish it. She said people may build less of it.

Ms. Newell said she would agree with that comment.

Mr. Ruma said he is getting to the point where we are taking away the architect's ability to create. He said if somebody wants to build a farmhouse with different sections of architecture showing some stone, some siding, vertical siding, or some copper roofs, we are trying to diminish the ability of the architect to be creative. He suggested simplifying things by stating "no all stucco homes and we will have no more than 25% of all siding houses" and leave the rest alone and leave it up to the ARC. We need it simple for our Staff and those builders and architects that come along to build here.

Ms. Newell agreed she did not want to limit any architect's creativity. She said if the applicant is comfortable with the 25% and no home will be completely stucco.

Ms. Mitchell asked if "no homes will be primarily stucco" could be written in the text instead of "all stucco".

Ms. Salay suggested "no primary façade is more than 50% stucco."

Ms. Mitchell said and then "no more than 75% of the homes in the development will be all siding."

Everyone on the Commission and the applicant agreed to that language.

Mr. Ruma noted the problem in condition #9 is primary. He interprets that as the whole house.

Ms. Husak said we are basically saying that the true Colonial Revival style of all siding with a stone water table can only be 25% of the homes within the entire development of Subareas A and B.

Mr. Ruma said his concern by stating primary material as it infers there is another material or secondary material. He said it should say "25% of the total homes". The Commissioners agreed.

Ms. Newell asked the Commission if they wanted to tackle Lots 40 and 41 that came up previously in discussion.

Ms. Salay made a motion to eliminate Lots 40 and 41 from the plan and restore that to open space to preserve trees.

Ms. Newell said she is ok with leaving Lots 40 and 41 and the reason is because it would only preserve one tree and considering the overall development, we have asked the applicant to substantially limit the amount of lot coverage on this site and they have brought it down to 1.22 units per acre. She said the review criteria standards do not provide a reason to tell the applicant to eliminate those two lots. She said the applicant has met everything we have asked of them.

Ms. Salay said she made a motion and we can just take a vote and she would be fine either way.

Ms. Newell said she was looking in terms of people felt strongly enough than it can be added as a condition.

Jennifer Readler said if this is to be addressed it should be in the conditions so we could get a consensus.

Ms. Newell said that is what she is trying to ask if there is a consensus of whether it should be included in the conditions or not. She confirmed there are three trees and one is of significant size.

Mr. Brown said he did not think it was necessary to eliminate those two lots.

The last five members agreed the lots did not need to be eliminated.

The Chair asked if the applicant was in agreement of the conditions.

Mr. Ruma said he did not want to eliminate asphalt. He noted currently in Belvedere, two-thirds of the homes driveways are paved with asphalt. He said all of the houses in Tartan West that are adjacent to this site and the Verona condominiums are all asphalt. He said the driveways in Tartan Ridge are probably 50/50. He emphasized some people do not want concrete and that was the only condition he had an issue with.

Mr. Brown said he did not have a problem with asphalt.

Mr. Stidhem asked what the issue is with asphalt.

Ms. Salay said durability, longevity, and appearance.

Ms. De Rosa said she recalled this was agreeable by everyone at the meeting on March 26<sup>th</sup>.

Mr. Ruma said he did not agree with concrete. He said that was the one thing he held fast on. He said he made a mistake when he said vinyl windows but he definitely opposed concrete driveways because he does not like the material as a driveway. He said he has had a concrete driveway, it stained, it settled, and then it flaked. He explained that after it settled, it then cracked with the weight of a car. He said the only way to fix it is to remove and replace it. He said that was expensive and replaced it with asphalt and he was happy, but that was his personal opinion. He said he has seen good concrete driveways that have lasted a long time because they are on proper bases and sealed consistently. He said it is a matter of preference. He asked what if someone did not want a concrete driveway in this neighborhood. He said neighborhoods consisting of all concrete driveways are somewhat ugly. He said it is like all stucco houses.

Ms. Newell said she did not think the condition was "concrete was the only option" because brick and pavers are in the text already.

Ms. Salay said she has had a concrete driveway for 23 years and it is in perfect condition. She said she has neighbors with asphalt driveways and they have to do something with it every year to keep it looking good. She agreed it was a personal preference but she wanted to see asphalt eliminated as concrete is a higher quality material. She referred to the person that spoke about asphalt; we appreciate the business in Dublin and will continue to make all of our roadways asphalt.

Ms. Mitchell recalled a discussion about the mix of paving materials. She said if there is asphalt, concrete, and pavers all in the same area it is not good aesthetically.

Ms. Newell said they did but she walked Lewellyn Farms South earlier this week because it is a really nice development and thought for sure all of the driveways were mix of pavers and concrete and she was wrong. She said they are predominantly pavers and concrete but there are three asphalt driveways in that development so it makes her want to fall on this one a little bit.

Mr. Brown said concrete can sometimes be a little glaring or jarring almost like the big façade of stucco; it depends on the style of the house and what blends in appropriately. He said people throw salt on concrete driveways and then they pit and flake. He agreed it is a personal preference and he is not opposed either way.

Ms. Newell pointed out that what is consistent is all of the curb cuts and all of the aprons are all concrete, which is a standard in all of Dublin.

The Chair asked legal counsel what is done when the applicant does not agree with one condition.

Philip Hartmann said you cannot force an applicant to agree to a condition or put a condition on the property that is not agreed to.

The Chair asked to see what condition number that was.

Mr. Brown asked if there needed to be a separate motion.

Mr. Hartmann said he did not want to do anything separate in voting but it would be good to get a consensus where everybody stands whether you want to keep it up there or not.

The Chair asked Mr. Hartmann if he recommended a formal vote.

Mr. Hartmann said no, just get an idea where the Commission would stand if you want to leave that condition in but if there is 4 or 5 of you that want to take it out, then it is probably advisable to take it out and vote on it.

Ms. Salay said she would keep asphalt out as a permitted driveway material.

Mr. Miller agreed.

Ms. De Rosa said she is not an asphalt fan and would keep it out.

Mr. Brown said he did not care either way; asphalt is fine.

Ms. Newell said she is with the asphalt.

Ms. Mitchell said she would keep it out.

Mr. Stidhem said he would keep it out.

The Chair said the consensus on the Commission was that asphalt should remain out. She asked the applicant again, in regards to those conditions, if he can accept all of the 13 conditions.

Mr. Ruma said he can have vinyl windows but would have to come back with a specific window and quality of those windows that will be ok.

The Chair said we do not know 100% that they would be okay. She said vinyl windows could be asked for in the Final Development Plan, which would allow an opportunity to make a better presentation on the product intending to use or level of quality.

Mr. Ruma said he would give up on concrete driveways if he could get vinyl windows. He asked if they could say Anderson windows of a certain specification and Jen-Weld of a certain specification or similar.

Mr. Brown said not to speak on the behalf of the Commission but he spoke earlier that right now vinyl windows are eliminated but if you come back with specific language that allows a certain quality level of vinyl windows in the Final Development Plan phase, most people are agreeable to that.

Ms. Salay said she feels the applicant is going to get the quality. She asked the anticipated price point of these homes.

Mr. Ruma said it depends on what section. He said in Section 1, where there are 40 large lots, probably be \$750,000 - \$1 million.

Ms. Salay said someone is not going to spend that kind of money on a home that have low-quality vinyl windows.

Mr. Ruma agreed. He said Virginia Homes sold a home at \$920,000 in Wellington Reserve and it has vinyl windows.

Mr. Brown said they are probably well-specified detailed vinyl windows to which Mr. Ruma agreed.

Ms. Mitchell said she thought the concern tonight was the word vinyl with nothing around it, making people nervous.

Ms. Newell said that was her concern.

Mr. Brown said so we are saying that we perceive that the applicant will get that in the Final Development Plan if returning with a good qualification on what determines a good quality vinyl window.

Mr. Ruma said he agreed to the conditions to get this done.

Ms. Husak confirmed the 13 conditions apply to the Rezoning with the Preliminary Development Plan.

### **Motion and Vote**

Ms. Newell made a motion of approval for Rezoning with a Preliminary Development Plan with 13 stated conditions, Ms. Mitchell seconded. The vote was as follows: Mr. Stidhem, yes; Mr. Miller, yes; Ms. De Rosa, yes; Mr. Brown, yes; Ms. Salay, yes; Ms. Mitchell, yes; and Ms. Newell, yes. (Approved 7 – 0)

The Chair requested the conditions for the Preliminary Plat be shown on the screen. She asked the applicant if he was in agreement with the condition.

- 1) That the applicant ensure that any minor technical adjustments to the plat are made prior to City Council submittal.

Mr. Ruma agreed.

### **Motion and Vote**

Ms. Newell made a motion for approval of the Preliminary Plat with one condition, Mr. Brown seconded. The vote was as follows: Ms. Salay, yes; Ms. De Rosa, yes; Mr. Miller, yes; Ms. Mitchell, yes; Mr. Stidhem, yes; Mr. Brown, yes; and Ms. Newell, yes. (Approved 7 – 0)

The Commission thanked everyone and Mr. Ruma thanked the Commission for their time and effort and reaching a compromise on the situation.

The Chair adjourned the meeting for a three minute break.

The Chair reconvened the meeting.

### **Communications**

Ms. Husak said a sheet was being routed through the Commission to add their names and phone numbers if they so choose for the contact list for Seattle, WA. She pointed out the travel folders that contain money that has been allocated for the meals per diem at the APA Conference. She noted there has been an APA folder created in Dropbox that will contain the contact list as well as a sample schedule of sessions that might be interesting to the Commission such as parking, downtown redevelopment, and form-based codes, etc. She said Staff noted speakers that they know are engaging. She explained there are two staff members that are presenting, herself and Devayani Puranik who has collaborated with Justin Goodwin who used to be on staff with the City of Dublin.

In May, Ms. Husak said Planning was hoping to have another training session for the Commission and was considering an informal setting the week of May 11<sup>th</sup>. She entertained the idea of meeting at 5800 Shier Rings Road for dinner prior to the session and discussing APA. She said MORPC might also provide a presentation about the housing trends.

Ms. De Rosa said she would be out of the country that week.

Ms. Salay suggested the last week of April.

Ms. Husak said April 30<sup>th</sup> at 6 pm had been agreed upon by the Commission members but she would check the City Calendar for any conflicts.

Ms. Husak noted a fairly large neighborhood meeting to occur on April 23<sup>rd</sup>. She said there is going to be a Parks and input meeting as part of that for Riverside Park.

The Chair adjourned the meeting at 9:45 p.m.

As approved by the Planning and Zoning Commission on May 7, 2015.