

# Planning Report

Thursday, April 9, 2015

## Riviera

### Case Summary

Agenda Item	1
Case Number	14-068Z/PDP/PP
Site Location	8205 Avery Road West side of Avery Road, north of the intersection with Belvedere Green Boulevard
Proposal:	A rezoning of approximately 152.2 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.
Requests	Review and recommendation to City Council of a <u>rezoning with preliminary development plan</u> under the Planned District provisions of Zoning Code Section 153.050, and a <u>preliminary plat</u> under the provisions of the Subdivision Regulations, Chapter 152.
Applicant:	Charles Ruma; represented by Smith and Hale.
Planning Contact:	Claudia D. Husak, AICP, Planner II   (614) 410-4675, <a href="mailto:chusak@dublin.oh.us">chusak@dublin.oh.us</a>
Planning Recommendation:	<b><i>Approval of the rezoning with preliminary development plan with four conditions; and Approval of the preliminary plat with one condition.</i></b>

In Planning's analysis, the rezoning with preliminary development plan proposal complies with the rezoning/preliminary development plan criteria and the existing development standards within the area. The proposal for the preliminary plat complies with the preliminary plat criteria and a recommendation to City Council for approval of both requests is recommended.

Rezoning with Preliminary Development Plan 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, and;
- 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;

Preliminary Plat Conditions

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



Facts	
Site Area	<ul style="list-style-type: none"> <li>Total site: 152.2 acres</li> <li>Frontage: 2,020 feet (Avery Road)</li> <li>The site is comprised of two parcels, with the eastern parcel in Franklin County, and Delaware County and the western parcel in Union County.</li> </ul>
Zoning	<p><u>Existing</u>                  East: R-1, Restricted Suburban Residential District (99± acres)                  West: R, Rural District (53± acres)</p> <p>The R and R-1 Districts permit a density of just over 1 unit per acre (40,000-square-foot lots and 150 foot lot widths). Uses included agricultural uses, schools and parks, and child care. Conditional uses include churches, mobile homes, boarding and care of animals, and agricultural accessory uses.</p> <p><u>Proposed</u>                  PUD, Planned Unit Development District (Riviera)</p>
Surrounding Zoning and Uses	<p>North: Grizzell Middle School and Deer Run Elementary School zoned R-1. Single family and multiple family sections of Tartan West, zoned PUD, Planned Unit Development District.</p> <p>East: Muirfield Village, zoned PUD, across Avery Road.</p> <p>South: Residential subdivisions including Celtic Estates (zoned PUD) and Belvedere (zoned PLR, Planned Low Density Residential District). Shannon Glen is farther to the south (also zoned PUD).</p> <p>West: Large lot single family homes, accessed from Hyland-Croy Road (one home shares a property line with the golf course). Dublin Jerome High School is to the southwest and is zoned PUD.</p> 
Site Features	<ul style="list-style-type: none"> <li>Generally rectangular site with 2,020 feet of frontage on Avery Road.</li> <li>Significant natural features include two tributary streams to the North Fork of the Indian Run, which converge at the center of the site flowing south into Shannon Glen Park.</li> <li>A wooded area is in the northwest portion of the site with tree rows along the western and southern site boundaries. There are many mature trees existing on the site most of which were planted over time with the development of the golf course.</li> </ul>

## Facts

### Site Features

- The western fork of the stream has significant floodway and a Stream Corridor Protection Zone (SCPZ) borders the stream.
- The site was developed as a golf course 40+ years ago with many constructed features such as ponds, fairways, greens, cart paths and varying topography.
- There is a two-story clubhouse and banquet facility with a large parking lot along the Avery Road frontage.
- The site currently has two access points from Avery Road serving the parking lot for the clubhouse.

### Site Background

March 12, 2015

The Planning and Zoning Commission tabled, as requested by the applicant, this application for review and recommendation to City Council of a rezoning with preliminary development plan and a preliminary plat for a 152-acre site to be developed with 185 lots and 50% open space. The Commissioners complimented the applicant for all the revisions made to the proposal since the last review in November 2014. After hearing feedback from the coalition of 9 neighborhoods and several other adjacent residents, the Commissioners requested the applicant provide additional detail in the architectural requirements section of the proposed development text, strengthen the language regarding tree preservation

November 13, 2014

The Planning and Zoning Commission heard the request for rezoning with preliminary development/preliminary plat. Residents attending the meeting voiced concerns regarding such issues as traffic impacts, natural feature protection, and housing density. The Commission noted those concerns and raised additional questions about tree preservation, the applicability of conservation design and extent of architectural standards.

March 13, 2014

The Planning and Commission reviewed a concept plan for this proposal on for 284 single-family lots with 58 acres of open space. The Commissioners evaluated the proposal with respect to compatibility of proposed land use, appropriateness of proposed density, compatibility of the proposed development with adjacent parcels, and appropriateness of proposed open space size and location.

The Commission determined that the proposal was a compatible land use given adjacent uses and existing zoning on the property. The Commission commented that the density of the proposal should be reduced to be equal to or less than adjacent developments. It was also noted that the plan would benefit from more usable open space. The Commission also commented that special consideration should be paid to how the site layout works with the adjacent schools specifically addressing some of challenges like noise and light.

Members from the public expressed their concerns about the proposal in terms of the Community Plan designation of Parks and Open Space, the increase in traffic and attendance at nearby schools. Public comments also included suggested alternative options such as a land purchase by the City for open space.

**Facts**

**Update**

Since the Planning and Zoning Commission review on March 12, 2015, the applicant has been working with staff to address the concerns voiced by the Commissions members and the public. This report contains updates discussing the most recent changes. In summary, the applicant has made the following revisions:

- Provided separate booklets for the development text and the preliminary development plan drawings
- Updated the development text to incorporate many of the conditions previously proposed by Planning and the Planning and Zoning Commission as development requirements into the development standards
- Relocated Lots 135, 136, and 185 to the eastern portion of the development
- Included images into the development text to demonstrate and illustrate architectural requirements
- Addressed Commission discussions in terms of architectural elements and materials such as windows, shingles, driveways, trim materials, and empty nester examples
- Updated the preliminary plat to include open space maintenance responsibilities

Following the November 13, 2014 meeting, in preparation for the March 12, 2015 Planning and Zoning Commission meeting, the applicant made the following changes:

- Reduced the area to be rezoned from 167 acres to 152 acres
- Reduced the number of lots from 240 to 185
- Reduced the proposed density from 1.44 to 1.22 units per acre
- Increased the open space from 63 acres to 76 acres
- Incorporated Conservation Design Principles into the plan
- Increased tree preservation, including the preservation of a 72-inch Chestnut Oak and a 54-inch Red Oak

**Neighborhood Contact**

The applicant has been in contact with residents from Tartan West as well as representatives from nine adjacent HOAs. The association of nine subdivisions prepared an alternate report and requested the Commission consider that as part of the record for the last Commission, which continues to be included with the meeting materials.

The City has continued an extensive web presence for this development to address inquiries from interested citizens, which included concerns about loss of open space and natural features, traffic, impacts on utilities, school capacity and property values. The site has been updated with the most recent development proposal.

No other correspondence from the public was received for this meeting.

**Dublin City School Contact**

The developer and Staff have continued to engage the Dublin City Schools to ensure coordination between the development and adjoining schools. This included discussion about connection points for walkways and responsibilities for

**Facts**

Dublin City School Contact

construction. While the previous application proposed a 15-acre land donation to Dublin City Schools for the potential reconstruction/relocation of Deer Run Elementary, the current proposal excludes this land from the rezoning/PUD. The land will remain zoned R, Rural District, as earlier described. The property is currently under the ownership of the applicant, who is responsible for ensuring that City Codes are met on the property.

**Details**

**Rezoning with Preliminary Development Plan**

Process

Rezoning to a Planned Unit Development requires approval of a development text to serve as the zoning regulation; the Zoning Code covers all requirements not addressed in the development text. A preliminary development plan is also required. Extensive engineering analysis is also been conducted for this proposal. All studies, reports and plans are posted on the City website for this application. The proposed development text establishes a new Planned Unit Development District (Riviera). The text creates three subareas and includes development regulations that apply to the entire site.

Plan Overview



This is a proposal for a residential development with a maximum of 185 single family homes, with sidewalks, a multi-use path system, and an open space network. The proposal includes approximately 76 acres of reserve/park space including preserved tree stands, paths and ponds for use by the neighborhood and the community.

**Details Rezoning with Preliminary Development Plan**

**Plan Overview**

Main access is from Avery Road on Riviera Boulevard, which ends at a 1.5-acre central open space. Connections are provided through Tantalus Drive and Timble Falls Drive south to the Belvedere subdivision, and Firenza Place west to Tartan West. A stub street is placed at the west edge of the site to provide for a future street connection to Hyland-Croy Road with a later development phase of Riviera.

The Avery Road frontage provides a large setback bordered by internal streets in the development. Homes are planned in pods along the north, south and western boundary. There is a larger lot area, Subarea A to the south; medium sized lots in Subarea B in the northeast and west portions of the site; and smaller, single family lots targeted at empty nesters in the northwest as Subarea C.

An approximately 30-acre open space is proposed in the center of the site, including the two tributary streams to the North Fork of the Indian Run and the Stream Corridor Protection Zone over the western fork.

**Community Plan Future Land Use**

The Future Land Use Map in the Community Plan designates the area as Parks/Open Space. Prior to the 2007 Community Plan update, the 1997 Future Land Use Map identified the west half of the site as future Metro Park and the east half as 'Residential – Medium Density' [1-2 dwelling units per acre].

Adjacent residential development approved during that time provided street stubs to the site, including Firenza Place in Tartan West, Timble Falls Drive and Tantalus Drive in Belvedere. Through the public review process during the Plan update, the property owner requested the current designation and City Council approved the Parks/Open Space designation.

The majority of the residential developments around this site are in the Residential Medium Density future land use classification. This permits a density of 1-2 units per acre. At 1.22 units per acre, this proposal is generally less than surrounding densities.

The Avery Road setback is as provided in the Community Plan for a Rural Character roadway, which is characterized by:

- Application of generous setbacks ranging from 100 to 200 feet;
- Integration of open views and vistas into adjacent development perhaps greater than 200 feet in some areas to increase the sense of openness;
- Provision of informal landscaping that focuses on native plant species and naturalized forms (meadows, wildflowers, grasses, wetland areas etc.);
- Use of trees, fencerows and woodland plantings to provide additional screening

**Community Plan Thoroughfare Plan**

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<b>Details</b> <span style="float: right;"><b>Rezoning with Preliminary Development Plan</b></span>	
Community Plan <i>Thoroughfare Plan</i>	<p>and sense of enclosure;</p> <ul style="list-style-type: none"> <li>• Preservation of historic farmsteads, barns or outbuildings that emphasize the agrarian history of the area;</li> <li>• Creation of meandering bike paths and sidewalks that are informally designed as to not be entirely visible from the roadway;</li> <li>• Design of naturalized ponds with aquatic plants and informal edges;</li> <li>• Use of stone walls and split rail fences that are traditionally used in the countryside;</li> <li>• Integration of "rural" road design that may include berms, swales and/or variable medians; and</li> <li>• Provision of shared entrances to minimize curbcuts and maintain openness.</li> </ul> <p>Details of how these characteristic may be achieved will be included in the final development plan for the first Section of development. The development text requires a 100-foot setback along the road and describes that the amenities permitted within the setback will enhance the rural character within the area.</p>
Conservation Design	<p>At the November 13, 2014 Planning and Zoning Commission meeting, the public and many Commissioners discussed the applicability of a Council resolution passed in 2004 regarding "Conservation Design." City of Dublin Resolution 27-04 encourages, but does not require, certain conservation design criteria for future residential developments in all appropriate locations. Based on the feedback from the Commission and the public, the applicant has revised the proposal to address the applicable Conservation Design Principles as outlined in the resolution, including:</p> <ul style="list-style-type: none"> <li>• Preserving large natural areas (stream corridor and centralized open spaces).</li> <li>• Striving for 50% open space: 50% (76.1 acres) provided.</li> <li>• Striving for 75% of lots adjacent to open space: 90% (166 of 185 lots).</li> <li>• Providing large setbacks from scenic roads (Avery Road setback is 100 feet).</li> <li>• Creating curvilinear street pattern wherever possible: Required street connections somewhat limit the street pattern however the site is designed to minimize to the extent possible cut-through traffic to adjacent neighborhoods.</li> </ul>

**Details**

**Rezoning with Preliminary Development Plan**

**Traffic and Access**

All proposed streets are public and the names have been approved by the City. The main access point, Riviera Boulevard will provide site access from Avery Road and ends at Devito Way adjacent to the central park. Devito Way provides north and south access to Subareas A and B. Several streets loop through the development to provide access to smaller pods of homes.

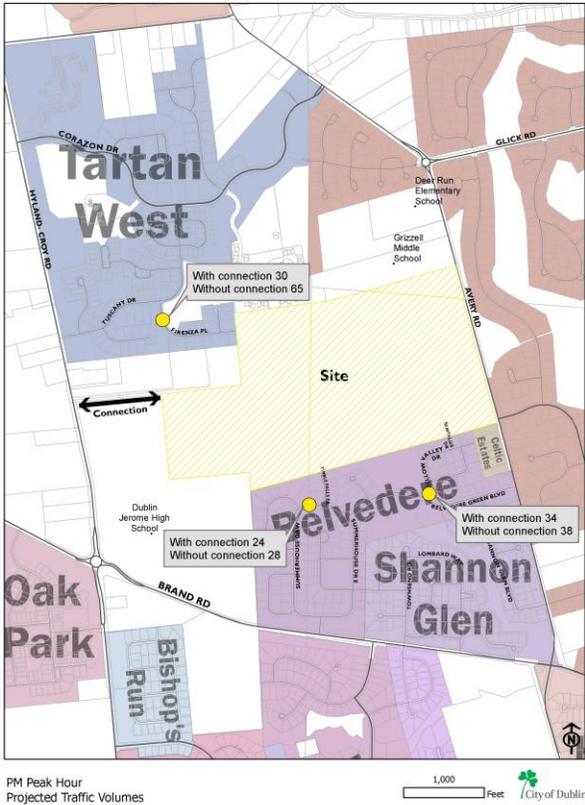
Street connections to existing stubs in surrounding developments include Firenza Place to the northwest, and Timble Falls and Tantalus Drives to the south. A street stub (Cacchio Place) is provided at the west edge of the site to allow for a future connection to Hyland-Croy Road. Planning requests the applicant include with the final development plan that a sign be posted at the stub street indicating the future planned connection for this section.

Planning and Engineering will require the connection to Hyland Croy Road be made prior to the approval of a final plat that includes the connection of Firenza Place in Tartan West.

**Traffic Impact Study**

The applicant submitted a Traffic Impact Study (TIS) as required for a rezoning application with the original application submission. That study assumed a much higher number of lots. At this point, the TIS was not required to be updated with the reduced number of lots to 185 due a lesser traffic impact with less density. However, the traffic impact study must be accepted by the City Engineer prior to the City Council hearing of the rezoning.

The TIS identified the need for the developer to construct a northbound left turn lane along Avery Road into the proposed site and install an enhanced pedestrian crossing system for Avery Road, to the satisfaction of the City Engineer. These are still required and accounted for in the development text.



**Details** **Rezoning with Preliminary Development Plan**

**Traffic Impact Study**

Off-site transportation impacts will be addressed through a separate infrastructure agreement with the City. The applicant will contribute financially to off-site improvements based on the percent site traffic contributions listed in the TIS and adjusted based on the final number of lots permitted for the development. Locations included in the agreement include the Avery Road and Brand Road intersection, the Hyland-Croy Road and Post Road intersection, the Jerome Road and McKitrick Road intersection, the Hyland-Croy Road and McKitrick Road intersection, and the Hyland-Croy Road and Brand Road intersection.

As noted in the TIS, distribution of trips across the roadway network improves the safety and efficiency of the transportation system. About 40% of the site traffic is distributed to and from the west. Connectivity for vehicles, bikes, pedestrians, deliveries and services will all be improved with the connections to the planned access to surrounding streets and a future route to Hyland-Croy Road. Once all connections are in place the surrounding neighborhoods are likely to see less cut-through traffic. Other adjacent streets and intersections also carry fewer site trips with the Hyland-Croy Road connection. The conditional requirement of a connection to Hyland-Croy Road will require additional land acquisition.

**Development Details Use**

This is a single family residential development with 185 lots and 76 acres of open space in 13 Reserves.

**Development Details Density Compatibility**

The 185 lots on 152.2 acres results in a density of 1.22 units to the acre. The surrounding Shannon Glen, Belvedere and Tartan West developments range in density from 1.5 to 1.98 units per acre. The applicant has included a detailed map showing surrounding densities for various areas. The map shows the density of the adjacent Muirfield area as 1.41 units per acre. This number is slightly higher than a previous assessment by Planning that showed 1.27 units per acre. The applicant's density calculation appropriately excluded commercial/non-residential areas from the density area.

**Development Details Minimum Lot Requirements**

Minimum Lot Requirements	Subarea		
	A	B	C
Area (sq. ft.)	13,000	9,750	7,200
Width (ft.)	100	75	60
Depth (ft.)	125	125	120
Front Yard (ft.)	25	25 / 20 on Cacchio Ln	20
Rear Yard (ft.)	25	25	15
Side Yard (ft.)	8	6	5
Lot Coverage (%)	45 (Code)	45 (Code)	70

## Details

## Rezoning with Preliminary Development Plan

### Subarea A

Subarea A is in the southeast portion of the site and includes the Riviera Boulevard entry off Avery Road as well as the lots adjacent to the Belvedere subdivision. The proposed 40 lots are served by Devito Way, Albanese Circle and Tantalus Drive. This Subarea includes the largest lots proposed for Riviera.

#### Subarea A Reserves:

- Reserve A - 2.4 acres along Avery Road;
- Reserve B - 0.1-acre boulevard island in Riviera Boulevard; and
- Reserve C - 5 acres interior to Lots 1 through 17.

The layout of this Subarea includes lots 6 lots adjacent to lots in Belvedere in the southeast portion of the site, which are slightly larger than those in Belvedere.

Passive open space is placed to the rear of Lots 1 through 17 with access provided through Albanese Circle in one location, which was revised since the last meeting to address tree preservation concerns from the Commission.

### Subarea B

Subarea B has 116 lots are in the northeast, central, and western portions of the site. The northern portion of Subarea B provides a path connection to Grizzell Middle School. Access to the northeast and central portions of the site includes:

- Timble Falls Drive, the principal east-west street which extends south in the western portion of the site to connect to the existing street stub in Belvedere. The street name spelling has been updated on all plans.
- DiCesare Loop connects north off Timble Falls Drive and provides primary access to all lots in the northeast.
- Gatto Lane creates another street connection.
- Two culs-de-sac are proposed in the southwest portion of the site, Corna Court is to the west and provides access to 20 lots, Oddi Place is to the east and seven lots will have access from this cul-de-sac.

Cacchio Place is proposed as the eventual connector to Hyland-Croy Road, as noted above. As recommended by Planning, the applicant has removed and relocated Lots 185, 135 and 136 (as numbered on the previous plan) to avoid creating isolated lots and create additional open space in Reserve L. Two lots were relocated to Section 2 adjacent to Lot 68 and 42 and one lot was relocated to Section 1 adjacent to Lot 39. All lots have been renumbered accordingly.

#### Subarea B Reserves:

- Reserve D – 1.5 acres, a central green at the intersection with Riviera Boulevard;
- Reserve E – 2.1 acres along Avery Road;
- Reserve F – 4 acres interior to Lots 63 through 83;
- Reserve G – 0.1-acre, open space connection to Grizzell Middle school;
- Reserve H – 3.0 acres behind Lots 53 through 62, north of Timble Falls Drive;
- Reserve K – 30.1 acres in the center of the site;

<b>Details</b>	<b>Rezoning with Preliminary Development Plan</b>
Subarea B	<ul style="list-style-type: none"> <li>• Reserve L – 5.8 acres in the northwest portion of the site); and</li> <li>• Reserve M – 15 acres in the western portion of the site)</li> </ul> <p>Engineering was previously concerned that the proposed layout of Timble Falls Drive between Lots 140 and 165 may be difficult to maneuver and the applicant has straightened this portion of the street. Engineering will continue to work with the applicant to finalize some minor adjustments to the roadway alignment as part of the final development plan and final plat.</p>
Subarea C	<p>Subarea C is in the northwest portion of the site with 29 lots the applicant intends to target for empty-nesters. These 7,200 square foot lots are permitted 70% lot coverage similar to those of other recent developments for smaller, more intensely developed lots. The smaller lots reduce the maintenance responsibilities, which is normally a desired feature for this living style. The applicant has indicated that the housing product for this Subarea is likely predominantly a ranch-type home with a first floor master bedroom. However, the development text does not limit the story height to allow buyers’ flexibility and additional rooms as desired.</p> <p>Subarea C Reserve:        J – 5.9 acres includes a portion of the Stream Corridor Protection Zone.</p>
Development Details <i>Open Space          Character</i>	<p><b>Avery Road Frontage</b>          The open space along Avery Road is 100 feet deep and arranged so that no homes back up to Avery Road. This is consistent with the Community Plan element described earlier for a Rural Roadway. The applicant has updated the development text to development to require garage placement away from the Avery Road frontage.</p> <p><b>Vistas</b>          The larger expanses of open space are concentrated in the center of the site, including water features, the streams and major tree stands. Wide, open space vistas through this area are an important amenity for this project.</p> <p><b>Connections</b>          There are other open space connections made to other surrounding active and passive recreation areas, and trail connections are provided at various points around the site. Some concern was expressed about the utility of some open space areas, such as parts of Reserves I and J. These are necessary to accommodate the pathway system, part of which is the former cart path used by the golf course. Some areas have been set aside as open space with connections to the adjacent streets. The final development plan will include additional details regarding the design of these connections, particularly when they are between home sites.</p> <p>A path connection to Grizzell Middle School is provided and the development text indicates that the developer will coordinate with the Dublin City Schools for the location and construction of the connection into the school properties. The applicant has also revised the text to indicate a willingness to provide a connection to Jerome</p>

<b>Details</b> <span style="float: right;"><b>Rezoning with Preliminary Development Plan</b></span>	
<b>Development Details</b> <i>Open Space Character</i>	<p>High School property if so desired. The developer is responsible for the construction of these connections and paths through the schools' properties.</p> <p>A path previously provided through the property to the west of the site has been relocated to ensure that all connections remain within the rezoned area.</p> <p><b>Open Space Use</b>  Large areas have been set aside for potential active use, while allowing extensive passive areas. These areas are intended to be reactive to the needs of the residents, as is the City's practice. Other amenities may be added by the City if desired by residents.</p> <p><b>Reserves</b>  The development text includes development details for each Reserve, which can be administratively approved to allow for resident input after homes are built.</p>
<b>Stream Corridor Protection Zone</b>	<p>The site includes a Stream Corridor Protection Zone (SCPZ) over the streams. This Zone is intended to preserve the flood water capacity of existing drainage ways, limit stream erosion and preserve riparian habitats. The width of the Zone is determined by the contributing drainage area upstream of the segment.</p> <p>The applicant has submitted a study from the engineering firm EMH&amp;T that models this zone using HEC-RAS software. The SCPZ regulations prohibit activities such as disturbance of natural vegetation, buildings, and stormwater management facilities. The applicant has included the zone, as required within the development plans, and shown it on the preliminary plat. Consideration was made to locate lots outside of the boundary of the SCPZ. The final plat will delineate these zones further and include the required regulations.</p> <p>As the boundaries of these areas are not always clear to the adjacent property owners, some method either physically delineating these areas, and/or ensuring the property owners are aware of the presence of the SCPZ and its restrictions should be considered and the development text has been revised to indicate the applicant and staff will coordinate these details at the final development plan stage.</p>
<b>Tree Preservation</b>	<p>The applicant has provided a preliminary tree survey indicating size and health of existing trees. Detailed removal information is required with the final development plan. Given the open nature of the site and the number of trees planted as part of the development of the golf course, as well as the requirement of pushing development areas away from the streams, significant replacements will be necessary. The City's tree replacement requirements dictate that trees larger than 6 inches in diameter in fair and good condition be replaced inch-for-inch on-site. The text allows for a 30% replacement with evergreens to allow for some more effective perimeter buffering.</p> <p>The current proposal more effectively preserves significant trees. The applicant has</p>

<b>Details</b>	<b>Rezoning with Preliminary Development Plan</b>
Tree Preservation	<p>made efforts to identify those trees that existed prior to the development of the golf course (around the stream and the two large oak trees). Aerial photography from 1959, 1979 and 1989 show the progression of development of the golf course and the trees planted as part of the course.</p> <p>To ensure tree protection during construction, the development text includes requirements for metal or wood fencing around landmark trees and City inspections and approval of tree protection fencing prior to issuance of construction permits. In addition, the development text has been revised to indicate more detailed tree protection measures with the final development plan, which is an appropriate time, as more details regarding utilities and grading as well as tree conditions will be available.</p>
Architecture and Building Materials	<p>Architectural standards make up the most significant update to the development text. The applicant has detailed permitted home styles and provided local examples of these styles, which include Classical, European Country, American Period Revival, Midwestern Vernacular, and Colonial Revival. The applicant has provided character examples as potential products for the empty-nester area, which will likely be a themed subarea and as such require architectural approval by the Planning and Zoning Commission.</p> <p>The text further requires four-sided architecture with a similar or higher quality character of architectural character as surrounding neighborhoods. Permitted exterior building materials are brick, stone, manufactured stone, wood, stucco and fiber-cement siding. Natural and earth-tone colors are required. Prominent facades (facing larger open spaces) require additional detailing. Material transitions are required to have a 16-inch minimum return.</p> <p>Permitted trim materials are wood, aluminum, PVC, urethane foam, EIFS copper, or fiber-cement products. The text requires chimneys to be clad in brick, stone, and/or manufactured stone, and prohibits cantilevered/"through the wall" chimneys.</p> <p>Roofing materials are required to be natural 30-year dimensional asphalt shingles, wood, slate, concrete or tile, with natural earth tones and/or neutral colors (including black). Other roof requirements are provided to allow for additional detailing.</p> <p>Other standards are provided for design details, such as dormers, gutters/downspouts, windows, shutters, and porches.</p> <p>In addition, the homes will be required to meet the other Appearance Standards of the Zoning Code not addressed by the development text.</p> <p>Side-loaded garages are encouraged and the text requires a 30-inch tall hedge in front of parking areas for auto-court-type garages. The text should be clarified as to where this hedge is required and ensure it does not inhibit sight triangles at intersections. Garage doors are required to be decorative, side-loaded garages are</p>

<b>Details Rezoning with Preliminary Development Plan</b>	
<b>Architecture and Building Materials</b>	<p>encouraged and garage placement for lots with Avery Road frontage has been addressed.</p> <p>The text addressed architectural diversity requirements and requires the master developer to approve individual elevations. An architectural review committee is also required and must approve individual elevations. The development text has been updated to require the applicant to provide membership details with the final development plan.</p>
<b>Utilities &amp; Stormwater Management</b>	<p>A 12-inch water line is on the east side of Avery Road. This will be the main connection point for this development to obtain public water service. Looping of the water line system will be accomplished along any new streets as well as connecting to the existing 8-inch water lines in adjacent subdivisions. These connections will provide adequate public water service for development of this property without adverse effects to existing users.</p> <p>The North Fork Indian Run sanitary trunk sewer is along the southern and western boundaries of this property. This 18-inch sewer line was installed to provide service to land to the northwest of this site as part of the development of Tartan West. When the extension was made in 2003, an analysis was performed that indicated capacity issues downstream in the trunk sewer with full build-out considered for the land in northwest Dublin. This analysis assumed that the Riviera property would remain as a golf course. With the proposed change in use of this property from golf course to single family housing, the impact of this change on the City's trunk sewer was separately studied.</p> <p>Knowing that there is a system deficiency, the applicant modeled the proposed development impact on system deficiency and proposed improvements. The applicant will partner with the City via the infrastructure agreement to ensure the necessary sewers to mitigate the impacts of development on the sanitary sewer system are in place and the development text has been updated to reflect this requirement.</p> <p>The development will be required to follow Chapter 53, the Stormwater Regulations. The existing ponds on the property could be used for this if enough investigation is done and the correct modifications are implemented to demonstrate compliance.</p> <p>The tributary for the North Fork of Indian Run provides ample outlet opportunities for managing the stormwater on this property. The latest FEMA maps show that this tributary has a 100-year floodplain bisecting the site. Adherence to the requirements of Chapter 151 is required for this area. At the northern side of the site, an area that is outside of the FEMA designated floodplain, along one of the streams, will need to follow the Stream Corridor Protection Zone regulations in Chapter 53. Existing developments in this area have been arranged so that any new lots are not being created in the designated floodplains. This minimizes the need for flood insurance requirements for future residents.</p>

Details <span style="float: right;">Rezoning with Preliminary Development Plan</span>	
Utilities & Stormwater Management	Currently, this development proposes portions of lots in existing FEMA designated 100-year floodplain (Zone A). A Letter of Map Amendment (LOMA), accompanied by a detailed engineering study will be required to be submitted and approved by FEMA with the final development plan details for these lots the development text has been updated to reflect this requirement.

Analysis <span style="float: right;">Rezoning with Preliminary Development Plan</span>	
Process	Section 153.050 of the Zoning Code identifies criteria for the review and approval for a rezoning/preliminary development plan (full text of criteria attached). Following is an analysis by Planning based on those criteria.
1) Consistency with Dublin Zoning Code	<b>Criterion met:</b> This proposal is consistent with the purpose, intent and applicable development standards of the Zoning Code requirements except as altered in the proposed development text. The proposed size of the lots and development standards associated with each Subarea are similar to recently approved developments.
2) Conformance with adopted Plans	<b>Criterion met:</b> As previously discussed, the Community Plan shows the site as Parks/Open Space as the owner at that time of the 2007 Community Plan Update requested that no development be shown. As a proposed development site, a more appropriate land use classification needs to be considered. As with the past reviews of similar rezonings, the applicant was asked to provide an appropriate density taking into account surrounding development. The majority of the residential developments around this site are in the Residential Medium Density future land use classification. This permits a density of 1-2 units per acre. At 1.2 units per acre, this proposal is at the low end of this classification's density range and is consistent with, and generally lower than, the density of adjacent developments.
3) Advancement of general welfare and orderly development	<p><b>Criterion met:</b> This proposal is compatible with the surrounding neighborhoods and will not impede the normal and orderly development and improvement of the surrounding areas.</p> <p>The proposal preserves the streams and their associated protection corridors on this site, and the proposed layout creates an attractive public realm by providing ample and usable open space and preserving trees within these open spaces.</p> <p>The streets and paths and the connections proposed contribute to walkability and continue the distinct high quality development character as evident in surrounding developments. The Avery Road setback will be enhanced with park amenities and landscaping that continues the rural character of the road. Street connections to surrounding stub streets will provide for additional ways for people to travel to destinations in the community. It will be increasingly important at the site develops to provide a direct connection to Hyland-Croy Road as previously discussed.</p>

Analysis	Rezoning with Preliminary Development Plan
4) Effects on adjacent uses	<p><b>Criterion met:</b> The development is appropriately located within the city and is compatible with existing development. Homes are required to be of similar or higher quality as surrounding areas and the applicant has included larger lots with larger setbacks adjacent to existing homes. The development text has been updated with a significant architectural requirements section that will ensure a high quality development.</p> <p>The applicant has updated the development text to include language highlighting that Riviera is proposed near a very active high school and middle school with year round activities and that homeowners will likely be affected by the noise and light that typically accompany these activities.</p>
5) Adequacy of open space for residential development	<p><b>Criterion met:</b> The site provides an appropriate mix of passive and active open spaces. The relocation of Lots 135, 136 and 185 in Subarea B has created more open vistas. At the final development plan stage, the applicant will have to provide details regarding the open space treatment of areas with paths between residential lots.</p>
6) Protection of natural features and resources	<p><b>Criterion met:</b> The development text requires tree replacement per Code. The lots and proposed infrastructure are laid out to preserve tree stands, streams, floodplain and natural vegetation to the greatest extent possible. Many existing ponds will be retained and enhanced to function as stormwater management ponds to reduce the need to further disturb the site.</p> <p>As the boundaries of the SCPZ areas are not always clear to the adjacent property owners, the applicant has revised the text to indicate the developer will work with Planning to determine a method of either physically delineating these areas, and/or ensuring the property owners are aware of the presence of the SCPZ and its restrictions.</p> <p>The development plan proposes lots in existing FEMA designated 100-year floodplain (Zone A). A Letter of Map Amendment (LOMA), accompanied by a detailed engineering study will be required to be submitted and approved by FEMA with the final development plan details for these lots and the development text has been updated to indicate this requirement.</p>
7) Adequate infrastructure  <i>Condition 1</i>	<p><b>Criterion met with Condition:</b> The proposal includes adequate and necessary utilities, roads, drainage, and retention facilities to serve the proposed development and not adversely affect the functionality or provision of utilities outside of the site. The applicant will be required to enter into an infrastructure agreement with the City to mitigate off-site traffic impacts and address the required sewer upgrade and the development text has been updated to require this.</p>

## Analysis

## Rezoning with Preliminary Development Plan

### 8) Traffic and pedestrian safety

*Conditions 2-4*

**Criterion met with Conditions:** Street connections to surrounding stub streets will provide for additional ways for people to travel throughout the community. It will be increasingly important as the site develops to provide a direct connection to Hyland-Croy Road to distribute traffic more evenly throughout the area. The additional access points and street connections are designed to minimize traffic congestion on the surrounding public streets and to maximize public safety. The applicant will need to work with the City to provide a direct site connection to Hyland-Croy Road and necessary improvements to the satisfaction of the City Engineer to be completed before the plat can be approved that includes the Firenza Place connection (Section 3-2).

The proposed street and path system will accommodate adequate pedestrian and bike circulation so that the proposed development provides for a safe, convenient and non-conflicting circulation system for motorists, bicyclists and pedestrians.

As outlined in the development text and/or TIS, the applicant will be required to enter an infrastructure agreement with the City to help to mitigate off-site traffic impacts, and ensure the installation of a turn lane and pedestrian crossing on Avery Road.

The traffic impact study must be updated to the satisfaction of the City Engineer prior to a City Council hearing of the rezoning to address the lower number of lots.

### 9) Coordination & integration of building & site relationships

**Criterion met:** The proposed development coordinates the relationship of proposed lots and the sensitive areas of the site. A majority of the lots has open space adjacency and all open space areas include access points to avoid exclusiveness to the lots adjacent.

<b>Analysis</b>	<b>Rezoning with Preliminary Development Plan</b>
10) Development layout and intensity	<p><b>Criterion met:</b> This proposal meets the criterion for ensuring that the plan is overall acceptable and will not hinder the orderly development of land within the city. The density, use, setbacks, open space and public infrastructure have a bearing on this proposal being acceptable as a high quality development within Dublin.</p> <p>The proposed layout includes streets in accordance with City standards including bikepaths and sidewalks as well as adequately sized tree lawns. Street connectivity as discussed in the Community Plan is provided within the development and to surrounding neighborhoods and with the inclusion of the street connections and the Hyland-Croy Road access.</p> <p>The proposed streets and paths within the development and the connections proposed contribute to walkability and continue the distinct, high quality development character evident in surrounding developments. The applicant is proposing shared paths throughout the development and has committed to ensuring that existing cart paths intended to remain on site will be tested and upgraded if necessary to ensure compliance with City standards. Pedestrian connections will also be provided to adjacent Grizzell Middle School and to Jerome High School if desired by the Schools and the applicant has worked with the Dublin City Schools to provide for off-site connections.</p>
11) Stormwater management	<p><b>Criterion met:</b> Adequate provision is made for stormwater management, storm drainage within and through the site to maintain usual and normal swales, water courses and drainage areas.</p>

**Analysis**

**Rezoning with Preliminary Development Plan**

12) Community benefit

**Criterion met:** The proposal will provide additional housing options and as stated above, the design and site arrangement of a majority of the proposal is consistent with the intent of the Planned Development District regulations.

The inclusion of smaller single family lots intended to target empty nesters provides an additional housing option that can encourage multi-generational living within Riviera.

The proposal preserves many of the natural features on this site, and the proposed layout creates an attractive public realm by providing ample open space. The Avery Road setback will be enhanced with amenities and landscaping that continues the rural character of the road.

Street connections to surrounding stub streets will provide for additional ways for people to travel throughout the community. Connections for vehicles, bikes, pedestrians, deliveries and services will all be improved with a direct route to Hyland-Croy Road. The surrounding neighborhoods are likely to see less cut-through traffic by providing this connection.

As with any new residential development, additional students will be part of this project. At 185 units the count would likely be somewhat proportionately less than the previous 284 lot plan. Based on that plan, the Dublin City Schools’ calculation for students showed the following. If reduced proportionately, the lower number of students is also shown. (The effect of the empty nester homes was not taken into account in either calculation; they were included in the same manner as the other homes to yield the most conservative number.)

School Aged Children	Previous Plan	Current Plan
Elementary School	145	94
Middle School	102	66
High School	105	68
Totals	352	228

These counts would be absorbed over the build-out period of the development (typically 3-5 years) as students move from one school level to the next. The Dublin City Schools has stated that they will continue to serve this student population.

13) Design and appearance

**Criterion met:** The proposed architectural requirements meet or exceed the quality of the building designs in the surrounding area and all applicable appearance standards of the City. The requirements include high quality materials, four-sided architecture and architectural diversity. Additional architectural details have been provided as requested by the Commission.

14) Development phasing

**Criterion met:** The development plan includes a phasing plan that shows build-out over five phases. As outlined in the proposed conditions, certain infrastructure improvements are tied to these phases.

Analysis <span style="float: right;">Rezoning with Preliminary Development Plan</span>	
15) Adequacy of public services	<p><b>Criterion met:</b> There are adequate services for the proposed development existing and/or planned. Necessary public improvements will not impair the existing public service system for the area. The applicant will partner with the City on the infrastructure agreement to construct the necessary sewers to mitigate the impacts of development on the sanitary sewer system.</p>
16) Infrastructure contributions  <i>Condition 1</i>	<p><b>Criterion met with Condition:</b> The applicant will be entering an infrastructure agreement with the City to mitigate off-site traffic impacts and address the required sewer upgrade.</p>

Recommendation <span style="float: right;">Rezoning with Preliminary Development Plan</span>	
Approval	<p>In Planning’s analysis, this proposal complies with the rezoning/preliminary development plan criteria and the existing development standards within the area. Approval with four conditions is recommended.</p>
Conditions	<ol style="list-style-type: none"> <li>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;</li> <li>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;</li> <li>3) That the developer update the traffic impact study to the satisfaction of the City Engineer prior a City Council hearing of the rezoning; and</li> <li>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.</li> </ol>

Details		Preliminary Plat
Plat Overview	<p>The proposed preliminary plat subdivides 152.2 acres of land into 185 single-family lots and 13 reserves of open space. All streets within the preliminary plat are public and are a typical residential section with 50-foot rights-of-way. Bikepaths or sidewalks are included on each side of the street. Rights-of-way included in the plat are for:</p> <ul style="list-style-type: none"> <li>• Albanese Circle</li> <li>• Cacchio Place</li> <li>• Corna Court</li> <li>• DeVito Way</li> <li>• Dicesare Loop</li> <li>• Firenze Place</li> <li>• Oddi Place</li> <li>• Riviera Boulevard</li> <li>• Tantalus Drive</li> <li>• Timble Falls Drive</li> </ul> <p>The preliminary plat shows existing conditions, proposed development sections and includes setback requirements, lot depths and widths as well as the appropriate development standards. The plat includes the open space acreages but needs to show ownership and maintenance responsibilities.</p>	

Analysis		Preliminary Plat
Process	<p>The Subdivision Regulations identify criteria for the review and approval for a plat. Following is an analysis by Planning based on those criteria.</p>	
1) Plat Information and Construction Requirements	<p><b>Criteria met with Condition:</b> The applicant has included all necessary information and construction requirements appropriately on the preliminary plat. The applicant should ensure that any minor technical adjustments to the plat are made prior to City Council submittal.</p>	
Condition 1		
2) Street, Sidewalk, and Bike path Standards	<p><b>Criteria met:</b> The plat includes a street section for the streets. Sidewalks and bikepaths are provided throughout the development.</p>	
3) Utilities	<p><b>Criteria met:</b> The plat makes appropriate provisions for utilities and the location of future utilities.</p>	

<b>Analysis</b>		<b>Preliminary Plat</b>
4) Open Space Requirements	<b>Criteria met:</b> The Subdivision Regulations require the dedication of 13.22 acres of open space based on the size of the site and the maximum number of units proposed. The plat includes reserves labeled A through M, which range from small open spaces in boulevard and landscape islands to large, expansive open space in the center of the site. The total open space amount provided is 76 acres, all of which will be dedicated to the City. The provided open space exceeds Subdivision Regulation requirements by 62 acres.	

<b>Recommendation</b>		<b>Preliminary Plat</b>
Approval	This proposal complies with the preliminary plat criteria and a recommendation to City Council for approval of this request is recommended with one condition.	
Condition	1) That the applicant ensure that any minor technical adjustments to the plat, are made prior to City Council submittal.	

## **REZONING/PRELIMINARY DEVELOPMENT PLAN CRITERIA**

The purpose of the PUD process is to encourage imaginative architectural design and proper site planning in a coordinated and comprehensive manner, consistent with accepted land planning, landscape architecture, and engineering principles. The PUD process can consist of up to three basic stages:

- 1) Concept Plan (Staff, Commission, and/or City Council review and comment);
- 2) Zoning Amendment Request (Preliminary Development Plan; Commission recommends and City Council approves/denies); and**
- 3) Final Development Plan (Commission approves/denies).

The general intent of the preliminary development plan (rezoning) stage is to determine the general layout and specific zoning standards that will guide development. The Planning and Zoning Commission must review and make a recommendation on this preliminary development plan (rezoning) request. The application will then be forwarded to City Council for a first reading/introduction and a second reading/public hearing for a final vote. A two-thirds vote of City Council is required to override a negative recommendation by the Commission. If approved, the rezoning will become effective 30 days following the Council vote. Additionally, all portions of the development will require final development plan approval by the Commission prior to construction.

### **Review Criteria**

Section 153.050 of the Zoning Code identifies criteria for the review and approval for a Rezoning/Preliminary Development Plan. In accordance with Section 153.055(A) *Plan Approval Criteria*, Code sets out the following criteria of approval for a preliminary development plan (rezoning):

- 1) The proposed development is consistent with the purpose, intent and applicable standards of the Dublin Zoning Code;
- 2) The proposed development is in conformity with the Community Plan, Thoroughfare Plan, Bikeway Plan and other adopted plans or portions thereof as they may apply and will not unreasonably burden the existing street network;
- 3) The proposed development advances the general welfare of the City and immediate vicinity and will not impede the normal and orderly development and improvement of the surrounding areas;
- 4) The proposed uses are appropriately located in the City so that the use and value of property within and adjacent to the area will be safeguarded;
- 5) Proposed residential development will have sufficient open space areas that meet the objectives of the Community Plan;
- 6) The proposed development respects the unique characteristic of the natural features and protects the natural resources of the site;
- 7) Adequate utilities, access roads, drainage, retention and/or necessary facilities have been or are being provided;
- 8) Adequate measures have been or will be taken to provide ingress and egress designed to minimize traffic congestion on the surrounding public streets and to maximize public safety and to accommodate adequate pedestrian and bike circulation systems so that

- the proposed development provides for a safe, convenient and non-conflicting circulation system for motorists, bicyclists and pedestrians;
- 9) The relationship of buildings and structures to each other and to such other facilities provides for the coordination and integration of this development within the PD and the larger community and maintains the image of Dublin as a quality community;
  - 10) The density, building gross floor area, building heights, setbacks, distances between buildings and structures, yard space, design and layout of open space systems and parking areas, traffic accessibility and other elements having a bearing on the overall acceptability of the development plan's contribution to the orderly development of land within the City;
  - 11) Adequate provision is made for storm drainage within and through the site so as to maintain, as far as practicable, usual and normal swales, water courses and drainage areas;
  - 12) The design, site arrangement, and anticipated benefits of the proposed development justify any deviation from the standard development regulations included in the Dublin Zoning Code or Subdivision Regulation, and that any such deviations are consistent with the intent of the Planned Development District regulations;
  - 13) The proposed building design meets or exceeds the quality of the building designs in the surrounding area and all applicable appearance standards of the City;
  - 14) The proposed phasing of development is appropriate for the existing and proposed infrastructure and is sufficiently coordinated among the various phases to ultimately yield the intended overall development;
  - 15) The proposed development can be adequately serviced by existing or planned public improvements and not impair the existing public service system for the area; and
  - 16) The applicant's contributions to the public infrastructure are consistent with the Thoroughfare Plan and are sufficient to service the new development.

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### **PRELIMINARY PLAT CRITERIA**

If approved, the preliminary plat will be reviewed at a later date by City Council. If the Commission disapproves the preliminary plat, it must state its reasons for doing so. Approval of the preliminary plat is effective for 24 months and authorizes the developer to proceed with construction after meeting all Engineering requirements. The Commission and City Council will later review the final plat for each phase, generally after infrastructure is complete, to ensure that it conforms to the preliminary plat.

#### **Review Criteria**

In accordance with Chapter 152, the Code sets out the following requirements as part of the platting requirements for the subdivision of land:

- 1) The proposed plat provides the minimum plat contents required by Sections 152.018(B) and 152.018(C);
- 2) The proposed plat will comply with all applicable subdivision improvement procedures as defined by Sections 152.035 through 152.053;
- 3) The proposed plat will provide required improvements as specified by Sections 152.065 through 152.072.