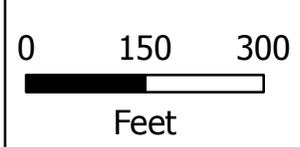


15-078AFDP
Amended Final Development Plan
7220 Muirfield Drive
Zoning Map





DUBLIN PLANNING AND ZONING COMMISSION
RECORD OF ACTION
March 20, 1997

CITY OF DUBLIN

5800 Shier Kings Road
Dublin, OH 43017-1236
Phone/TDD: 614/761-6550
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The Planning and Zoning Commission took the following action at this meeting:

5. **Final Development Plan OT-565 - Indian Run Meadows - Liberty Health Care Assisted Living Facility - 7229 Muirfield Drive**
Location: 3.4 acres located on the east side of Muirfield Drive, approximately 400 feet south of Sells Mill Drive.
Existing Zoning: PUD, Planned Development District (Indian Run Meadows Plan).
Request: Review and approval of a final development plan under the provisions of Section 153.056.
Proposed Use: A 50,000 square foot, 84-bed assisted living and nursing care facility.
Applicant: Liberty Health Care, 2150 Goodlette Road, Suite 800, Naples, Florida 34102, represented by Christopher Cline, 37 West Bridge Street, Dublin, Ohio 43017; and owner, K.F. Associates, c/o John W. Kessler, First Intercontinental Realty Corporation, 144 East State Street, Suite 200, Columbus, Ohio 43215.

MOTION: To approve this application because it is a permitted use of the property under the Indian Run Meadow PUD, it complies with the preliminary development text/ rezoning text, the site is well buffered from the adjacent single-family lots and Muirfield Drive, and the architecture is in keeping with the residential character of the area and consistent with the development text with the following conditions:

- 1) That the south access satisfy the requirements of staff and the city law director;
- 2) That copies of recorded cross-access easements between the subject site and neighboring office and commercial sites be submitted prior to the issuance of building permits;
- 3) That additional stone be provided on side and rear elevations to ensure the same finished quality on all elevations, and be approved by staff;
- 4) That dimensional roofing shingles be used;
- 5) That all lighting be coordinated with the adjacent commercial and office uses and comply with the text and Dublin Lighting Guidelines, as approved by staff;
- 6) That the landscape plan be revised to include additional landscape material to screen the HVAC units, to the satisfaction of staff;

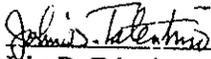
DUBLIN PLANNING AND ZONING COMMISSION
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5. Final Development Plan OT-565 - Indian Run Meadows - Liberty Health Care Assisted Living Facility - 7220 Muirfield Drive (Continued)
 - 8) That all Engineering Division requirements be met on design of public roads, private drives, parking areas, public and private utilities, and stormwater management; and
 - 9) That all of the changes required above be submitted to staff within two weeks.
- * Chris Cline agreed to the above conditions.

VOTE: 7-0.

RESULT: This application was approved.

STAFF CERTIFICATION


John D. Talentino
Planner

Mr. Lecklider preferred the second emergency access point closer to Avery Road. He also wants consistency in whether stacking spaces are counted toward Code compliance. Ms. Chinnici-Zuercher agreed.

Mr. Ferrara made a motion to approve this application with ten conditions:

- 1) That rear building elevations be revised to reflect the same quality of materials and detailing as front elevations;
- 2) That right-of-way for Avery Road which complies with the MS Consultants Avery Road Alignment Study, (62 feet from centerline), be deeded to the City prior to the issuance of a building permit;
- 3) That right-of-way along Rings Road consistent with the Thoroughfare Plan (30 feet from centerline) be deeded to the City prior to the issuance of a building permit;
- 4) That an eight-foot bikepath be provided within the building setback area on the north side of Rings Road and on the west side of Norm Street (within easements if necessary), acceptable to staff;
- 5) That a five-foot-wide pedestrian path connect with the path from the Balgriffin Apartments Phase 2, and be acceptable to staff;
- 6) That a revised landscape plan that meets Code and incorporates the changes requested be submitted and be acceptable to staff;
- 7) That all lighting meet the requirements of the development plan text, and Dublin Lighting Guidelines;
- 8) That all Engineering Division requirements be met on design of public roads, private drives, public and private utilities, and stormwater management;
- 9) That a plan incorporating all of the changes required above be submitted to staff within two weeks; and
- 10) That a permanent secondary grass-surfaced emergency access be provided to Rings Road or Norm Street, as approved by staff.

Ms. Boring seconded the motion. Mr. Rubin agreed to the above conditions. The vote was as follows: Mr. Harian, yes; Mr. Peplow, yes; Mr. Lecklider, yes; Mr. Sprague, yes; Ms. Chinnici-Zuercher, yes; Ms. Boring, yes; and Mr. Ferrara, yes. (Approved 7-0.)

5. Final Development Plan OT-565 - Indian Run Meadows - Liberty Health Care Assisted Living Facility - 7220 Muirfield Drive

John Talentino distributed an update of the staff report to the Commissioners. In 1986, within the Indian Run Meadows PUD, a seven-acre office/institutional site on the east side of Muirfield Drive. This application is a final development plan for 3.37 acres for an assisted living and Alzheimer's facility. The predominant building materials include a light gray synthetic limestone, sandstone stained cedar siding, and a shingled roof.

Mr. Talentino said the applicant met with the area residents who generally supported the use but had concerns about stormwater ponding. The neighbors requested additional landscaping to screen the air conditioning units on the rear of this building. The applicant agreed to do so.

A petition from the residents requests, in addition to the six-foot fence and landscaping, a six-foot mound. The existing proposal meets and exceeds the text requirements.

He said staff recommends approval with nine conditions:

- 1) That the plan be revised to provide full-service access (or other acceptable solution) at the southern property line, and modifications to the median, subject to staff approval;
- 2) That copies of recorded cross-access easements between the subject site and neighboring office and commercial sites be submitted prior to the issuance of building permits;
- 3) That additional stone be provided on side and rear elevations to ensure that the same finished quality on all elevations, and be approved by staff;
- 4) That dimensional roofing shingles be used;
- 5) That all lighting be coordinated with the adjacent commercial and office uses and comply with the text and Dublin Lighting Guidelines, as approved by staff;
- 6) That the landscape plan be revised to include additional landscape material to screen the HVAC units, to the satisfaction of staff;
- 7) That issues concerning fire protection and access for fire and emergency vehicles meet the requirements of the Washington Township Fire Department;
- 8) That all Engineering Division requirements be met on design of public roads, private drives, parking areas, public and private utilities, and stormwater management; and
- 9) That all of the changes required above be submitted to staff within two weeks.

Mr. Sprague asked if the dumpster would be adequately screened. Mr. Talentino said yes.

Mr. Sprague asked if the proposed signage had been submitted. Mr. Talentino said the only signs discussed were entryway signs. These are incorporated into the stone wall feature and have to meet the sight triangle and the text requirements.

Mr. Harian asked about Condition 7. Mr. Talentino said when first reviewed, the fire department was concerned about rear access to the building. Since then, the applicant's engineer has clarified that there was no problem with the fire department.

Ms. Chinnici-Zuercher asked if mounding and landscaping could be used instead of fencing. Mr. Talentino said the zoning text required the board on board fence.

Chris Cline, representing the applicant, said this facility would have 54 beds with assisted living for the frail, but stable tenants averaging 82 years old. It is a private pay facility. He said the rear, single-story elevation, next to the residential will contain the Alzheimer's facility.

Mr. Cline said 240-pound dimensional shingles would be used on the roof of the facility. He showed the blue-vein, cultured limestone will be similar to the United Dairy Farmers building.

Mr. Cline asked what "or other acceptable solution" meant in Condition 1. Mr. Talentino said staff did not want to force the common drive to be constructed on the property line. If the applicant and the southern neighbor can agree upon an alternate location, staff will cooperate.

Mr. Cline said the southern property owner wants to move the curbcut to the south to directly benefit the future shopping center. He said his clients were not receptive to that.

Mr. Cline said medical waste and sharps will not go into the dumpster, and will be handled by a separate bio-hazard waste firm. He had asked the residents about the reasonable time to service the dumpsters, and they indicated 9 a.m. Dublin pickup begins at 7 a.m. and Mr. Cline wants a compromise.

Mr. Cline said the largest issue was the six-foot high board on board fence in the rear. He said the zoning text was specific showing the fence and landscaping requirements. He said they had actually exceeded the requirements. Every 29 feet there is a stone pilaster which jogs in four feet, which provides interest to the fence.

Mike Fite, Bird Houk Associates, described the site layout. The two-story part of the building is towards the front of the site and the parking is well-screened. All parking and vehicular access is in the front of the building. The fence corners are two by two stone columns. The plant material on the east side of the fence adds value to the single-family residences. A fence circles the periphery to prevent wandering. Gates have been incorporated at each end of the rear to provide access for emergency vehicles.

Ms. Clarke asked where the fence was in relation to the trees. Mr. Fite said only nine trees in the landscape plan will be inside the fence, and the remainder were outside. He said they were fully prepared to maintain all the plant material, replace dying materials, and prune as necessary.

Ms. Chinnici-Zuercher asked what kind of mound existed on Muirfield Drive. Mr. Fite said it was three or four feet high and will be left intact. Ms. Chinnici-Zuercher asked if the parking lot would be visible. Mr. Fite said no.

Ms. Chinnici-Zuercher asked about the siding proposed. Mr. Cline said it was six-inch, doubled cedar, 3/4 to an inch overlapped of a sandstone color (Beyr), similar to St. Patrick's Church.

Mr. Cline agreed to using additional stone on all the elevations to staff's approval. Ms. Chinnici-Zuercher asked if 75% would be agreeable. Mr. Cline said the text stated "equal quality on four sides".

Mr. Sprague asked if the neighbors had seen the new plans. Mr. Cline said yes.

Mr. Peplow was glad to see the quality of the details used on the building. He asked what the dark units were below the windows. Mr. Cline said they were HVAC units for each room.

Mr. Peplow asked about the drainage swail easement between the properties. Mr. Cline said there were also underground utilities. Mr. Peplow asked how far the fence would need to be moved to accommodate a mound. Mr. Cline said approximately eight feet.

Mr. Ferrara asked if the Alzheimer's wing was completely fenced, including the west side. Mr. Cline said yes. Should a resident wander, the fence is an added benefit, but it is not intended to be security. Mr. Ferrara said the fence seemed too close to the building and looked very confining. Mr. Fite said those were in the sensory gardens and the fence is on the other side of the garden.

Ms. Boring asked if there was any allowance for future expansion. Mr. Cline said no. Ms. Boring asked if there any two-bed units. Mr. Cline said no.

Ms. Boring asked if the front wall would reflect the Dublin characteristic stone fence. Mr. Cline said somewhat, but it would not have dry laid stone fence because it was over an utility easement. A mound and landscaping will be used instead. Mr. Fite said the sign would be stucco stone. The wall is mortared stone.

Ms. Boring asked if the adjoining properties would have the same kind of fence when rezoned. Mr. Cline said it would be up to the Commission to determine.

Mr. Cline said the residents had a catch basin in the back of their yards. He was confident that the situation would better because they were going to pipe 85 percent of the site directly into the stormsewers.

Robert Liska, 5949 Sagem Court, said all the property owners signed for the mounding. He said there is 55 feet between the Alzheimer's wing and the property line and with a six-foot mound, it would be 40 feet, leaving 15 feet from the building, not eight feet as said by Mr. Cline. He said the Indian Run Meadows homeowners had a no-build zone and fences were not permitted. The PUD architectural standards state "in keeping with the residential framework of the area". He said the landscaping did not match the wide open greenspaces of the neighborhood. The residents felt that mounding with trees would be in keeping with the open landscape in Indian Run Meadows. He said the residents want a four to six foot high mound with trees. He did not think the 30 adjacent east property line neighbors had been considered. Mr. Liska said the petition submitted represents all but one property owner.

Chris Sherman, 7175 Mojave Street, lives across Muirfield Drive whose backyard overlooked Muirfield Drive and this proposed site. He was concerned that the western elevation of the building appeared very large and non-residential. He was also concerned about the amount of greenspace in the entire development. There was virtually no greenspace of the existing commercial developments. While it met the zoning density, it appeared as mostly paved surfaces

and buildings. He asked that as this tract is developed and the two vacant sites some greenspace and openness be added. Mr. Sherman was concerned about the height and overflow of lighting also. He suggested that residential type lower light be installed. He would like to see additional planting material that would not block the vehicular vision to replace material lost.

Rick Fitch, 7096 Wichita Court, said he owns one of the homes behind this facility. He said only four lots are affected. They had an opportunity to review the plans, and they had been assured that the flow into the stormwater grate will not be any greater than after development than it is currently. Mr. Fitch was concerned that the applicant's sanitary sewer was on the south side of their property. It will tie into an existing 12-inch line at a manhole, south of his property. He said they had an eight-inch line that ran north/south on their west property line. He is afraid of a backup. This facility does not have a basement, and the residents are concerned about a backup in their basements. Mr. Fitch asked for assurance from Dublin that this has been addressed and there is adequate capacity for future development in the area. He signed the petition regarding mounding. He supports of putting all the plant material at grade level. It would look much nicer with the plant material staggered and would be easier to maintain.

Farid Masri, 7061 Cavalry Court, was concerned about the buffering along the property line becoming the standard for the remainder of the land. His property abuts a future commercial parcel. He asked the Commission to hold strict standards regarding the buffering, density, and materials. Mr. Masri said he was also concerned about landscaping maintenance. He said KinderCare's fence was ugly and suggested it had not been taken care of for years. The fence is on his property line, and there is garbage, construction debris, and five-foot weeds at times.

Mr. Masri said had a problem with drainage in his yard. He asked the Commission to carefully consider lighting because other developments will follow suit. Mr. Masri asked if a 3:1 slope on the mounding was standard. Mr. Fite said that is the maximum slope that can be mowed.

Randy Bowman had been contacted about the local drainage concerns, and residents are asked to contact Chuck Petty in Engineering. He offered to refer any problems to Mr. Petty. He said the developer is not permitted to make the situation worse. The reason for the wetness is unknown without further information. If it is Dublin's responsibility, it will be taken care of, and if it is perhaps regrading the resident's lot, advice will be given on how to correct it.

Ms. Clarke said the site was zoned before the Lighting Guidelines were drafted, and they only apply if added to the final development plan. The Code requires parking lot lighting to be a minimum of one-half foot candle on the pavement. Staff requests that all lighting be shielded and of a cut-off design to minimize light trespass. Ms. Clarke said that the lighting concerns as raised by the residents will be adequately addressed. Mr. Cline said the text permit 35-foot light pole, but theirs will match UDF at 25 feet. He said sheet L-4 has a lighting diagram with the actual numbers which meet the Dublin Lighting Guidelines. Most of the lighting is on the west side, in the parking lot. Mr. Fite said the parking lot lights on the west side were 24-hour lights.

Mr. Cline said the building was designed to look as residential in appearance as possible. It had the same height limitations (35 feet) as the residences in the neighborhood. He said the footprint had been designed to break up the front mass by indents, balconies, etc.

Randy Bowman said the sanitary sewer capacity should not be an issue, because the sewer was designed based on land use, in this case, commercial use. He appreciated the residents concerns. Mr. Cline said the residents were concerned about the eight-inch sewer to the east of this site which actually went uphill from the 12-inch sanitary sewer this development will use.

Mr. Cline said they will not add any new median cuts in Muirfield Drive. They are however, required to widen the existing cut for a left-turn lane for the southbound traffic, but they are required to replace any landscaping.

Ms. Chinnici-Zuercher asked that the KinderCare fence/maintenance be addressed by staff.

Mr. Ferrara said this development was an excellent first building. He said the footprint will cover 23 percent when 50 percent is permitted. It is a well-portioned building, and he feels the lot coverage sets a precedent for the future. He was not in favor of the mounding, even though he understood the residents reasoning.

Mr. Peplow said at first he thought the quality of the eastern part of the building viewed from Muirfield Drive seemed lower. Condition 3 and Mr. Cline's agreement to work with staff to add brick or stone answered his concern. He was not in agreement with mounding.

Mr. Sprague said this case reinforces our pride in Dublin, with citizens that get involved, are informed, and the speak eloquently about their concerns. He said the resident's viewpoints were valid, and the applicant has been responsive. Mr. Sprague said this will be a valuable addition to the area. It fills a need growing in Dublin, senior care.

Ms. Chinnici-Zuercher said this facility is needed and will complement the area. Mounding is usually supported between residential and commercial sites, but this particular landscape plan will better meet the need that the residents desire over time. The fencing is required in the text and it has been made interesting. This should set the standard for the rest of the commercial subarea.

Mr. Harian made a motion to approve this application because it is a permitted use, complies with the preliminary development plan, is well-buffered, and has architecture with a residential character, with the following nine conditions:

- 1) That the south access satisfy the requirements of staff and the city law director;
- 2) That copies of recorded cross-access easements between the subject site and neighboring office and commercial sites be submitted prior to the issuance of building permits;
- 3) That additional stone be provided on side and rear elevations to ensure the same finished quality on all elevations, and be approved by staff;

- 4) That dimensional roofing shingles be used;
- 5) That all lighting be coordinated with the adjacent commercial and office uses and comply with the text and Dublin Lighting Guidelines, as approved by staff;
- 6) That the landscape plan be revised to include additional landscape material to screen the HVAC units, to the satisfaction of staff;
- 7) That issues concerning fire protection and access for fire and emergency vehicles meet the requirements of the Washington Township Fire Department;
- 8) That all Engineering Division requirements be met on design of public roads, private drives, parking areas, public and private utilities, and stormwater management; and
- 9) That all of the changes required above be submitted to staff within two weeks.

Mr. Ferrara seconded the motion and the vote was as follows: Mr. Peplow, yes; Mr. Lecklider, yes; Mr. Sprague, yes; Ms. Chinnici-Zuercher, yes; Ms. Boring, yes; Mr. Ferrara, yes; and Mr. Harian, yes. (Approved 7-0.)

Ms. Chinnici-Zuercher welcomed Liberty Health Care to Dublin. She encouraged the applicant to continue to include the neighbors as the facility is developed and volunteers are needed.

6. Reconsideration - Rezoning Application Z96-002 - Preliminary Development Plan - Amberleigh North

Bobbie Clarke presented this rezoning for 123 acres. It was forwarded to City Council with a positive recommendation in late 1996. Council, due to changes to the park and road alignment, referred it back to the Commission for further review. Changes include reducing the plan from 204 to 196 units, increasing the overall parkland by 1.1 acre, designing Memorial Drive as an unloaded street, and using the preferred alignment for Memorial Drive.

Ms. Clarke said the above items were all positive changes to the plan. However, the park along the river that the City wants to maximize, remained about the same size. Dublin will purchase 12 acres in order to produce a community-sized park. She said if the decision is made in the future, to extend Memorial Drive into a bridge, it would go through the park area. The necessary land to facilitate a bridge would be owned and controlled by Dublin.

Ms. Clarke said Mr. Hale suggested a few more plan revisions this evening. An additional half-acre of land was requested by Dublin for the riverside park and Mr. Hale submitted a drawing that would provide it. Mr. Hale also submitted a document that slightly reconfigured the entrance lots, and adds two flag-shaped lots on the north side. The staff report was based upon 196 units, and the proposal, as of this evening, is for 198 units with an additional half-acre of parkland.

Ms. Chinnici-Zuercher asked where the half-acre of park is. A drawing was distributed which showed it as a 32-foot strip on the east side of the cluster site, reducing the cluster site by one-half acre. Ms. Clarke said the park requirement for this site with 198 lots is 13.35 acres. Ms. Boring asked if no credit were given for any additional buffering on Dublin Road, would this half-acre